

CC.3.1.43.-FGc
CC.3.1.46.-

2058
/stamp:/
Feb. 2, 1945

The Swiss Legation has the honour of informing the Imperial Ministry of Foreign Affairs that the Government of the United States of America has requested that the following notification be addressed to the Japanese Government:

"The Japanese Government acknowledged receipt of notification that the U.S.S. "Comfort" was designated as United States hospital ship (see note no.188/T2 from the Ministry to the Legation dated 6 July). On the 24th October 1944 at 02.00 local time in the vicinity of latitude 0850 north longitude 12850 east, the "Comfort" was attacked by a Japanese aircraft. The vessel was conventionall painted as hospital ship and fully lighted with two illuminated crosses on deck and four on the stack. During this attack upon the "Comfort", three bombs were dropped, two of which landed close aboard.

On the 14th July 1944 (see note no.200/T2 from the Ministry to the Legation dated 14 July), the Japanese Government acknowledged receipt of the notification that the U.S.S. "Hope" was designated United States hospital ship. On the 3rd December 1944, at 16.00 local time, at latitude 0936 north longitude 12821 east, the "Hope" was attacked by a Japanese torpedoplane. This attack was made in daylight on a conspicuously marked hospital ship. Following this deliberate attack, the attacking Japanese aircraft retired to Mindanao.

The United States Government emphatically protests against above described attacks upon the hospital ships "Comfort" and "Hope" such attacks representing flagrant violation of the tenth Hague Convention of 1907 as well as those principles, customs and usages of international law attached to hospital ships. The United States Government insists that the Japanese Government give its assurances that attacks by Japanese armed Forces upon hospital ships will not be repeated in future and that those persons responsible for the above-mentioned attacks on the "Comfort" and "Hope" have been punished."

In begging the Ministry kindly to acknowledge receipt of the present notification and to communicate to it /the Legation/ the reply of the Imperial Government to the American protest, the Legation takes this occasion to renew to it the assurances of its high consideration.

Tokyo, 29 January 1945.

To the Imperial Ministry
of Foreign Affairs
Tokyo

Certificate:-

I, Yale Maxon, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8435.

/s/ Yale Maxon

2059

CC.3.1.43--IGc.
CC.3.1.46.--

/stamped:
Apr. 23, 1943

By its note of 29 January the Swiss Legation had the honor of transmitting to the Imperial Ministry of Foreign Affairs a protest from the Government of the United States of America on the subject of attacks carried out by Japanese planes against the hospital ships "Comfort" and "Hope".

The Washington Government has requested assurances from the Japanese Government that those responsible have been punished and that such attacks will not be repeated in the future.

No reply having been received to this day the Legation ventures to bring this matter again to the kind attention of the Ministry.

It takes this occasion to renew to the Ministry the assurances of its high consideration.

Tokyo
23 April 194?
/T.N. probably 1943 or 1945/

To the Imperial Ministry
for Foreign Affairs
Tokyo

Certificate:-

I, George Buffington, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8398.

/s/ George Buffington

The Foreign Office
Tokyo
No. 113/T2

7060
CC.3.1.43/46

Memorandum

The Imperial Minister for Foreign Affairs has the honor to acknowledge receipt of Note No. CC.3.1.43-FGc./CC.3.1.46, dated 29th January last from the Swiss Legation by which the Legation was good enough to transmit to the Minister a protest from the Government of the United States of America against attacks which might have been made by Japanese planes on the American hospital ships "Comfort" and "Hope".

The Minister hastens to inform the Legation that the competent authorities are now actually enquiring into the matter.

12 May 1945

Certificate:-

I, YALE MAXON, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8399.

/s/ Yale Maxon

2061
CC.3.1.43.--FFc. /stamped:/ May 24 1945

By Note No. 113/T2 of 12 May last the Imperial Ministry for Foreign Affairs was pleased to inform the Swiss Legation that the Japanese authorities had commenced an investigation of the matter of attacks carried out by Japanese planes against the American hospital ships. "Comfort" and "Hope".

The Legation has the honor to inform the Ministry that in the meantime the Government of the United States of America has called upon the Federal Government to address to the Imperial Government the following notification relative to a second Japanese air attack against the "Comfort":

"On the afternoon of 28th April 1945, the U.S.S. "Comfort", a United States hospital ship left Okinawa at about 20.50 local time. On the same day, at latitude 25/30 north, longitude 127/30 east, when observing full hospital ship procedure, the "Comfort" was attacked and seriously damaged by an aircraft positively identified as Japanese. As a result of this unlawful attack on the hospital ship, 39 persons including nurses were killed and 33 persons were seriously injured.

The notification from the United States Government that the "Comfort" had been designated as a United States hospital ship was acknowledged by the Japanese Government on 6th July 1944.

The United States Government emphatically protests against this deliberate attack on the "Comfort" a flagrant violation of the tenth Hague Convention of 1903 as well as those principles, customs and usages of international law relating to hospital ships.

The United States Government insists that the Japanese Government take positive measures to punish those responsible for this attack and to prevent the recurrence of attacks by Japanese forces upon United States hospital ships."

While requesting the Ministry to be good enough to acknowledge receipt of the present notification and to communicate to it the reply of the Imperial Government to the American protest, the Legation takes this occasion to renew to it the assurances of its high consideration.

Karuizawa 23 May 1945

To the Imperial Ministry
for Foreign Affairs
Tokyo

Certificate:-

I, George W. Buffington, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8421.

/s/ George W. Buffington

Cinepac File

A16-3

Serial: 05980

2062

UNITED STATES PACIFIC FLEET
AND PACIFIC OCEAN AREAS

Headquarters of the Commander in Chief

Confidential

19 May 1945

RECEIVED S-C FILES

CONFIDENTIAL

13 Room 2055

Date 28 May 1945

Jp File No A14-3/EP37

Job No 171204

Copy No 2 3

From: Commander in Chief, U. S. Pacific Fleet.
To: Commander in Chief, United States Fleet.

Subject: U.S.S. COMFORT, Attacked by enemy aircraft.

Reference: (a) CO USS COMFORT serial AH6/A16-3/C-68 of 1 May 1945
(b) CO USS COMFORT serial AH6/A16-3/70 of 7 May 1945.

Enclosure: (A) Copy of reference (b).
(B) Translation of Japanese document taken from body of suicide plane pilot.

1. It is noted that reference (a) was submitted direct to the Chief of Naval Operations without the prescribed routing through intermediate commands. This report is being submitted therefore in lieu of the usual endorsement.

2. Attention is particularly invited to the fact that on the night of the attack, the weather was clear, visibility unlimited, the COMFORT was fully illuminated and was carrying out full hospital procedure. It will also be noted that the attacking plane flew over the ship in 3 successive passes, once at masthead height and twice at 500 feet; there can be no doubt therefore as to recognition by the pilot of the character of the hospital ship.

3. The ship carried no passengers and was complying in every respect with the provisions of the Geneva Convention.

4. There were no other naval vessels nearer to the COMFORT than 20 miles at the time of the contact, thus there can be no question as to her being escorted or in company with combatant ships.

5. Enclosure (A) is submitted as an indication that attack of this nature may be premeditated by the Japanese Government and not simply the irrational act of a single pilot. Enclosure (B) is translation of a document taken from the body of the pilot of the suicide plane, from which it is evident that the pilot had been briefed on the presence of U.S. vessels off OKINAWA, among which were two hospital ships.

6. It is recommended that the strongest possible protest be addressed to the Japanese Government for this deliberate attack on a ship load of defenseless battle casualties in violation of existing treaties.

5 04278

C. W. NIMITZ

Other copies ret'd to Cominch (3053)
6/5/45

U.S.S. COMFORT (AH-6)
c/o Fleet Post Office
San Francisco, California

7 May 1945

From: Commanding Officer.
To: Commander in Chief, U. S. Pacific Fleet.
Subject: Tokyo Broadcast re: Bombing Hospital Ships -
Reporting of.
Reference: (a) CO USS Comfort's conversation of 6 May
1945 with Vice Admiral McMorris.

1. In compliance with your order, reference (a), I wish to report that on 9 April 1945 at approximately 1500 Item, I heard Tokyo broadcast as follows:

Quote, We are justified in bombing hospital ships as they are being used for repair ships for returning wounded men back to the fighting front, unquote.

The broadcast also stated at length the fact that their own "Mercy Ship" was long overdue.

2. This broadcast is reported from memory and may not be quoted verbatim. However, its meaning was unequivocal.

3. The subject broadcast was heard by several members of the crew of this vessel.

A. TOOKER

ENCLOSURE (A)

(ENCLOSURE (B) - Translation of Japanese document taken from book of the suicide plane pilot which crashed into the U.S.S. COMFOR

Flight Intelligence Despatch #2

1. Shipping situation at 1700 on the 27th.

OFF KADENA: 2 battleships, 3 cruisers, 15 destroyers, about 40 transports, 2 hospital ships, about 80 small craft. Landing continues off ITOMAN: one battleship, 1 cruiser, 1 destroyer, 5 transport 1 small craft, 7 assault craft.

OFF KIYABU: 2 cruisers, 23 destroyers, 2 unidentified, 4 small craft, 7 assault craft.
_____ (TN; illegible) - 3 cruisers, 3 battleships, 20 small craft. Unclear because of fog at present.

2. On the 28th at 0200 at WAKAGUSUKU Bay: One battleship, 5 cruisers, 7 destroyers, 27 small craft.

5 04278

ENCLOSURE (B)

2063

ARMY SERVICE FORCES
205th Hospital Ship Complement
U. S. S. COMFORT AH-6
Fleet Post Office, San Francisco, Calif.

2 May 1945

SUBJECT: Report of Dead and Wounded Personnel.

TO : Adjutant General, United States Army,
Washington 25, D. C.

1. The Hospital Ship U. S. S. Comfort was proceeding on its way to Guam with a load of patients from Okinawa, Ryuku Islands, on the 28th April 1945 when at 2042 that evening the ship was bombed by a suicide Japanese airplane. The position of the ship was about seventy (70) miles from Okinawa at latitude 25° - 28' N and longitude 127° - 39' E. The plane dove into the ship hitting into the outboard bulkhead on the starboard side of the superstructure deck. When the explosion occurred all normal activities of the hospital were being carried on.

2. The following is a summary of all personnel killed and wounded, with type and extent of wounds received.

A. The personnel named on the attached list as killed in action were so badly burned and mutilated that it is impossible to determine just what killed them. The direct cause of death as far as can be determined was due to the explosion.

B. Seriously wounded.

- (1) Lt Col Linaman-Laceration forehead-laceration of right wrist-cerebral concussion, mild.
- (2) Capt Maris-Burns, 1st & 2nd degree both legs and left arm-Fracture right arm-Possible laceration right eyeball.
- (3) Capt Nicola-Contusion severe right lower chest and flank Blast injury to right kidney-Probable fracture of ribs, right lower chest.
- (4) Lt Onsrud- Lacerations forehead and left eyelid.
- (5) Lt Trastrail-Burns, 1st & 2nd degree, face, right arm and body -Fracture left wrist and hand.
- (6) Lt Goodman-Fracture right femur-Blast injury right ear.
- (7) Lt Koonjar-Lacerations left buttocks and scalp-possible fracture of skull-Burns, 1st & 2nd degree face, neck, both arms and both legs.
- (8) Tec 3 Holshouser- Fracture right ulna and radius-Possible fracture right ribs- Laceration right chest.
- (9) Tec 4 Fern-Fracture left femur.
- (10) Tec 4 Hagen-Lacerations left shoulder-Laceration forehead-severe contusion left foot.
- (11) Tec 5 Bullock-Laceration of scalp-Concussion abdomen, mild- Possible skull fracture.

(12) Pfc Cholette-Fracture compound complete right femur-Fracture simple complete left femur-Fracture simple complete sternum-Contusion left shoulder, left hand and wrist, moderate.

(13) Pfc Deitz-Laceration right scrotum-Gangrene of right testicle-Multiple contusions-Lacerations of face and neck.

(14) Pfc Hunt-Lacerations right hand and arm-Possible cerebral concussion.

(15) Pfc Kuitunen-Blast injury abdomen-Contusion right chest and abdomen and possible fracture ribs right side.

(16) Pfc McMahan-Blast injury, moderate, multiple contusion right chest, shoulder, left shoulder and left chest, left hip and left flank-Probable fracture right ribs-Lacerations, right chest and left wrist.

(17) Pfc Groves-Burns 1st and 2nd degree, face, left leg and arms-Severe laceration right leg-Contusion, chest and abdomen-Lacerations face, moderate.

(18) Pfc Brown-Multiple lacerations of the face and body-Cerebral concussion severe-Severe shock-Expired 29 April 1945 due to aforementioned causes.

C. Slightly wounded-Hospitalized.

(1) Lt Koplowitz-Cerebral concussion-Scalp lacerations, moderate.

(2) Pfc Collins-Blast injury, mild, to chest and abdomen.

(3) Pfc Goroeki-Blast injury, chest and abdomen, moderate.

(4) Pfc Lewis-Blast injury chest and abdomen-Multiple foreign body burns, chest and abdomen, right forearm, arm, right thigh, knee, and leg.

(5) Pfc Mollour-Lacerations left forearm-Lacerations left feet with possible fracture.

(6) S/Sgt E. Adams-Burns 2nd degree, face and hands.

(7) Tec 5 Ondricka-Deafness, bilateral, due to blast injury-Blast injury to head, mild.

D. Slightly wounded- Not Hospitalized.

(1) Tec 4 Bigelow-Laceration left hand, moderate.

(2) Tec 4 Hoffstein-Lacerations both hands.

(3) Pfc Cheff-Burns, face, and neck and arms.

(4) Pfc Horan-Lacerations forearm and hand.

(5) Pfc Vendracek-Laceration right hand, possible fracture of Meta-Carpals.

E. Missing in Action.

(1) Pfc Edwards-The remains or any part thereof, has not been found. Pfc Edwards was last seen on the superstructure deck at the Pharmacy where he spoke to some of the enlisted men. Tec 4 Eli Hoffstein who works in the Pharmacy, stated that he saw Pfc Edwards leave the Pharmacy and turn forward on the passageway at approximately the exact spot where the airplane dove into the ship. The explosion being so great must have completely destroyed the body. Parts of human bodies were scattered throughout that section of the ship where the explosion took place, but no trace was

found of any part of a body that could in any way be identified as part of Pfc Edwards. It is believed that Edwards is dead, but due to the fact that the explosion blew some personnel from inside the ship through compartments on to the open decks without injury, there still remains possibility of his being blown out through a compartment and over the side of the ship.

F. Killed in action-temporary duty personnel from Med Sv CPBC, APO 958.

(1) Lt O'Brien-Killed as a direct result of explosion.

G. Slightly wounded-Not Hospitalized-temporary duty personnel from Med Sv. CPBC, APO 958.

(1) Major Brannan-Laceration, palm of front right hand.

(2) Lt Dona-Multiple lacerations and contusion of right arm and both lower legs.

For the Commanding Officer:

DUNCAN P. STEWART
1st Lt, MAC
Adjutant

FROM: CO, 205TH HOSP SHIP COMP, USS COMFORT, c/o FLEET POST OFFICE, SAN FRANCISCO, CALIFORNIA.

TO : THE ADJUTANT GENERAL, US ARMY, WASHINGTON 25, D.C.

KIA

ECKERSON, EDWIN B.	MAJOR	MC	O-241700
CLARK, CHARLES D.	CAPTAIN	MO	O-1684608
FOSS, ERNEST JR.	CAPTAIN	MC	O-430250
MACPHERSON, WILLIAM A.	CAPTAIN	MC	O-1703321
GREWET, FLORENCE T.	1st Lt	ANC	N-737659
BILLINGS, MARGARET M.	2nd Lt	ANC	N-737148
CHESLBY, FRANCIS O.	2nd Lt	ANC	N-751725
ECKERT, LVELYN C.	2nd Lt	ANC	N-760263
STANKE, DOROTHY M.	2nd Lt	ANC	N-783678
GREENWOOD, ILLA M.	2nd Lt	ANC	N-737583
SALISEURY, HOWARD H.	TEC 4	MD	32666320
ISENBURG, ROBERT O.	TEC 5	MD	32854663
KRAUSS, JOHN R.	TEC 5	MD	33156825
DAMMEYAN, CECIL H.	PFC	MD	37414358
SMITH, CLOVIS B.	PFC	MD	34687022
SUTKER, SAMUEL D.	PFC	MD	34763162
WALTERS, DUANE M.	PFC	MD	33449448
WOODWORTH, CLAYTON R.	PFC	MD	37471496

SERIOUSLY WOUNDED 28 APRIL 1945

LINSMAN, JOSEPH F.	LT. COL	MC	O-21476
MARIS, LEE M.	CAPT	MC	O-491585
NICOLA, JOSEPH S.	CAPT	DC	O-478688
ONSERUD, MYRTLE S.	1st Lt	ANC	N-736618
TRESTRAIL, GLADYS C.	1st Lt	ANC	N-736497
GOODMAN, VALERIE A.	2nd Lt	ANC	N-783665
KOOMJAN, HELEN	2nd Lt	ANC	N-737376
HOLSHOUSER, VAN H.	TEC 3	MD	36256130
FERN, HAROLD W.	TEC 4	MD	36730208
HAGEN, NORMAN	TEC 4	MD	35712863
BULLOCK, THOMAS E.	TEC 5	MD	34538093
CHOLETTE, LYMAN J.	PFC	MD	36564567
DEITZ, DAVID	PFC	MD	33790297
HUNT, CHARLES J. JR.	PFC	MD	32953755
KUITUNEN, GOERGE J.	PFC	MD	36413433
McMAHAN, JOE A.	PFC	MD	38430516
GROVES, KENNETH R.	PFC	MD	30637795
DREWAL, HARRY J.	PFC	MD	36801329 (EXPIRED

29 Apr 45)

SLIGHTLY WOUNDED 28 APRIL 1945 HOSPITALIZED

KAPLOWITZ, LEONARD S.	1st Lt	SNC	O-1039715
COLLINS, RAYMOND E.	PFC	MD	35221178
GORECKI, ALBIN A.	PFC	MD	31277306
LEWIS, BENJAMIN A.	PFC	MD	39924105
MOLLEUR, ARTHUR J.	PFC	MD	31267573

SLIGHTLY WOUNDED 28 APRIL 1945 HOSPITALIZED 29 APRIL 1945

ADAMS, EUCLID G.	S/SOT	MD	34116753
ONDREICKA, WILLIAM	TEC 5	MD	36384935

SLIGHTLY WOUNDED 28 APRIL 1945 NOT HOSPITALIZED

BIGELOW, ADRIAN L.	TEC 4	MD	39557437
HOFFSTEIN, ELLI	TEC 4	MD	31307573
CHEFF, CLARK E.	PFC	MD	39048166
HORAN, AUGUSTUS N.	PFC	MD	33538048
VONDRAČEK, GEORGE J. JR.	PFC	MD	37477740

MIA 28 APRIL 1945

EDWARDS, RICHARD J.	PFC	MD	36801329
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KIA 28 APRIL 1945 TEMPORARY DUTY PERSONNEL FROM MED SV CPBC APO 958

O'BRIEN, JOHN F. JR.	1st Lt	MC	O-477914
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SLIGHTLY WOUNDED 28 APRIL 1945 NOT HOSPITALIZED TEMP DY PERSONNEL
FR MED SV CPBC APO 958

BRANNAN, DORSEY	MAJOR	MC	O-489474
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DONE, ROBERT W.	1st Lt	MC	O-472558
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FOR THE COMMANDING OFFICER:

DUNCAN P. STEWART
1st Lt, MAC
Adjutant

/stamp/
June 27 1945

CC.3.1.43.-FGc.

Pursuant to its note of 23 May relating to the Japan's second air attack upon the American hospital ship "Comfort", the Swiss Legation has the honor to make known to the Imperial Ministry for Foreign Affairs that the Government of the United States of America has requested the Swiss Government to present to the Japanese Government the following notification:

"In regard to attack by a Japanese aircraft upon United States hospital ship "Comfort" on evening of 29th April, 1945, following supplemental information is set forth for attention of the Japanese Government:

On the night of this attack, weather was clear and visibility was unlimited. There were no other naval vessels within twenty miles. The attacking aircraft flew over the "Comfort" on three successive occasions one at masthead height and twice at an altitude of ... feet. There can be no doubt therefore of the ability of the pilot to recognize hospital ship character of the "Comfort" before he crashed his plane on board the vessel.

There was found in the wreckage of the crashed aircraft a flight intelligence document which listed two hospital ships among other ships present off Okinawa on afternoon preceding attack upon the "Comfort". The fact that two hospital ships were included in a list of combatant ships in that area indicates that no effort was made to impress attacking Japanese pilots with immunity of hospital ships.

On 9th April, 1945, at approximately 15.00 local time, a Tokyo broadcast announced that Japanese are justified in bombing hospital ships inasmuch as they are being used to repair ships and for purpose of returning wounded men to fighting fronts. The United States Government states emphatically that its hospital ships are not being used for repair or any other purposes not permitted by strict interpretation of terms of Geneva Convention relative to use of hospital ships.

The United States Government reiterates its insistence that the Japanese Government take positive measures to punish those responsible for attack on the "Comfort" and other hospital ships and to prevent further attacks."

The Ministry will confirm that this note lacks one word in the sixteenth line of the first page. The Legation has not failed to ask the Federal authorities to communicate to it this word.

While requesting the Ministry to be good enough to receive this notification and to inform it of the response of the Imperial Government, the Legation takes this opportunity to renew the assurances of its high consideration.

To the Imperial Ministry
for Foreign Affairs
Tokyo

Karuzawa, 23 June 1945

REPORT REGARDING THE ADVENTURES OF THE NETHERLANDS
MILITARY HOSPITAL SHIP "OP ten HOORT".

Above-mentioned Hospital Ship went to sea on February 12, 1942,
Captain: "G. THUIZINGA." Head Medical Staff: M.O. 1st. Cl. "A.W. BELLEEM",
P.N.N.

The ship was provided with the appropriate markings of a hospital ship,
as arranged at the GENEVA-Convention of 1906.

According to a verbal communication of the then Naval Commander, Rear
Admiral "van STAVEL", to me on February 25, 1942, a message had been
received that said ship had been acknowledged as a hospital ship by the
Japanese Government, just as the N.E.I. Government had acknowledged 3 Japanese
hospital ships, viz: the "HIKAWA MARU", the "ASAKI MARU" and the "TAKASAGO
MARU".

Notwithstanding this acknowledgement the ship was attacked in the
"Westervanwater" near SOERABAJA on February 21, 1942, by Jap planes dropping
explosive bombs from a height of about 3000 metres. By three near-misses 3
persons were killed (M.O. 2nd. Cl. "te VELDE" and the Sisters "STRIK" and
"BRASSER"). Moreover about 20 persons were more or less seriously wounded and
the ship incurred severe material damage.

After this damage had been restored as much as possible, the Captain
received a written order from the Naval Commander at SOERABAJA (not from the
Chief Naval Commander who was his direct superior) on February 28, 1942, to
sail in order to pick up survivors of the sea-battle which had been fought
during the previous night at a spot located S.W. of the island of BANEAR, in
which action the Dutch cruisers "de Ruyter" and "Java" were sunk.

Sailing at about 0600 hrs a second order was received from the
Commandant of a patrol-vessel to look out North of the lightship for an
American submarine, reported to have on board 30 survivors of a Dutch destroyer.
We did not see this submarine.

At about 1400 hrs we were at about 10 to 15 miles from the indicated
position and, standing on the bridge, I saw in N.W. direction the tops of a few
masts above the horizon. After some minutes I counted even more than 80 masts.
The Captain decided to continue in the same direction at the same speed.

Within a short time the hulls of a great number of ships were visible,
steaming southward. Some vessels separated from the others. Through the
telescope I could observe that they were enemy warships, viz: one light
cruiser and 2 destroyers which had hoisted the flag signals: "You should
stop" and "You should not operate your wireless". Both orders were obeyed.

The warships had directed their batteries on us. They quickly approached and with a sloop a group of heavily armed Jap sailors and marines, under the command of an officer, boarded the "Op ten Noort" and searched the ship from stern to stern. In the meantime the valves of the wireless were smashed and all visible wires in the radio cabin were cut. Moreover all strategical points of the ship were occupied by armed Jap military. The Jap officer issued orders, after much signalling to and fro, to sail to an anchorage North of Bawean and to stay there until noon the next day. (March 1). Besides we were not permitted to cross the line Westpoint Bawean-Socrabaja. This order was entered into the logbook in the Jap language. I doubt whether the verbal order given in very poor English was in accordance with that in the logbook. Then after some months, I requested the captain to permit me to have a look at the logbook in order to make a true copy of this written order, the latter flatly refused to do so because of reasons incomprehensible to me.

In this way we could not possibly obey the orders of the Naval Commandant at SOERABAJA. On March 1st at 1300 hrs we weighed anchor from Bawean-roads and sailed in an Easterly direction in order to try and reach AUSTRALIA.

At 1600 hrs the ship was machine-gunned by Jap planes at the bow and bombed whilst the Japs signalled us to return to Bawean.

On March 2nd the ship was directed to the roads of BANDJERMASIN, in the mine-field preceded by a Jap mine-layer.

In the evening the Captain was ordered to board the Jap warship "ASIGARA", sailing under the flag of Rear-Admiral "MORI". The captain went and had himself accompanied by the purser, Mr. "MULDER", so that I was not present at this talk.

According to the captain, the Japs had given orders that the "Op ten Noort" should take up, feed and administer medical treatment to Allied P.W.'s, survivors of recent sea-battles, at present accommodated on board Japanese warships, pretending that said P.W.'s could be better accommodated on board our hospital ship. The captain conceded for humane reasons. These P.W.'s, however, were to be guarded by Japanese military, who at the same time, were to rule and direct the ship.

On the one side I think that this measure saved the lives of some wounded P.W.'s, on the other side the Geneva Convention was violated, the articles of which never permit that a military hospital ship is occupied by enemy-military. At the utmost a "superintendent" can be placed on board.

From this date onward conditions on board may be guessed. We never got rid of the military occupation; they acted highhandedly, meddled with internal affairs, penetrated into the cabins, inflicted punishments, etc.

On March 2nd the P.W.'s embarked. On March 3rd we left for MAKASSAR where the P.W.'s, except the wounded, were ordered to disembark by means of hits with rifle butts and kicks, which we had to witness without being able to interfere. Thereon the ship had to stay in the roads of MAKASSAR in order to embark sick P.W.'s from the P.W. camp ashore.

Occasionally groups of Japs boarded the ship as if they were sight-seers, a.o. a team of doctors and nurses of the Jap Military Hospital Ship "ASUKI MARU", who were impertinent enough to make propaganda films of Jap doctors taking care of European P.W.'s in properly equipped places.

During our stay at MAKASSAR "S.J. WIEMANS" received 5 strokes with a stick as a punishment because he had told a Jap not to put his dirty fingers in a sterile basin of instruments. Those on board, nurses and native personnel included, were forced to witness the execution of this punishment.

Our difficulties were manifold. Our stock of medicine gradually decreased. In the beginning I could obtain a little from the Military hospital at MAKASSAR, which was under Japanese supervision. Here I frequently had to wait for hours in the sun outside the hospital. I finally received a small quantity of medicine and had to carry it myself to the betjah (tricycle) which was to carry me.

Afterwards practically no medicine was supplied.

Foodstuffs could be purchased ashore, which was done by the purser. The ship, however, had left SOERABAJA with completely exhausted funds. I deposited the moneys destined for payment of salaries of Naval personnel in these funds, and afterwards I borrowed different sums from P.W.'s to deposit into the ship's cash, because the Captain did not like to do this directly, fearing trouble with the Japs.

Indeed we did have difficulties when these proceedings were discovered through the carelessness of one of the P.W.'s, fortunately without serious results, as I had taken all responsibility for the transactions and the Jap authorities did not want to actually attack me in my position. An account of these transactions has been handed in by me to the Naval Intendant.

Afterwards we had some trouble with the native crew who went on strike. They assumed a threatening attitude, so that some of the Medical Officers arranged an armed guard-corps to guard the bridge and to protect the Captain.

The medical-orderlies too threatened to go on strike. Because the Japanese command liked to see these troubles, no help whatsoever was to be expected from that side.

I could easily suppress the strike of the orderlies by threatening with violence and distributing a few strokes. Nevertheless I thought it advisable to dismiss some of the ringleaders. For this reason I dismissed the following medical-orderlies on July 7th 1942: "SOEDARDJO", "R. SOEPARDI" and "SOEWARDI HISKLI". Medical-orderly "HILARIUS SOERATIN" died of encephalomyelitis on September 1st 1942.

I may add here that the Naval orderlies, Sgt. "LERMAJA", Opl. "SARIMAN" and the sailor "SARDJINI" never joined the threatening strikers. Especially "LERMAJA" was a faithful soul with an undisturbable sense of humour. I am informed that he lost his life as a result of an American bombardment at MAKASSAR.

One incident which we could not easily forget, was the visit of the Jap Lt. Odr. "OTA". First he visited the sick-wards, distributing strokes to patients who were not lying in the prescribed position. Later the whole crew was assembled in the lounge, where we were taught the Japanese salutation-bow.

Guards with fixed bayonets were present to lend force to this demonstration. "TIEMANS" again had to pay for it, this time his face was slapped twice.

In my opinion this "OTA" is mainly responsible for the seizure of the ship. Pre-war he had been attached as a Naval employee to the Jap Consul General at BATAVIA. He seems to have been addressed as "djongos" (man-servant) there and is mentioned in the N.E.I. Govt. publication "10 Years' Japanese Machinations" as a spy. He was 2nd in command of the staff of Rear Admiral "MORI", also when the latter was placed as Naval Commander at MAKASSAR and had enormous influence in Jap Naval circles.

For daily and routine affairs we had to apply to the harbour-master "KUKUCHI". His behavior was always correct and benevolent but as a matter of fact he eventually stood under the command of the Military authorities and as a result was not able to do much for us.

Protests regarding the prolonged detainment of the ship were handed in by the captain, but were never answered properly. Protests regarding the ill-treatment of "TIEMANS", "OTA's" behavior, the behaviour of the team of the Japanese Hospital Ship "ASAKI IYURU", were never handed in, notwithstanding my insistence to do so.

August 31st was celebrated without any show of orange colour, by expressive orders of the Captain, despite my insistence to adorn ourselves with the queen's colour.

On July 18th 1942, a written protest was directed to the Jap Naval Commandant at MAKASSAR by our Captain which is enclosed herein as Enclosure 1.

As regards the medical work, beautiful results were booked. Almost continually not a single bed on board the ship was vacant. For details I beg to refer to the medical report handed in by me towards the end of August 1945 to the representative of the International Red Cross in the province of HIROSHIMA, HONSHU, JAPAN. (See Encl. 2.)

Suddenly on October 16th, all patients had to leave the ship together, with the native medical orderlies and the greater part of the ship's crew. A Japanese captain and other members of a crew embarked, whereon the following statement was read to us as answer to a protest handed in by the captain, copy of which I am unable to enclose.

1. The ship had not been "captured", but "occupied" by the Jap authorities and had been directed to JAPAN.
2. This official detainment was to be continued.
3. Directing the ship to JAPAN was ordered by the Japanese Navy and was to be carried out to explain some affairs that could not be solved at MUKASSAR.
4. The ship's crew and staff were not to be interned or made P.W.'s, neither was it the intention of the Japanese Govt. to do so in the future.
5. JAPAN will always fulfil the obligations forthcoming from International treaties.
6. For safety's sake it is necessary to place a Japanese crew on board the ship and to sail under the Jap flag.
7. A guard detachment, armed with rifles and machine-guns, is placed on board during the trip, in order to protect the ship against illegal attacks of American submarines.
8. Sabotage or opposition will be most severely punished.

I never saw a written confirmation of this statement. When the statement had been read to us, the captain answered with a short protest.

November 22nd the ship left for JAPAN with an "occupation-force" of about 100 armed marines. Escape was out of the question although the course took us East of the FILIPINES.

December 5th we reached YOKOHAMA. We suffered greatly from the cold on the totally unheated vessel. Many of us had only tropical clothes and much had been given to the first group of P.W.'s, many of whom had embarked almost without any clothes.

On December 17th and 18th the captain addressed some letters to authorities at YOKOHAMA, contents of which are unknown to me.

On December 19th the whole personnel had to disembark; we had to unload our heavy Juggage ourselves in bitterly cold weather. It was strictly forbidden for the native servants to assist us.

After a railway journey of about 24 hours, we arrived at a camp at MYOSHI (75 Kilometres N.W. of HIROSHIMA), where the Dutch team consisting of 44 persons, was detained until the surrender.

Several protests were sent from this camp, viz:

On February 22nd, 1943 (Encl. 3)
On October 27th, 1943 (Encl. 4)
On February 23rd, 1943 (Encl. 5)
On February 23rd, 1943 (Encl. 6) to the Swiss Ambassador at TOKIO.
August 21st 1943 (Encl. 7), whereas several times we tried to improve our conditions by personal talks with Mr. "KANAY", who would visit our camp irregularly as representative of the prefect of HIROSHIMA.

This man's behaviour was always very correct. In my opinion, he did his utmost to improve our conditions. Unfortunately his attempts had not much success, probably owing to opposition of higher authorities.

On the occasion of one of these visits the captain directed a letter to the Superintendent of Police at MIJOSHI on June 18th 1943 (Encl. 8)

We never received a written answer to these protests and letters.

On October 15th 1944 a speech was delivered by the prefect of HIROSHIMA, which I took down and copy of which I beg to enclose as "remarkable document" (Encl. 9)

The captain never permitted me to direct a protest regarding our detention and internment. The letter, forwarded by me on June 29th 1944 to the Prime Minister of JAPAN, must be considered as a "cry of distress." I may add here that all the Medical Officers fully agreed with the writing of this letter and strongly encouraged it. (Encl. 10).

Our internment at MIJOSHI put a great strain on our nerves. Those amongst us, men as well as women, who were psychologically less strong, occasionally broke down which caused some trouble and difficulties.

After all and certainly in comparison with other camps, our treatment was not too bad. A medical report of the internment-period is enclosed herein as enclosure 11 (eleven).

Document No. 8471-A

At the request of the Red Cross and in connection with the evacuation of this camp, I visited an English camp at T.M.M.O., where some sick and wounded P.W.'s were interned. Report of this visit I beg to enclose. (Encl. 12).

Socrabaja, May 8th 1946.

The M.O. 2nd.Cl. R.M.M.
Head Naval Hospital.

W.S. "A.W. MELLEMA".

Translated by Section V.

A.M.v.V.

16/C, '46
A.M.v.V. (5)

5066

C E R T I F I C A T E

The undersigned CHARLES JONGENEEL, Captain R.N.I.A., Head of War Crimes Section of NETHERLANDS FORCES INTELLIGENCE SERVICE (NEFIS), being first duly sworn on oath deposes and states that the annexed Dutch report (with English translation) is a full, true, complete and accurate copy of the original document, entitled:

"Report regarding the adventures of the Netherlands Military Hospitalship "OP TEN NOORT" by A. W. BELLEMA, with twelve enclosures,

which document is a part of the official records of NEFIS.

Batavia, August 20, 1946.

Signature:

/s/ Ch. JONGENEEL

Subscribed and sworn to before me, K. A. DE WEERD, LL.D., Major R.N.I.A., Senior Official attached to the Office of the Attorney-General N.E.I.

/s/ K. A. DE WEERD

SEAL

ENCLOSURE 3.

Mijoshi, February 22nd 1942.

Excellency,

1. I have the honour to submit the following to Your Excellency's kind attention:
2. On December 19th 1942 the entire personnel of the Netherlands Hospital Ship "Op ten Noort" were forced to disembark at YOKOHAMA. The Capt-Major, M.C.O.'s, together with the whole medical staff were interned in a house at MIJOSHI, where conditions left much to be desired, whilst the Indonesian crew was taken away to a place unknown to me.
3. Referring to my letters, directed to Your Excellency on December 17th and 18th, I take the liberty to make the following remarks:
 - a. That the Netherlands Hospital Ship "Op ten Noort" was officially acknowledged by the Imperial Japanese Govt. according to the Treaty for the Application on the War at sea of the principles of the Geneva Convention of July 6, 1906;
 - b. that when directing the ship to Japan the Imperial Japanese Navy guaranteed that the ship was not to be seized and the personnel was not to be interned or made P.W.
4. Therefore I strongly protest against the measures mentioned in para 2.
5. I kindly request Your Excellency to inform me:
 - a. Whether the Imperial Japanese Government adheres to it's acknowledgment of the S.S. "Op ten Noort" as a Hospital Ship.
 - b. What the reason is of the actual internment at MIJOSHI.
 - c. How long the present conditions are to be maintained.
6. Further I kindly request Your Excellency to take all possible measures to permit the personnel to re-embark as soon as possible, so that the ship can carry out its task to the benefit of our fellow-men.
7. Expressing my thanks for Your Excellency's willingness.

I remain,

Respectfully Yours,

To: His Excellency,
the Minister of the Imperial
Japanese Navy in TOKIO.

w.s. "G. TUIZINGA", Captain.

Translated by Section V.

A.M.v.V.

16/O. '46

A.M.V.V. (5)

2068

ENCLOSURE 5.

Excellency,

Mijoshi, February 23rd 1944.

1. On October 27th of the previous year a protest was handed in by me in my function of Captain of the Netherlands Military Hospital Ship "Op ten Noort", against the prolonged detention of this ship and the internment of the ship's crew and further personnel. As such a detention and internment are entirely contrary to the Geneva Convention of 1906 for the Application of the War at Sea, I am convinced, that Your Excellency is not acquainted with this internment and detention, nor with the incidents leading to these circumstances.
2. To my increasing astonishment I have neither received any answer to this letter of protest nor to my earlier protests, directed to lower authorities.
3. It surely cannot be the intention of the Imperial Japanese Government to waive the rules of the Geneva Convention, because Japanese Military Hospital Ships are still sailing under protection of International markings, as proscribed by said Treaty, as observed by me at MAKASSAR (CELEBES). Moreover, cancelling the Treaty would be contrary to the definite assurances and promises given by responsible Japanese Naval authorities at MAKASSAR and YOKOHAMA, and mentioned in my protest.
4. For further details regarding circumstances under which the ship's crew as well as the medical-staff were interned at MIJOSHI, I beg to refer to a memo, enclosed in this letter.
5. I take the liberty to urgently request Your Excellency:
 - a. To answer my protest of October 27th and
 - b. to give me an opportunity to explain possibly indistinct points in the incidents or incorrect acts from my part by a personal conference with a responsible authority.
6. If Your Excellency should be unable or unwilling to allow a conference as mentioned in para 5 sub b., I urgently request Your Excellency to indicate a representative of a non-belligerent nation, who - after being informed of the facts - will undoubtedly be prepared to look after the interests of the Netherlands Hospital Ship "Op ten Noort".

7. At the same time I beg to request Your Excellency to order a neutral instance to investigate the deplorable internment conditions of the ship's crew and medical staff.

Meanwhile I remain,

Respectfully Yours,

The Captain of the
Netherlands Hospital Ship "Op ten Noort"

v.s. "G. TUIZINGA".

Encl.: 1.

His Excellency the Prime Minister
of His Imperial Highness, the Emperor of Japan.

Translated by Section V.

A.M.v.V.

17/0. '46
A.M.V.V. (5)

ENCLOSURE 9.SPEECH DELIVERED AT MIJOSHI by the PREFECT OF HIROSHIMA.

To-day you are not going to hear any particular news from me. As Superintendent of this camp I regularly visit this place in order to keep myself informed of your conditions. I am the Representative of the Japanese Government.

Your main complaint regards food supply. However we do our utmost with regards to food matters on your behalf. Japan has a shortage of food, which is natural for a nation engaged in a serious war. You are always complaining of food but your food is actually better than that of Japanese subjects. It is very difficult to obtain suitable food in this area.

The hostile feeling in this country is so bad that people are of opinion that the food supplied to you, is a great sacrifice. Your food rations at present are larger than those for Japanese subjects, therefore we cannot bear your complaints any longer. Circumstances are indeed unbearable for you in comparison with your former living conditions, but bearable if you reflect that your ship might have been sunk in the Pacific by a Japanese submarine.

You may ask "why Japan seized a hospital ship; is it not a shame, that this was done-----"

I am not sure of the actual task of your ship. I am convinced, however, that Japan did not seize your ship illegally. Your opinion is contrary to mine, but it is of no avail to discuss this subject any longer, because Japan is convinced of the legitimacy of the seizure and of your internment. After the war this question will be discussed and decided. Japan, however, always lives up to International Treaties.

Your leader, America, sank many of our hospital ships and even machine-gunned the decks. The worst crime committed by this nation was the notorious "DAIRO" murder in the FILIPINES,

Your country and England intentionally interned Japanese subjects in the hottest places of the Indies and in America in the coldest.

Therefore we have no concern with your case. Fortunately or unfortunately your country left the front in the first stadium of the war, but during this first period various cases of bad treatment of Japanese subjects occurred in your country.

You pretend to have treated the Japanese internees decently, but you know fully well, that this is a lie. The Japanese are filled with indignation at this treatment. You always refer to International Law, but it was America, as leader of the Allies, who violated this Law.

Under what "gentleman treatment" we might be if we should be in your circumstances!!-----

It is no use comparing your present conditions with your former glorious way of living. We are convinced of doing our utmost under the present circumstances.

Hostile feelings are so bad here, that it is disapproved that Japanese food is withdrawn for your nourishment. You never eat turnips, laboe or terong, whilst even these foodstuffs are difficult to obtain. If you persist in refusing to eat them, all right, you will not be forced. We are not ashamed, for we do our utmost and always did so.

There is a great shortage of foodstuffs and soap, which is common for nations at war. You do not think of our great care for you, but instead you are always complaining. We do our duty, but apparently we cannot satisfy you.

Holland and Japan are enemies at present because Holland chose the side of the Allies. Formerly both countries were connected by firm ties of friendship.

Personally I have no hostile feelings towards you, on the contrary: For me there is some mysterious joy to have met you here in this remote corner of the world. But as a faithful servant of my Government, I must do my duty, which consists in peacefully interning you here. If you might escape, I again have to do my duty: You might be shot to death. Of course you are fully aware that such an attempt would be useless. You know the manifold differences in colour of hair, complexion, etc., between the Japanese and your people.

Attempts to escape will be severely punished. We do not want such a thing to happen. Such an attempt will be strictly punished. I informed the Government of your interests regarding correspondence with your country and your relatives. I stated that correspondence about your good health and well-being will be sent to your relatives. It is my wish that you keep your health until the necessity of your interment is over. I hope you can leave here as soon as possible, that your interment here is not unpleasant and that you will not have unhappy memories of this period.

Shortage of food and inconveniences are unavoidable in time of war. You do not understand our difficulties. You should realize that you might have lost your lives at sea.

My personal opinion is that your internment here will not be of long duration, because hostilities will soon be over.

I repeat that every attempt to escape will be strictly punished.

Translated by Section V.

A.M.V.V.

19/0. 146
A.M.V.V. (5)

2070

ENCLOSURE 10.

MIJOSHI, June 29th 1944.

I have the honour to submit the following to Your Excellency:

On October 27th of the previous year the Captain of the Netherlands Military Hospital Ship "Op ten Noort" submitted a protest against the detention of this ship. In this protest he gave a complete survey of all incidents which had occurred on board the ship and what was done to her crew and staff. He finally applied to Your Excellency expecting You to be able to stop the injustice inflicted upon us.

To my great disappointment neither this protest nor the repeated protest of February 23rd 1944 had any success and were not even answered.

It is obvious now that Naval and Civil authorities acted by orders of the Japanese Government and consequently we hold this Government responsible for our treatment. Notwithstanding the fact that Japan signed the Geneva Convention of 1906, the Japanese Navy detained our Hospital Ship, occupied her with armed forces and used the ship for her own benefit. As her own organization fell short in this respect I cannot but qualify this act as a serious proof of unreliability of the Japanese Government, the more conspicuous through the fact that the hospital ship "Op ten Noort" was acknowledged by the Japanese Government less than 3 months prior to the outbreak of the war. From her side the Japanese Government gave evidence of relying on the loyalty of her enemies with regard to above-mentioned Treaty. We could perceive - be it said to the shame of the Japanese Government - that our ship sailing under the markings (a.o. being illuminated at night), protecting Hospital Ships against intentional attacks of the enemy, with a cargo of contraband, a.o. mines, with armed military on board, safely reached Japan. It was declared by Naval authorities by name of the Japanese Government that our ship had not been seized, only detained.

Even after the ship had arrived in Japan in the dishonourable manner described in this report, sailing under the Jap flag, under the command of a Japanese captain, and after the crew and staff had been interned in a remote corner of Japan, the Japanese Govt. persisted in her untruthful declarations.

I accuse the Japanese Government of disloyalty on the following grounds:

- a. Having instructed high-ranking authorities to make misleading statements.
- b. Not having properly answered any protest.
- c. Not having permitted the captain of the ship to contact the International Red Cross,
- d. Not having permitted the captain to guard the interests of the hospital ship, not even through the intermediary of a non-belligerent nation, representing the interests of the Netherlands subjects in Japan.

I may finally add here that - where all over the world Red Cross work in war time is watched with interest and respect - the Japanese Government paralysed the performance of our hospital ship with one blow, without any reason, without any urgency of war, without any official procedure.

The Chief Medical Officer of the
Hospital Ship "Op ten Noort".

To: The Prime Minister of Japan.

Translated by Section V.

A.M.V.V.

19/0. 146
A.M.V.V. (5)

4071

Svenska
Beskickningen i Tokio

/Swedish Mission in Tokyo/

The undersigned, Ripa, Olof, Swedish Diplomatic Representative in Japan, declares and certifies that the annexed document is a complete and true (photo) copy of a letter, dated Tokyo 28 May 1946 sent by the Swedish Minister in Japan, addressed to the Jap. Foreign Minister... copy of which original document is part of the official records of the Swedish Mission in Tokyo.

Tokyo, October 31st, 1946.

L.S. (SEAL)

/Swedish Mission in Tokyo/

/s/ O. Ripa

(Signature: O. Ripa)

Tokyo, May 28th, 1942.

Monsieur le Ministre,

With reference to previous communications regarding the bombing and seizure by the Japanese armed forces of the Netherlands hospitalship "Op ten Noort", which I have had the honour to address to Your Excellency in my capacity as entrusted with the protection of the Netherlands' interests in Japan, I now beg to bring to Your Excellency's knowledge the following additional details in this matter, based on reports received from the Royal Netherlands' Government.

According to these informations the "Op ten Noort" on February 21st, last, was navigating near Sembilangen when it was bombed by Japanese airplanes, and received damages, which necessitated repairs. These repairs completed the hospitalship sailed out again on the first of March with the purpose of searching for survivors of a naval battle. On this occasion a Netherlands' reconnaissance plane reported that the vessel was captured by Japanese torpedo-boats. Since then no further information has been received by the Netherlands' Government regarding the ship, which, at both the above-mentioned occasions, was clearly marked in accordance with the prescriptions of international law.

In this connection it may be mentioned that the Royal Netherlands' Government has recognized the Japanese vessels "Hikao Maru" and "Tokuo Maru" as being hospitalships.

As to the incident of the bombing of the "Op ten Noort", which was brought to Your Excellency's attention with my note of March 2nd, I should much appreciate to be informed of the result of the investigation which was to be carried out.

Furthermore I have the honour again to request the

His Excellency
Monsieur Shigenori Togo,
Minister for Foreign Affairs,
etc. etc. etc.

Imperial Government to release the ship according to the stipulations of the Convention of the 13th of October 1907 which Convention has been signed and ratified by the Japanese Government. On behalf of the Netherlands Government, I beg to ask for the favour of a reply as to the intentions of the Imperial Government in this respect.

I avail myself of this opportunity, Monsieur le Ministre, to renew to Your Excellency the assurance of my highest consideration.

W. BAGGE

5072

Svenska

Beskickningen i Tokio

The undersigned, Ripa, Olof, Swedish Diplomatic Representative in Japan, declares and certifies that the annexed document is a complete and true (photo) copy of a letter, dated Tokyo 9 June 1942, received by the Swedish Minister in Japan, sent by the Jap. Foreign Ministry, which original document is part of the official records of the Swedish Mission in Tokyo,

Tokyo, October 31st, 1946.

SEAL

/s/ Ripa

L.S. (Swedish
Mission in
Tokyo)

(Signature: O. Ripa)

The Gaimusho
Tokyo

9 June 1942

Translation

No. 45/E2

My dear Minister

I have the honor to acknowledge receipt to Your Excellency of your three letters dated 2 March, 13 April, and 28 May, last, relative to the bombardment and detention of the Netherlands hospital ship "Op Ten Noort".

I hasten to make the following known to Your Excellency, and beg that you will be kind enough to transmit it to the Netherlands Government:

The Netherlands hospital ship "Op Ten Noort" which was wandering about during the evening of 28 February in the sea to the northwest of the island of Bawean where the Japanese fleet was in combat with the enemy Allied fleet, was detained by the Japanese Navy being under suspicion of an act of reconnaissance on the movements of the Japanese fleet in favor of the enemy Navy. /official Japanese text accompanying the French text reads: "...being under suspicion of having reconnoitred the movements of the Japanese fleet and reported this information to the enemy navy ..."/ This ship attempted on the 1st of March at dawn to escape at full speed from the surveillance of the escort vessel while the latter was attacking an enemy submarine. It was found, not without difficulty, by Japanese planes launched to search for it and rejoined its station the same day at evening.

The fact that this ship was used for a military purpose and that it attempted to escape when it was bound to follow the order of the belligerents constitutes an express violation of Article 4 of the convention of 18 October 1907 for the application of the principles of the Geneva Convention to maritime warfare.

The Imperial Government therefore protests strongly to the Netherlands Government against such an abuse of privilege and act of insubordination of a hospital ship. It is led to consider that this ship has lost, by these acts, the right of being respected in conformity with Article I of the said Convention.

As to the bombardment of the "Op Ten Noort" which was supposed to have been carried out on 21 February by Japanese planes, investigations by the competent authorities have revealed that absolutely no such bombardment was directed against this ship by Japanese planes. Moreover, the Japanese Army and Navy having received formal orders not to attack hospital ships, the Imperial Government underlines that such a thing could never take place.

Be kind enough to receive, my dear Minister, the renewed assurances of my high consideration.

(L.S.) Minister for Foreign Affairs

Swedish Mission in Tokyo

The undersigned, Ripa Olof, Swedish Diplomatic Representative in Japan, declares and certifies that the annexed document is a complete and true (photo) copy of a note-verbale dated Tokyo, 28 September 1942, sent by the Swedish Minister in Japan addressed to the Jap Foreign Ministry, copy of which original documents is part of the official records of the Swedish Mission in Tokyo.

Tokyo, October 31st, 1946

/s/ Ripa
(Signature: O. Ripa)

L.S. (Swedish Mission in Tokyo)

/SEAL/

ORAL NOTE

Reference is made to the communication dated June 9 last, that His Excellency the Minister of Foreign Affairs wished to address to the Swedish Minister in reply to the steps taken by the latter in the name of Dutch Government to obtain the deliverance of the Dutch hospital ship "Op Ten Noort," the Royal Legation of Sweden has the honor to bring to the knowledge of the Imperial Ministry the following:

The Dutch Government to which the Legation has transmitted the contents of the above-mentioned note, points out that it maintains the exactness of the information on the movement of the ship--communicated by the Legation in its note of May 28 last--and that the supposition that the "Op Ten Noort" would be employed for reconnoitring of the Japanese fleet's movement is without any foundation.

The Dutch Government, in consequence, urges the Imperial Government to liberate the military hospital ship "Op Ten Noort," and esteems itself in the position to make it with all more reason because, for its own part, it has recognized 7 Japanese hospital ships, the special character of which will be fully respected.

Tokyo, Sept. 28, 1942

/Handwritten note in Swedish at end of document omitted.

Imperial Ministry for Foreign Affairs
Tokyo

Certificate:-

I, George Buffington, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8474.

/s/ George Buffington

2074

No. B-91/45

Note Verbale

The Royal Swedish Legation, in charge of Netherlands interests, have the honour to request information concerning the present whereabouts of the Netherlands Hospital Ship "Op ten Noort" which has been detained by the Imperial Navy since 19th December 1942. It is also requested that immediate arrangements be made for the return of the ship to the Netherland authorities.

Tokyo, September 10th, 1945

The Imperial Ministry of Foreign Affairs,

T o k y o .

Certificate

Swedish Mission in Tokyo

The undersigned, Ripa, Olof, Swedish Diplomatic Representative in Japan, declares and certifies that the annexed document is a complete and true (photo) copy of a note-verbale, dated Tokyo, 10 September 1945, sent by the Swedish Minister in Japan, addressed to the Jap. Ministry of Foreign Affairs, copy of which original document is part of the official records of the Swedish Mission in Tokyo.

Tokyo, October 31st, 1946

(Seal)
L.S.
Swedish Mission
in Tokyo

s/ Ripa
(Signature: O.Ripa)

2075

SWEDISH
DIPLOMATIC MISSION
in Japan

I, Olof RIPA, Swedish Diplomatic Representative in Japan, declare and certify that the annexed documents are complete and true (photo) copies of:-

1. A report, dated Tokyo 30th October, 1945, submitted by the former Swedish Charge d Affaires in Japan to the Swedish Minister for Foreign Affairs, and accompanied by the following documents presented to the POW Evacuation Delegates of the former Swedish Legation in Japan and of the International Red Cross Committee Delegation in Japan by the following POWs:-

2. Condensed report regarding the Netherlands Hospital Ship "OP TEN NOORT", by Captain G. TUIZINGA,
3. Letter, dated 29 August, 1945, with Appendices I and II, from Surgeon Lt Cmdr A. W. MELLEMA,

copies of which original documents is part of the official records of the Swedish Diplomatic Mission in Tokyo.

Tokyo, 31st October, 1945.

(Signed: O. RIPA)

SEAL

B Section
re Netherlands hospital
ship "Op ten Noort"
Tel B 40 U 8.4.42.

Tokyo, October 30th, 1945

No. B 81

P 19

Encl.

To His Excellency the Minister of Foreign Affairs.

With reference to above cited cable and to a number of subsequent cables concerning the Netherlands Military Hospital-ship "Op ten Noort" I have the honour to state that the Captain, his officers, the medical staff and the Indonesian crew had been interned in Japan since December 1942 without the Legation receiving any information to that effect. After the surrender of Japan a member of the Legation visited the camp at Miyoshi, Hiroshima-ken, where the officers and the medical personnel were interned and obtained from Captain Tuizinga a written report on the capture of the "Op ten Noort" and on the conditions in the internment camp. A copy of this report is annexed hereto and it should be mentioned that another copy has already been forwarded by the Legation to the Netherlands East Indies Government.

As informed by cable early in October, the "Op ten Noort" is reported as sunk. The Legation was informed herof by a memorandum from the Imperial Ministry of Foreign Affairs, dated September 27th, and reading as follows:

"The Imperial Ministry for Foreign Affairs has the honour to acknowledge receipt of a Note Verbale, dated September 10th, 1945, requesting information concerning the present whereabouts of the Netherlands Hospital Ship "Op ten Noort" and in reply wish to state the following:

1. Nothing has been heard from the s. s. "Op ten Noort" since she sailed from the Maizuru port on September 10th. We believe that she was sunk by a mine.
2. The ship in question being under detention, the Japanese Government agree to replace the ship by a similar vessel."

I should appreciate if Your Excellency could kindly cause the above information, as well as Captain Tuizinga's report, to be communicated to the Netherlands Government.

/s/ Erik von Sydow

June 20, 1944 /stamp/

Tokyo, June 19, 1944.

CC.1.8.0.-EGf.

My dear Minister,

I have the honor to bring to the knowledge of Your Excellency that the Government of the United States of America has asked me to present to the Japanese Government the following protest:

"The United States steamship "Richard Hovey" carrying cargo and one passenger was at 11.20 G.C.T. on 29 March 194 (?) torpedoed by a Japanese submarine in latitude 16 degrees 40 minutes north and longitude 64 degrees 30 minutes east. After torpedoing the "Richard Hovey", the submarine attacked the personnel who escaped from the ship.

Reports from the survivors, including the chief officer, disclose that subsequent to releasing three torpedoes and obtaining two hits, the submarine surfaced, opening fire on the ship itself and then proceeded in the direction of the lifeboats, opening fire on them from about one thousand feet with her forward gun and continuing to fire as she circled around the lifeboats. The survivors in the lifeboats took to the water, keeping the boats between them and the submarine. The submarine approached the number 2 lifeboat and proceeding slowly rammed and capsized it. She cruised slowly among the other boats taking pictures and firing with rifles, machine guns and other small arms. The submarine then made another circle around to the starboard side of the number 4 lifeboat at which she fired her big gun, soling (?) the boat on the starboard side above the water line, smashing thwarts, puncturing the engine casing, the fuel tanks and one water tank so seriously that half its contents were lost. The submarine finally approached the master boat, took on board the master and three others and took the boat in tow.

The United States Government protests most emphatically against this inhuman form of warfare practiced by Japanese forces in brutally attacking helpless survivors of a torpedoed vessel and demands effective assurances from the Japanese Government that such criminal acts, which are contrary to all standards of civilized conduct will not be repeated in the future. It is expected that the Japanese Government will at the same time punish those persons who with premeditation and full knowledge of their actions have so flagrantly violated the primary humanitarian concept of maritime warfare."

As Your Excellency will confirm, on the 4th line above there is an incomprehensible word: "soling." Besides, the date on which the torpedo attack took place, was mutilated while the telegraph was being transmitted. I have not failed to ask for a clarification from the competent Federal authorities and will let you know the precise details which are sent me in this regard.

While requesting Your Excellency to be kind enough to give me the answer of the Imperial Government to this American protest, I beg of you to receive the assurances of my highest respect.

The Swiss Minister.

To His Excellency
Mr. Maroru Shigenitsu
Foreign Minister
Tokyo.

Certificate:-

I, Yale Maxon, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8401.

/s/ Yale Maxon

2077

Sep 16 1944

CC. 1.8.0. - EGe

By letters of 19 and 30 June, the Swiss Minister had the honor of transmitting to His Excellency Mr. Mamoru Shigemitsu a protest of the Government of the United States of America on the subject of the attack on the survivors of the American ship "Richard Hovey" by a Japanese submarine.

The Swiss Legation will be obliged to the Foreign Office if the Foreign Office will communicate the answer of the Imperial Government to the said protest.

The Legation avails itself of this opportunity to renew its high respect to the Ministry.

Tokyo, September 15, 1944.

To the Imperial Foreign Ministry,

Tokyo.

Document No. 8396

Certificate:-

I, Alexandre Ashton, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8396.

/s/ A. Ashton

2078

Jo 2, Common NO 363.

I have the honor to acknowledge the receipt of Your Excellency's letters NO CG.1.1.3-EGf, dated June 19th, and NO CC.1.8.C-EGf, dated June 30th, by which you transmitted to me the protest of the United States Government regarding the attacks on the survivors of the U.S.S. "Richard Hovey" by a Japanese submarine.

In connection with the above matter, I have the honor of requesting Your Excellency to transmit to the United States Government that the result of strict investigations carried out by the authorities concerned shows clearly that there are no facts that correspond to such attacks.

I hereby again avail myself to renew to Your Excellency the assurance of my high consideration.

Nov. 28th 1944.

Kanoru SHIGEMITSU
Foreign Minister

/SEAL/

To His Excellency Camille Georges,
Envoy Extraordinary and
Minister Plenipotentiary
Switzerland

CC.1.8.0.--FFc.

8029
Tokyo, February 21, 1945

Monsieur le Ministre,

I have the honor of informing Your Excellency that I did not fail to communicate to my Government for forwarding to the Government of the United States of America the answer of the Imperial Government which you gave me on the 28th of last November on the subject of the attacks made against the survivors of the American ship "Richard Hovey" by a Japanese submarine.

The Gov't of Washington has just asked the Federal Authorities to transmit to the Imperial Government the following communication /quoted from original English/:

"Concerning United States protest regarding the Japanese attacks upon survivors of torpedoed "Richard Hovey", the United States Government notes that the Japanese Government, after a reported thorough examination of the facts involved, states that no action has been revealed corresponding to that set forth in the protest under reference.

"The evidence stated in the protest of the United States Government was specific. Statements of the survivors who witnessed the attack are of unchallenged validity. The United States Government therefore reserves all rights in the matter."

Please accept, Monsieur le Ministre, the assurances of my very high consideration.

Swiss Minister

To His Excellency
Mr. Mamoru Shigenitsu
Foreign Minister
Tokyo

Certificate:-

I, D. Carr, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8412.

/s/ Denzel Carr

2080

SWISS LEGATION IN JAPAN

Division of Foreign Affairs

CC.1.8.0.--FFd

D E C L A R A T I O N

The note CC.1.8.0.--Enc, dated December 29th 1944, herewith enclosed, containing the protest of the United States Government as communicated to the Legation of Switzerland in Tokyo by the Division for Foreign Interests in Berne with their cable No. 1053, pertaining to the torpedoing of the American merchant ship S/S "Jean Nicclet," was handed over on Friday, December 29th 1944, at 3 P.M., at the Ministry for Foreign Affairs in Tokyo, to the Minister Tadakazu Suzuki, Head of the Section for the administration of enemy interests in Japan and for the protection of Japanese nationals in enemy countries:

This note was handed over by Mr. Blaild, attaché of the Legation, together with a personal letter to the Ministry Suzuki, dated December 28th, 1944, in which the Minister of Switzerland laid stress on the particular importance given to this protest by the United States Government.

Tokyo, December 30th 1944.

CC.1.8.0.-Enc.

By the order of its Government, the Swiss Legation has the honor of sending to the Imperial Foreign Office the following notification emanating from the Government of the United States and addressed to the Japanese Government:

"On July 2nd 1944 at approximately 14.07 hours at position 3 degrees 30 minutes east, the United States merchant vessel "Jean Nicolet" was torpedoed by a Japanese submarine. The vessel sank at approximately 02.20 hours, July 3rd. Seventy-five survivors of the "Jean Nicolet" were murdered when after leaving the sinking vessel between 95 and 100 persons from the torpedoed vessel were subjected by the commander and crew of the Japanese submarine to treatment which was in contravention of the laws and customs of war and all humanitarian standards. The United States Government most emphatically protests against the criminal and inhuman treatment accorded these individuals. The United States Government protests that

(1) the lifeboats and life rafts were machine-gunned evidently to render them unusable by any of the survivors of the "Jean Nicolet"; survivors of the "Jean Nicolet" who were swimming were also machine-gunned.

(2) The survivors upon boarding the submarine were robbed of all life-belts, papers and other valuables.

(3) The survivors of the "Jean Nicolet" after boarding the submarine were bound either with rope or wire and compelled to sit or kneel with heads down in rows athwartship from bow to stern facing forward on the forward deck.

(4) Approximately half of the survivors of the "Jean Nicolet" were led separately to the afterdeck of the submarine and compelled to run between parallel rows of Japanese sailors armed with a variety of instruments including gun-butts and bayonets. While running this gauntlet, the men were subjected to severe beating and still bound were forced off the submarine into the water while the vessel was under way with the evident likelihood that they would be caught in the turning propeller.

(5) The submarine suddenly and with no warning to the survivors of the "Jean Nicolet" submerged, leaving a large number of them still on the deck of the vessel with the result that they were thrown into the water without means of selfpreservation. D. M. Nilsson and Glen Carlin, master and chief mate respectively of the "Jean Nicolet," were made prisoners and taken within the submarine, such treatment being similar to that

accorded the master and three other survivors of the United States vessel "Richard Hovey" the Japanese attack on which was the subject of the United States Government protest delivered to the Japanese Government on 19th June 1944. The United States Government demands to be urgently informed regarding the present welfare and whereabouts of Captain Nilsson and Chief Mate Carlin. The United States Government most emphatically protests regarding the treatment accorded the survivors of the torpedoed vessel, such treatment being in violation of all humanitarian and legal principles. The Government of the United States demands a full and thorough investigation from the Japanese Government and that the persons responsible for the incredibly cruel and terrible conduct against the defenseless survivors of the torpedoed vessel promptly be fully punished and that it be informed of the action taken. The Government of the United States demands specific assurances from the Japanese Government that such criminal action will not be repeated in the future."

Owing to the special importance which the United States Government attaches to this matter, the Legation will be thankful to the Ministry if the Ministry will acknowledge the receipt of the present note and it gives thanks in advance for the reply which the Foreign Office will have the kindness to send when the investigation has been finished.

The Legation avails itself of this opportunity to renew the assurances of its high regard to the Imperial Ministry.

Tokyo, 29 December 1944

C E R T I F I C A T E

I, George Buffington, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8402.

/s/ George Buffington

CC. 1.8.0.--EAA.--

Karuizawa, 28 December 1944.

My dear Minister,

My Government has just sent me a notification from the United States Government to be delivered to the Imperial Government on the subject of the torpedoing of the ship "Jean Nicolle" by the Japanese Navy.

Owing to the importance which the United States Government attaches to this affair, the United States Government would have hoped that I might be able myself to hand the notification to the Foreign Ministry. Unfortunately, the state of the road covered with snow and frozen in the middle of the mountain does not allow me to go down to Tokyo; and so I have asked Mr. Blaise the diplomat of the Tokyo Service to go to take the prepared note to the Ministry. I will inform my Government that I have handed the note personally and I believe my Government will not object to this procedure.

My personal visit would not have changed anything for you would certainly not be in a position to tell me anything about the conditions in which the torpedo attack took place.

The Department of State asks me to inform myself personally about the fate of the rescued Nilson and Carlin, members of the crew who were taken prisoners, and I should be very glad if you could tell me where they are, before the closing of the investigation.

Believe, my dear Minister, that my sentiments are the best and accept at the same time my most cordial wishes for you and yours.

To His Excellency
Minister Tadakazu Suzuki
Imperial Ministry of Foreign Affairs
Tokyo

C E R T I F I C A T E

I, Alexander Ashton, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8403.

/s/ A. Ashton

THE GAIMUSHO
TOKYO

Translation
No. 23/T2

Memorandum

The Imperial Ministry of Foreign Affairs has the honor of acknowledging to the Swiss Legation the receipt of her note No. C.C. 1.8.0.-Eac, dated 29 last December by which the Legation wished to transmit to the Ministry a protest of the United States Government concerning the treatment of the crew of the American ship "Jean Nicolle."

The Ministry hastens to inform the Legation that the Ministry has transmitted the contents to the competent authorities.

Jan. 19, 1945

C E R T I F I C A T E

I, Alexander Ashton, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8404.

/s/ A. Ashton

By the note of December 29, the Swiss Legation had the honor of sending to the Imperial Foreign Office a protest of the Government of the United States of America against the treatment alleged to have been inflicted on the survivors of the American merchant vessel "Jean Nicolet" torpedoed by a Japanese submarine on July 2, 1944. The Washington Government asked that a rapid and complete investigation be made in this respect and that the guilty be severely punished. It further expressed the desire to receive formal assurances from the Japanese Government that acts of this sort will not be repeated. Finally, it /the Washington Government/ urgently wished news of two members of the crew of the "Jean Nicolet," D. M. Nilsson and Clem Carlin, who were taken prisoner by the submarine.

Under date of January 19, the Ministry acknowledged receipt of the above-mentioned note.

The Legation would be thankful to the Ministry if it informed it whether the investigation concerning the matter is now finished and if such should be the case, to inform it /the Legation/ of the result. The Washington Government really insists on obtaining a prompt reply from the Japanese Government on the subject of this grave affair.

The Legation takes this opportunity to renew to the Imperial Ministry the assurances of its high consideration.

Tokyo, April 19, 1945

Certificate

I, Denzel Carr, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8409.

/s/ Denzel Carr

CC. 1.8.0.-FCc

Memorandum

By the notes of December 29, February 20 and April 19 the Swiss Legation informed the Imperial Foreign Ministry that the Government of the United States of America protested very keenly against the treatment alleged to have been inflicted on the survivors of the merchant vessel "Jean Nicolet" torpedoed by a Japanese submarine on the 2nd July, 1944. The Washington Government further wished urgently to receive news about two members of the crew of "Jean Nicolet", Mr. D. W. Nilsson and Mr. Clem Carlin who were taken prisoners by the submarine.

The Legation would attach considerable value to knowing the answer of the Imperial Government on the subject of this grave affair.

Karuizawa, April 28, 1945.

Handed to Minister SUZUKI by
Monsieur le Ministre
on April 28, 1945 (afternoon).

Document No. 8411

Certificate:-

I, Denzel Carr, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8411.

/s/ Denzel Carr

2085

/Stamp/
20 February 1945

CC.1.8.O. - FGc.

By note of December 29 the Swiss Legation had the honor of transmitting to the Imperial Foreign Ministry a notification emanating from the Government of the United States of America and concerning the torpedoing of the merchant ship "Jean Nicolet".

On January 8, the Ministry explained verbally the desire of being informed about the latitude at which the ship was torpedoed.

The Legation did not fail to ask Washington for the details on this subject through the Swiss Government.

The Government of the United States has asked that the following answer be transmitted to the Japanese Government:

"The position of the 'Jean Nicolet' was not taken at the moment the Japanese submarine torpedoed it or while survivors were boarding the submarine on which their mistreatment by the crew of the submarine occurred. No position was taken due to circumstances surrounding the attack of this vessel. In the text of the protest, position of 3 degrees south 74 degrees 30 minutes east is given as consensus of opinion of survivors regarding the location of the attack. However, one survivor did state the position to be 3 degrees 28 minutes south 74 degrees 40 minutes east. In any event, the United States Government believes position given to be sufficiently exact so that with the conclusive evidence of attack given in the protest full identification can be made of responsible Japanese submarine and crew."

It results from this new communication that the seventh line of the first page of the previously mentioned note of December 29 must be corrected thus:

/quoted from English/ "..... at position of 3 degrees south, 74 degrees 30 minutes east, the United States"

The Legation takes this opportunity to renew to the Imperial Foreign Ministry the assurances of its high consideration.

To the Imperial Ministry for
Foreign Affairs, Tokyo

Tokyo 20 February 1945

Certificate:

I, DENZEL CARR, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8413.

/s/ Denzel Carr

Doc. No. 8414

2086

THE GAIMUSHO
TOKYO

Translation

No. 118/T2

NOTE VERBALE

The Imperial Foreign Minister has the honor to acknowledge to the Swiss Legation the receipt of its Note No. CC 180 - EAC, dated 29 last December by which it /the Legation/ transmitted to him a protest by the Government of the United States of America on the subject of the attacks which were alleged to have been directed against the survivors of the American Ship "Jean Nicolet" by a Japanese submarine.

The Foreign Minister asks the Legation to transmit to the American Government the following answer of the Imperial Government on this subject.

The earnest investigations made by the competent authorities have not found any fact which corresponds to such an accident. The Imperial Government, informing the American Government of the foregoing facts, avails itself of this opportunity to affirm again that all Japanese warships, ships and boats rigorously observe the laws of war.

May 15, 1945.

District Intelligence Office
Twelfth Naval District
Kamm Building, Room 608
717 Market Street
San Francisco, California

2 October 1944

I, Charles E. PYLE, make the following free and voluntary statement to V. C. DOWELL, whom I know to be a lieutenant in the U. S. Naval Reserve:

I was on 28 April 1944 appointed First Assistant Engineering Officer on the S.S. JEAN NICOLET, a U.S. cargo ship, owned by the War Shipping Administration and operated by the Oliver J. Olson Steamship Company on government charter to the U.S. Army. My home address is Route 3, Box 325, Lodi, California. I am married and have one adopted son and I am an American citizen, born in Alviso, California, 25 June 1920.

The S.S. JEAN NICOLET sailed from San Pedro, California, 12 May 1944, enroute independently to Colombo via Fremantle, and was torpedoed at 0707 (ship's time) or 1407 GCT, 2 July 1944, approximately 600 miles south of Colombo. The ship was making approximately ten and one-half knots, was blacked-out and the radio silent. The weather was overcast, with occasional clouds and with moonlight breaking through. Visibility was good and there were no other ships in sight.

I was standing at the log desk which is in the engineroom amidships of the NICOLET, below deck on the floor plates, when the explosion occurred. I was blown to the starboard side outboard and aft. The portion of the vessel where I had been standing remained intact. I immediately went to the throttle which was located amidships, and then approximately four or five seconds later the second torpedo struck the NICOLET, throwing me again in the same direction, but, as before, I remained on my feet. I then went back to the throttle and waited for communications from the bridge which failed to come. A decided list to starboard immediately made itself apparent. For an interval of about five minutes, I waited down below at my post and, since no word came, I dismissed my men underneath me and secured the engineroom, secured the main engine and the fires and I told them to proceed to their abandon ship station. I then went up on deck and looked for the Chief Engineer, but failed to find him; so I went out to my abandon ship station and I met the Mate there and at that time the order was given to abandon ship; so I placed my life preserver on, got some clothes and a few personal effects, helped lower the life boat away and got it in the water and then steered it around the area, picking up various members of the crew and passengers of the ship who had jumped overboard. We had adequate mobility as our life boat was equipped with a motor. Twenty-five people were finally placed in our life boat which was comfortably filled, but not overly crowded. These twenty-five people were composed of members of the

Merchant crew, namely, the Chief Mate, Clem CARLIN; Radio Operator TILDEN; Deck Engineer, Paul M. MITCHEM; plus members of the Armed Guard crew and passengers of the ship. The Chief Mate, CARLIN, assumed command of the life boat and had directed that we pick up the various survivors. After accomplishing this task, he decided that we should go back and board the ship. When we were close to the NICOLET, we sighted gunfire on the horizon. We turned back and went away from the ship. On our course away from the ship, we sighted a couple of life rafts and drew alongside of them. The Captain of the ship, D. E. NILSSON, was aboard one of the rafts. We talked over plans with the Captain, and it was determined that we would take the Captain aboard our boat, who would direct us in picking up various other survivors and bring them to the centrally located place represented by the two rafts.

Shortly after he boarded our boat, the submarine made its appearance in the near vicinity, and the first questions that were directed to us from the submarine were in good English, although I was unable to determine who was uttering them. The first questions were concerning the name of the vessel and the whereabouts of the Captain or ship's officers, to which we answered the JEAN NICOLET, but advised the Japanese that the ship's officers were still aboard the vessel. Orders were given to us to come aboard the submarine. They threw us a line and we maneuvered up to the side when they ordered us to come aboard. We started going aboard and a Japanese crewman of the submarine helped us over the railing alongside the conning tower. After all the survivors had gained the deck of the submarine, the Japanese proceeded to fire upon the life boat with machine guns in an attempt to sink the same, which was apparently accomplished, as I never saw it again. The Japanese immediately stripped us of all our possessions, with the exception of clothes. Each one of the twenty-five members of our boat, including Captain NILSSON of the NICOLET, were bound with our hands tied behind our backs. We were then led forward and told to assume a sitting position with specific orders not to look back. During my entire stay aboard the submarine, I did not see any men that I assumed to be Japanese naval officers, but, instead, saw only Japanese crew members who were dressed in khaki shorts with a red patch upon their left sleeve, apparently designating their affiliation with the Japanese Imperial Navy, and later, when I was questioned at Colombo, I heard other members of my crew state that they saw a Japanese officer with a samurai sword aboard the submarine, but they did not know his rank.

The first man to be bound was William MAUSER, utility messman (phonetic), who was led forward and, for no apparent reason at all, was shot and shoved over the side and I watched his body float by me into the sea. I sat down, as I said before, and while I was sitting down, I was struck over the head and around the shoulders with a blunt object and kicked in the ribs. Later, a crewman came along and decided he wanted a pair of shoes. He tried to take mine off, but my working shoes were too large for him, so he cracked me in the ankles and went on about his business. During this period, the submarine continued to pick up survivors from the S.S. JEAN NICOLET and bring them aboard in much the same fashion as our group and at one time I would

estimate there were approximately ninety survivors aboard the submarine, although most of them were aft of my position and I was unable to see them or identify them, and the only ones whom I can positively state were aboard the submarine with me are the following:

Captain NILSSON
Clem CARLIN, Chief Mate
James THURMAN, Chief Engineer
Archie HOWARD, naval technician
Boatswain of the JEAN NICOLET
Bill THIDEM, Commercial Radio Operator
Carl ROSENBAUM, fireman and watertender
Robert WALKER, fireman and watertender
One Army doctor (name unknown)
Army air officer (name unknown)
One Armed Guard member (name unknown)

Shortly after coming aboard, Captain NILSSON, First Officer Clem CARLIN and Radio Operator THIDEM identified themselves to the Japanese commander and were taken back to the conning tower for questioning and I did not see them again. Of the above indicated people, the only one that I can positively state survived this experience is Carl ROSENBAUM, fireman and watertender of the JEAN NICOLET, who was picked up by the rescue ship S.S. HOXA.

All expressions that were directed at me were in Japanese, but I heard some English being spoken by members of the submarine crew and one directed a question to an unidentified person as to whether or not he had ever attended San Francisco Junior College. During this time I was sitting down, I was able to see other members being subjected to the same treatment as I, namely, they were being beaten up with clubs, pipes and other metal and wooden instruments. The Boatswain (name unknown) of the JEAN NICOLET was stunned and rendered semi-unconscious, but the others sustained the blows as nuisance attacks. After becoming weary from sitting in one position, I leaned back on my elbows and was severely beaten upon the head by some object and momentarily lost consciousness from the blow. I tried to assume my original sitting position again and failed to have energy to do so and was again beaten on the shoulders and the head with some heavy object which I could not see. After this, I decided to keel over on my side and I was subjected to a few more blows and a couple kicks in the ribs and left to lay there.

Shortly after this, the portion of the submarine deck where I was on became awash, as we were underway in the swells of the sea, and the sky was still overcast with the moon shining through broken clouds. At this time, which I estimate to be about 2230, we were ordered to watch the firing by the Japanese submarine upon our burning ship, the S.S. JEAN NICOLET, with a twin five-inch gun which was mounted on the foredeck of the submarine. If we failed to heed their command, which was in Japanese, they would jab us in the

face with their bayonets to enforce their demand to turn our heads. Two shots were fired from the submarine which struck the stern of the NICOLET. Somewhere around midnight, I was picked up and led aft, at which time I noticed the deck guns being secured and that thirty or thirty-five survivors of our vessel were still sitting on the submarine deck. I learned then that the Japanese crew were employing a tactic somewhat similar to the old Indian practice of running the gauntlet wherein they force survivors to pass between two lines of men armed with clubs, bars and other blunt objects and, when reaching the end, being either shoved or knocked into the sea to drown. Apparently this process had been going on for sometime before I was called to take my turn and I estimate that approximately sixty people had been handled in this fashion prior to my adventure. Then I was led to the front of two lines composed of Japanese submarine crew members facing one another and forming the gauntlet line with approximately eight men on the inboard line and four or five on the outboard. When I momentarily stopped to survey the situation, I was struck a terrific blow at the base of my head which caused me to feel a sensation similar to a bouncing ball. From there on, I was shoved down through the two lines of Japanese who rained blows upon my body and head with various objects which I was too stunned and dazed to identify, although I was later advised by my doctor that I had been cut with a bayonet or sword in the process.

When I reached the end of the gauntlet, I fell into what appeared to me to be a white foamy sea. Apparently I lost consciousness briefly and was under water for a few seconds, but shortly I came to the surface and attempted to gain my bearings. I saw that the submarine was going away from me about fifty or sixty yards from my position at approximately five or six knots and from there I was unable to tell what had happened to the other twenty-five or thirty survivors aboard the submarine deck. I assumed that I would drown, but a natural desire to live kept me afloat, which I did by floating and treading water for approximately eight hours with my hands tied behind my back. During my struggle to keep afloat, I heard cries for help from dying and drowning members of the NICOLET's complement. With increasing visibility due to daybreak I heard two men apparently in the water talking to one another, who did not seem to be helpless, so my hopes were immediately buoyed and I began calling to them. Finally my calls were acknowledged and our identities made known. They were Stuart VANDERHURST, A.B., and a Navy Armed Guard enlisted man by the name of Teofil Stanley WROZUSKI, G13c, who were swimming towards the JEWEL NICOLET, which, although listing and burning badly, was still afloat about a mile and a half from our position. Finally, we sighted one another and they came over to me and succeeded in untying my hands which were bound behind my back. We then started out swimming again in the general direction of the ship in search of floating debris or some means of gaining buoyancy. I also noted that the submarine was not in sight, as it had apparently submerged, with the remaining survivors on board being washed off of its deck in the process, when it was warned of the approach of a British patrol plane which flew over the burning vessel at 0130 that morning, which I heard, but did not see.

While we were swimming towards the NICOLET, I noted that WYROZUMSKI was weakening rapidly and helped him for a period, but saw that we would both be lost if I spent too much of my strength in this fashion, so I told him I would swim on to the ship and attempt to get some help and retrieve him, while he was proceeding more slowly towards the vessel. This was agreeable with him and I proceeded on. VANDERHURST agreed to stay with WYROZUMSKI and, while swimming towards the NICOLET, I came upon a U.S. Army captain by the name of GUSSACK, who was also in a weakened condition and I advised him that I would attempt to gain help for him also around the vessel which was still approximately a mile and a half away on a comparatively smooth but a swelling sea. I continued to swim for another half hour towards the NICOLET and came upon a member of the Armed Guard crew whom I believe to be either Robert Calvin BUTLER, S1c, or William Earl SIMONS, E13c, whose hands were still bound behind his back and who was suffering from a severe gash over his eye. I attempted to release him from his bonds, but was unable to do so, so I advised him I would proceed on for help and rescue him at the earliest opportunity. During this interim, I noted that at least three scout and observation planes had been flying over the area. I continued swimming for approximately an hour when one of these planes dropped me a life preserver with slight provisions attached and on the return sweep, they dropped me another life preserver. At this time, I debated whether to continue on or take this help back to the fellows I had left behind, as I noticed that the S.S. JEM NICOLET had sunk beneath the surface of the sea and would only offer debris as possible buoyancy. I then determined to return to them and offer assistance. Finally after an hour or so of swimming, I ran into VANDERHURST and WYROZUMSKI, who had been seen by the plane and had been dropped one life preserver. I gave my spare life preserver to WYROZUMSKI and then we made plans as to what to do. They decided to stay in one spot and shortly afterwards we sighted an object on the horizon, about 0130, which later we identified as a life raft with men upon it. We decided to swim to it and upon reaching it, we discovered Robert Floyd MCVILL, Armed Guard member; Paul M. MITCHELL, Deck Engineer; Captain GUSSACK, U.S.A.; and BUTLER or SIMONS. They invited VANDERHURST, WYROZUMSKI and myself aboard, which we accepted. We remained in this raft during the remainder of the afternoon and all through the night, during which time we noted that a patrol plane was dropping flares and also a searchlight was seen on the horizon which we assumed to be a submarine, but since we had no means of illumination, neither saw us.

The next morning, 4 July 1944, at approximately 0730, a vessel was seen on the horizon by us, but who apparently had not seen our craft, as it remained in our vicinity approximately a mile away and then proceeded to steam away. Approximately 0800, a liberator patrol craft flew over us and dropped smoke flares in our vicinity and shortly thereafter, a PB4Y plane flew over and dropped a large number of smoke bombs in our area which this time apparently caught the attention of the lookouts on the rescue vessel which later turned out to be the HOXA, which turned back and picked us up at approximately 1000, 4 July 1944.

After being taken aboard ship, we were given first aid and food, clothing and all the necessary resuscitants and were not questioned until arrival at Addu Atoll, where British naval authorities interrogated us concerning the torpedoing and subsequent sinking of the S.S. JEAN NICOLET. This vessel had, in all, rescued twenty-three survivors who were being questioned at this port and in the process of the interrogation relative to the conversation had on board the submarine between the Japanese crew members and the survivors of the NICOLET, one of the parties being interviewed, whom I believe to be Captain GUSSACK, U.S.A., volunteered the information that he had overheard a conversation between a member of the Japanese submarine crew and a survivor of the NICOLET concerning whether or not an Alvin T. PARKER was a passenger aboard the S.S. JEAN NICOLET and he was unable to tell whether or not the reply was in the affirmative or the negative. I personally know that Alvin T. PARKER was a passenger aboard the S.S. JEAN NICOLET, but I did not see him, as far as I know, after the torpedoing of the vessel and do not know what became of him and was not personally interrogated by the Japanese concerning his identity or whereabouts.

After a week's stay at Addu Atoll, we were transported to Colombo, Ceylon, where we were again interviewed and interrogated by U.S. Naval authorities and in the process of the interrogation, I was, as well as the other twenty-two survivors, again questioned whether or not I had been asked by the members of the Japanese submarine crew if Alvin T. PARKER was a passenger aboard the S.S. JEAN NICOLET, to which I replied in the negative.

The following are the names of the surviving members of the merchant marine crew of the S.S. JEAN NICOLET who were interrogated with me at Colombo, Ceylon:

Charles E. PYLE, First Assistant Engineer.
Jack C. VAN HESS, Carpenter.
Paul M. LITCHER, Deck Engineer.
John McDAUGALL, A.B.
George K. HESS, A.B.
S. W. VANDERHURST, A.B.
Carl ROSENBAUM, fireman watertender.
William B. FIBRY, Third Cook.
Harold R. LEE, utility.
Lloyd B. WUTH, wiper.

I was the first member of this group to leave Colombo aboard the S.S. MOSES G. FRAMER, arriving in New York 8 September 1944, where I was again interrogated by naval and U.S. Government agencies. Since arriving in the United States, I learned that five members of this group are aboard a liberty ship, name unknown, which is proceeding towards the east coast of the United States, port unknown. The remaining four are bound for the east coast of the United States as passengers aboard another unknown ship. Of the three surviving

Passengers of the S.S. JEAN NICOLET, Archie HOWARD, naval technician, was attached to the Naval Liaison Office in Colombo, Captain GUSSACK, U.S.A., proceeded on to New Delhi, India, and the enlisted Army man, name unknown, was flown to some advanced Army base in the Asiatic theatre of operations, place unknown.

I have read the foregoing statement, consisting of seven (7) pages, including this page, and it is true to the best of my knowledge and belief.

/s/ Charles E. Pyle
Charles E. PYLE

Subscribed and sworn to before me this 9th day of October 1944, at San Francisco, California.

/s/ V. C. Dowell, Lt. USNR
V. C. DOWELL
Lieutenant, U.S.N.R.

WITNESSES: name illegible

/s/ R. L. Halbert Ylc, U.S.N.R.

District Intelligence Office
Twelfth Naval District
Kamm Building, Room 608
717 Market Street
San Francisco, California

CONFIDENTIAL

I, Robert Calvin BUTLER, Slc, Serial No. 376-84-06, U.S.N.R., make the following free and voluntary statement to Lieutenant (jg) C. W. CORBITT, USNR:

I am an American citizen and was born in Fields Landing, California, on 20 August 1920. My home address is McCann, California. On 24 April 1944 I reported to Lieutenant (jg) G. V. DEAL, U.S.N.R., Armed Guard Commander aboard the S. S. JEAN NICOLET, for duty as a member of the U. S. Navy Armed Guard crew of that vessel, which was at that time berthed at Oakland, California. On 20 April 1944 the JEAN NICOLET left Oakland and went to San Pedro, California, and after loading at Wilmington, California, departed on 12 May 1944, being routed independently to Colombo, Ceylon, via Fremantle, Australia. We arrived at Fremantle on 19 June 1944 and left there the next day, the day after. For about ten days nothing happened. Then on 1 July 1944 an empty lifeboat was sighted drifting by. We did not get close enough to the lifeboat to get any description of it, and kept on our course. On 2 July 1944 smoke was sighted on the starboard quarter, and was thought to have been from a C-1 type ship. That evening smoke, apparently from the same ship, was sighted off the starboard bow at about 1730. At about 1730 I had just left general quarters and was in the passageway on the port side forward when an explosion occurred. Only one torpedo hit as far as I know, in No. 2 hold on the starboard side. It was just like a dull explosion when I heard it, followed by a big geyser of water. I heard that there were flashes along with the explosion, but I did not see them. I headed for my gun station on the bridge (gun No. 6, a 20-mm machine gun), and when passing from port to starboard noticed that water was coming in through ports on the starboard side. The abandon ship order had been given by the time I reached the bridge, and the ship was listing heavily to starboard. Nothing was in sight at this time and all guns were manned, but no shots were fired. I stayed at my station until given the order to leave. Then I went and got my life jacket and went to my station at No. 4 boat to get the boats over the side. The ship seemed to be starting to turn over, and I did not go below deck again, therefore I saved none of my personal belongings. It was dark but moonlight, and up to this time I had not seen anything of the submarine. About an hour was consumed before all the boats were launched over the side and the ship was completely abandoned. Four boats were launched and two rafts. Of the

No. 1, 2, 3 and 4 lifeboats, No. 3 and 4 were motored, No. 1 and 2 being handpowered. No. 1 boat swamped after launching but it got away all right, and none of the boats were lost during the launching. Some of the men jumped over the side but all were accounted for and picked up. The two rafts and the boats gathered together just off the ship and the Captain counted up the men about 2100 during bright moonlight, with heavy swells running at the time. It was my understanding that 100 men were on the ship and that all 100 were accounted for on the rafts and boats. The Captain was first on a raft and then transferred to No. 4 lifeboat, where I was. The Armed Guard Officer and some other men were with the Captain on the raft but just the Captain was taken off the raft and transferred to our boat, making a total of 30 men, including the Captain, in the boat. After picking up the Captain we headed back towards the ship. Just before we got there the sub surfaced and started shelling the ship. We could just see the gun flashes, and they appeared to be a long ways off. The ship had swung completely around, and was being fired on from the port side, the same side we were on. Every shot seemed to hit the ship, which was torn up quite a bit as they were using incendiary shells. When the submarine started shelling we turned around and left, shutting off the motor and drifting in the hope that we would escape notice. (About one-half hour after that the sub approached, using a large searchlight, and we were picked up. I did not see the sub until alongside as the Captain gave orders to lie down in the boat. We were then given orders to "come aboard and don't start anything or we will shoot." We were spoken to in English with an accent and they seemed to clip their words off quickly. The sub was undoubtedly Japanese. Some of the Japs seemed to speak good English but most of them broken. One man was taken aboard at a time. As we came aboard they proceeded to take off our watches, rings, etc., and tied our hands behind us, but left our clothes on. If any of us had a good pair of shoes on they would take them off and use them themselves. All they wanted was black shoes, not Army issue. I had on Army shoes so they did not take mine. Belts or anything else like that they took. They took my ring, a very heavy yellow gold ring set with a hand-carved cameo, with a woman carved on it. They took all wrist watches, including my own, which was a 17-jewel yellow gold Bulova with a leather band. I was taken forward on the sub and told to sit down and not to look behind me. We were sitting in rows, three wide. I was five or six rows back, and could see about twelve or fourteen fellows in front of me and to my left. PYLE (First Assistant Engineer, Charles P. PYLE) was sitting in front of me and kept leaning back to rest himself. Each time they would hit him with a club or metal pipe; however, they did not knock him out, just dazed him. I did not see them hit anyone else. We were on the sub for several hours, going

aboard around 2200. For the first two hours the sub cruised around until they were satisfied they had picked up the rest of the men. They picked up everybody except five men, who were on one of the rafts which drifted away from the sub with the men hidden behind it. These five men were MATHIAS (Army enlisted man), Lieutenant (jg) DEAL (Armed Guard Officer), Ray WHEELER (Armed Guard), Carl BEVIORTIA (Armed Guard) and LAMB (Armed Guard). After everyone had been taken aboard the sub shelled each of the boats and rafts, although they did not sink. When I last saw my boat it was still afloat. All the time we were drifting away from the ship, and while cruising around a wave washed two of the men off and no attempt was made to pick them up. One man washed over was Carl R. ROSENBAUM (Oiler -- merchant crew), and the other was an Army lieutenant (passenger). The Army officer was never seen again, but ROSENBAUM was rescued. As each boat or raft came alongside the Japs would ask for the Captain, but none of us would tell who the Captain was. Later on the First Mate revealed his identity and pointed out the Captain to the Japs. They took the two of them aft and we did not see either of them again. They could have taken them inside the sub but I do not think so. They also asked for all officers and merchant marine radioman. Some of the Army officers went also. I do not know what happened to them, they just left. I do not think there were any prisoners taken aboard the sub as I can't see what they would do with them, but no one was sitting where he could see the entrance to the conning tower or what went on on the after deck. I did not see anyone killed, nor did I see anyone shot in the back or while in the water. We were faced forward and when they were strafing they did it aft with machine guns, and we thought they might be still firing at the boats. Some of the Japs spoke fairly good English and several wore sabers, and we judged them to be officers. One man kept telling us that "it was a fine battle." One of us asked a Jap what they were going to do with us, to which he replied that they would hit us in the head and throw us over the side, but he gave no reason for doing so. They seemed to know the name of our ship and all about her, including the cargo (general, and PX supplies). We later told them the name as they seemed to know all about it, and when they heard that she was the JEAN NICOLET they immediately started inquiring about "that man." They did not mention his name, and at the time I did not know who they meant. Later I found out that they were talking about a passenger aboard our ship named PARKER, who had been in a Japanese concentration camp, but the name PARKER was never mentioned. I knew who he was, and I think he was on the sub, since all hands were present and accounted for when the boats and rafts gathered together right after we abandoned ship, and everyone came aboard except the five men who hid behind the raft (see above). However, I do not know what became of him.

After we were all sitting on the deck of the sub they started picking out men and taking them aft. I did not know what they were doing to them as I was sitting pretty far forward and could not hear anything that went on on the stern and was afraid to look back. Soon they came and got me and took me back aft where eight or ten Japs were lined up against the conning tower holding sabers, clubs, and lengths of lead pipe. One Jap stopped me and tried to kick me in the stomach. Another hit me over the head with an iron pipe. Another cut me over the eye with a saber. I managed to break away after I had gotten past the second one, and jumped overboard, and although I did not lose consciousness the sub was gone when I came up, but was still in sight. I did not see any other men run the gauntlet, but three that I know of went through it. I later found out that the sub submerged with about forty men on deck, some of whom were saved. I started to drift towards the ship and they then opened fire on her again. I was afraid they might machine gun me if they saw me, so I began to swim away from the ship. Finally I heard another fellow holler and we got together. This man's name was LEE (Harold R. LEE, Utility Man) and was a member of the merchant crew. He tried to untie my hands but could not do it. APPLEGATE (Navy) came along and again the two of them tried to untie my hands but could not do it. They started swimming back towards the ship and I drifted all that night. The next morning I heard some fellows talking so I drifted over to them, where I found the First Assistant Engineer (PYLE) and a gunner's mate (WYROZUMSKI). Again these men tried to untie me but failed. PYLE thought he saw a raft on the horizon, so he started to swim for it. The gunner's mate stayed with me. A tin can came floating by and they got that and finally succeeded in freeing my hands at about noon. After a while airplanes appeared and dropped smoke floats on the horizon and we started swimming towards them. They dropped a raft about 0200. When we finally reached the raft seven men were on it - NUVILL (Armed Guard), WYROZUMSKI, PYLE, the Deck Engineer (Paul L. MITCHEM), an Army captain, another merchant marine (deck hand) and myself. We were on the raft all day and that night and then some more planes started coming, and then we were picked up about 1000 the next day by a ship. They took us to the Maldive Islands, where we were questioned and put in sick bay, the questioning being done by British officers. We went from there to Colombo, Ceylon, after about a week, on a British Navy ship. We were questioned again at this port by two U. S. Navy officers (one a Coast Guard Lieutenant Commander and the other a Navy Lieutenant Commander). We then took a plane to Bombay, after being in Colombo for two weeks, stopping at Bangalore overnight and then another plane took us from there to Bombay. We came back to the United States on the Navy Transport A. E. ANDERSON, and landed in San Pedro on 10 September 1944.

I did not get a very good look at the submarine but it was especially large, being at least 300 feet long with a twin-mount five inch gun ten or twelve feet forward of the conning tower. There were five or six machine guns on the conning tower. The conning tower was about 15 feet high with a cat walk all the way around. There were two radio antennae running to within 20-30 feet of the bow and ten feet above the deck, attached to two ten foot posts near the bow. I did not see any radar installations, but I believe it must have had radar on as it picked up airplanes before they got there. Some of the other fellows were still on the sub when they gave orders to crash dive, so they felt sure that the planes' rotors had been picked up with radar.

Now that I look back on it, there are two things that seemed suspicious to me, and might have had something to do with the sinking of the ship and the way the Japanese seemed to know all about it.

- (a) There was a merchant crew member, a Boatswain, who was signed on the ship at San Pedro. I do not remember his name, but it had a foreign sound and he spoke with a foreign accent. All the way across the Pacific he kept saying that the ship was going to be sunk, and after we left Fremantle, he was so sure of it that he kept a bag packed with cigarettes, food, and other things stowed in his lifeboat, which was No. 4 - the same one I was assigned to. After we left the ship he said nothing that I remember, but when we came alongside the sub he started asking for the Captain. Then when the Captain of the sub did not come up to him he said to the Jap who was talking to us in English, "I fight on your side now," and tried to get out of the boat first. However, they pushed him back in the boat and made him wait his turn and didn't seem to treat him any different from the rest of us, but tied his hands behind him and sent him forward to sit on the deck with the rest of us. I never saw him again and don't know what became of him.
- (b) When we were at Fremantle there was no dock security at all. All sorts of people were all over the dock and the ship all the time and no one seemed to care what went on. Navy guards were on watch on the dock, but they never told us who to stop. Anybody who wanted to could have gotten aboard and found out almost everything about her. I have never seen such a lack of security at any port as I saw there. That could have been where the Japs found out about the ship.

I have read the foregoing statement consisting of five (5) pages, including this page, and it is true to the best of my

knowledge and belief.

/s/ Robert Calvin Butler
Robert Calvin BUTLER

Subscribed and sworn to before me this 30th day of October 1944,
at San Francisco, California.

V. C. Dowell
V. C. DOWELL, Lieutenant, U.S.N.R.

WITNESSES: C.W. Praith, Lt. (j.g.) U.S.N.R.
David G. Sablett, Jr., Lt. (j.g.)

8090

District Intelligence Office
Twelfth Naval District
717 Market Street
San Francisco, California

3 November 1944

CONFIDENTIAL

I, James Dixon PEARSON, of 792 Roland Street, Memphis, Tennessee, make this free and voluntary statement to V. C. DOWELL, whom I know to be a Lieutenant in the U. S. Naval Reserve. I was born May 22, 1921, at Memphis, Tennessee. I am single and my next-of-kin is my mother, Mrs. J. H. PEARSON, of the same address. I was appointed purser aboard the S. S. JOHN A. JOHNSON January 3, 1944, and was acting in that capacity when she was torpedoed at 0605 GCT on 29 October 1944.

I was undressed, lying in my bunk, when the torpedoing occurred, so I immediately grabbed for my life belt and proceeded to the boat deck to No. 1 boat, to which I had been assigned. I discovered that it was in no condition to be lowered because of the torpedoing which was on the starboard side at the base of the bridge. I had heard the abandon ship signal before I got to the boat deck, so after leaving No. 1, I went to No. 3 boat. No. 3 boat was lowered in the water without any difficulty, with approximately eight men in it, including myself, and in getting underway, it immediately sank to the gunnels. I then swam to No. 2 boat, in which there were twenty-eight men, under the command of the Third Mate, Van Doyle BARBER. We paddled and drifted away from the ship which had already become severed. When we were about three-quarters of a mile from the divided hull of the ship, the submarine appeared on the port bow of the ship in the position it was in previous to its disintegration and about 200 yards from our boat.

It circled around and all of us in the lifeboat watched carefully. And after making a complete circumference, it headed directly for us. We could not determine whether it was going on the right or left side, but it appeared to be getting ready to swamp us. All of us thereupon jumped out of the boat and tried to gain cover under the water. The submarine came very close to the boat, but did not capsize it, although considerable water was taken aboard. At this time, the submarine opened fire with one machine-gun indiscriminately at all persons and at the boat. I noted both machine-gun and pistol fire coming from the submarine and recall that the pistol was being fired by a figure on a higher elevation than that from which the machine-gun was

being fired. I also observed that the man who was firing the pistol was dressed differently from the other figures on the deck of the submarine and assured that he was an officer.

I heard at this time a great deal of what I would term jabbering and which had a definite Oriental sound, accompanied with considerable laughter and occasional shouts of "Banzai."

I estimate that I saw somewhere between six to ten men on the deck of the submarine, but was not close enough to gain an accurate impression of their facial characteristics. My vision was obscured, of course, by the darkness and the excitement of the moment. I did notice that the submarine was black and there were lights on it and it had a spotlight which it was using on the men in the water as it fired its machine-gun.

They cruised on by. I heard some of the men who had previously been on the raft crying for help, apparently wounded, and some thrashing around in the water.

During the period that the submarine was making its first attack on the lifeboat, I, along with the rest, was trying to disengage myself from my life jacket, so we could adequately dive under the water for cover. When the submarine had cruised on past our boat and was making its return run, I, along with several others, had gotten away from our life jackets and were able to submerge ourselves completely. So on its next visit, the submarine did not see many people to level its fire upon. After it passed on its way, I again regained my life jacket.

After some interval of time, I swam back to the lifeboat and was hauled aboard. After arriving on the boat, I noticed there were five who had been wounded by the gunfire of the submarine, and although I did not know I had been grazed by machine-gun bullets, as I discovered later, I was aware that they had been splattering all around me. I noticed some burns, but did not investigate the matter until the next day when I discovered that I had received three bullet burns, one across my stomach, one across my forearm, and one across the calf of my leg, which broke the skin.

As soon as everybody had gotten back on board, we took a count and discovered there were thirteen missing, although it was later discovered that some of these men had managed to get to some of the other rafts. But three men whom I know were in the boat with me, namely, Cargo Security Officer Raymond SCHISLER; Billy M. CURTIUS and James RACE, colored messman, turned up missing. Although I did not see them actually shot, everything leads me to the conclusion that that was their fate.

Then we watched the submarine at a distance for some time and finally it had opened fire on the two severed portions of the ship which resulted in igniting both portions, both of them burning brilliantly. Shortly after this, the submarine disappeared, which I estimate to be at least three hours after the torpedoing.

Almost immediately after the disappearance of the submarine, a friendly plane flew over to which we signalled by flashlight. The next day, as a result of the contacts established, we were rescued by the U.S.S. ARGUS and returned to San Francisco.

I have read the foregoing statement consisting of three (3) pages, including this page, and it is true and correct to the best of my knowledge and belief.

/s/ James D. PEARSON

Subscribed and sworn to before me this 4th day of November 1944 at San Francisco, California.

/s/ Virgil C. DOWELL
Lieutenant, U.S.N.R.

WITNESSES: /s/ W. PHEGLEY, Lt., USNR

/s/ W. E. HUNT, Ylc, USNR

C E R T I F I C A T E

5091

1. I, JAMES J. ROBINSON, Captain, USNR, hereby certify that I am officially connected with the United States Government in the following capacity: Director, Navy Division, War Crimes Office, Washington, D. C.

2. I further certify that the below-listed International Prosecution Section evidentiary documents are true and correct copies of documents which are part of the official records and files of the Navy Division, War Crimes Office, Washington, D. C., or of the Navy Department, Washington, D. C.

Evidentiary
Document No.

N a m e

8379	S. K. Chu, 2nd Mate, SS. Nancy Moller
8380	R. J. Weeks, Master, S.S. Daisy Moller
8381	F. Payne, 1st Officer, and W. R. Mountain, 2nd Officer, S.S. British Chivalry.
8382	P. H. Rees, Chief Engineer, M. V. Suttlej.
8383	Lt. Comdr. L. A. Seward, R.N.R. re S.S. Ascot.
8388	F. De Jong, Chief Officer, S.S. Tjisalak.
8389	Charles E. Pyle dated 2 Oct. 1944 re S.S. Jean Nicolet.
8390	Robert Calvin Butler, S. 1/G dated 30 Oct. 1944. re SS. Jean Nicolet
8393	Charles H. Rhodes, dated 4 Nov. 1944, re S.S. John A. Johnson
8394	James Dixon Pearson, dated 3 Nov. 1944, re S.S. John A. Johnson.
8472	Schedule of Allied Ship Sinkings, Pacific and Indian Ocean Areas with attached chart.
8469	1st Lt. Duncan P. Stewart, dated 2 May 1946, re U.S.S. Comfort.
8470	C. W. Nimitz, Commander-in-Chief U.S. Pacific Fleet, dated 19 May 1945, re U.S.S. Comfort.
8260	Fern Joseph Barta, Radioman 1/G, U.S.N., dated 13 February 1945, re Palawan Massacre.
8258	William J. Balchus, Sgt., Edwin A. Petry, Sgt., Eugene Nielson, Cpl, and Albert Pacheco, Sgt. dated 17 March 1945, re Palawan Massacre.
8439	Rear Admiral Shigenatsu Sakaibara, IJN, statement re execution of prisoners of war on Wake.
8440	Lt. Comdr. Shoichi Tachibana, IJN, statement re execution of prisoners of war on Wake.
8441	Lt. Toraji Ito, statement re execution of prisoners of war on Wake.
8444	Vice Admiral Koso Abe, IJN, statement re execution of prisoners of war on Kwajalein.
8446	Captain Yoshio Obara, IJN, statement re execution of prisoners of war on Kwajalein.
8447	Captain Yoshio Obara, IJN, statement dated 28 March 1946, re execution of prisoners of war on Kwajalein.
8448	Lieut. Wm. P. Mahoney, USNR, affidavit dated 26 April 1946.
8449	Vice Admiral Koso Abe, IJN, interrogation dated 2 March 1946, re execution of prisoners of war on Kwajalein.

Evidentiary
Document No.

Name

Evidentiary Document No.	Name
8462	Major Sueo Matoba, IJA, statement dated 16 April 1946 re order regarding execution of American prisoners of war on Chichi Jima.
8463	Record of Proceedings of the 18th and 19th Day of the Military Commission in the case of Lt. Gen. Tachibana, et al.
548	First Submarine Force Secret Operation, Order No. 2-43 signed by MITO: JICPOA Item No. 5738.
8466	Record of Proceedings of a Military Commission convened at United States Pacific Fleet, Commander Marianas, Guam, Marianas Islands on August 15, 1946 in the case of Lt. Gen. Tachibana, et al.
8467	Record of Proceedings of a Military Commission convened at United States Pacific Fleet, Commander Marianas, Guam, Marianas Islands on 15 May 1946 in the case of Vice Admiral ABE, et al.
8478	Record of Proceedings of a Military Commission convened at U.S. Naval Air Base, Kwajalein Island, Marshall Islands on 21 December 1945 in the case of Rear Admiral Sakaibara, et al.

3. The above listed documents in the official files of the Navy Division, War Crimes Office, Washington, D.C., or the Navy Department, Washington, D. C., are not immediately available.

s/ James J. Robinson

JAMES J. ROBINSON

Captain, USNR

Sworn to before me this
7th day of January 1947,
at TOKYO, JAPAN.

s/ Charles T. Cole

Cmdr., USN

8092

CG.1.1.3.-EGd
 CC.1.8.0.

/stamps/
 June 6, 1944
 June 20, 1944

I have the honour of informing Your Excellency that the Government of His Britannic Majesty has asked me to hand to the Japanese Government the following communication:

"1^o His Majesty's Government have received numerous report from survivors of torpedoed merchant ships which make it plain that commanders and crews of certain Japanese submarines in Indian Ocean are acting in complete disregards of international law and of humanitarian principles recognised by all civilised states. The following are incidents concerning British ships upon which this most serious accusation is founded.

2^o SS 'Daisy Moller' was torpedoed and sunk at 21 hours G.M.T. on 13th December 1943 in position 16^o 21' north, 82^o 13' east. Ship's boats containing survivors were rammed by a submarine identified as Japanese; survivors were afterwards fired on in boats and machine gunned in water.

3^o SS 'British Chivalry' was torpedoed and sunk at 5.30 hours G.M.T. on 22nd February 1944 in position 0^o 56' south, 68^o east. Two boats and four rafts containing survivors were subjecte to deliberate machine gun fire by a submarine identified as Japanese. Many were killed and one of the boats was sunk. The master of the ship was taken prisoner and compelled to watch machine gunning of his crew from the submarine.

4^o SS 'Sutley' was torpedoed and sunk at 18.35 hours G.M.T on 26th February 1944 in position 8^o south 70^o east. A submarine identified as Japanese fired with small arms upon survivors cling- ing to rafts and to wreckage.

5^o SS 'Ascot' was torpedoed and sunk on 29th February 1944 approximately 800 miles 72^o from Diego-Suarez. Ship's lifeboat was subsequently machine gunned by a submarine identified as Japanese and 44 out of 52 survivors were killed.

6^o SS 'Nancy Moller' was torpedoed and sunk at 8 hours G.M.T. on 18th Nat? 1944 in position 2^o 14' north 78^o 25' east. A submarine identified as Japanese fired repeatedly on survivors killing a large number.

7° Ships concerned in above incidents were all British ships but His Majesty's Government have received reports of similar incidents involving ships of their allies. In particular, survivors from the Dutch ship SS 'Tjisalak' were treated with utmost brutality and the incident has been made the subject of a protest by the Royal Netherland's Government; a number of British subjects were killed in a massacre committed by this Japanese submarine and His Majesty's Government accordingly associate themselves with the protest made by the Royal Netherland's Government.

8° His Majesty's Government make the most emphatic protest against inhuman and criminal actions of Japanese submarine commanders and crews involved in above incidents and demand that Japanese Government, while issuing most immediate instructions to prevent their repetition, take disciplinary action against persons responsible. Number and circumstances of these incidents indicate that not one but several Japanese submarined commanders have violated in the most flagrant manner elementary humanitarian principles of maritime warfare."

As Your Excellency will have verified, an incomprehensible word appears under 6° above: "Nat". I have asked the Postal authorities to repeat that word, and will not fail to inform you of the correction which will reach me.

I shall be very glad if you will let me know the answer of the Imperial Government to this present communication, and ask you, my dear Minister, to receive the assurances of my high respect.

The Swiss Minister.

To His Excellency
Mr. Mamoru Shigemitsu
Minister for Foreign Affairs
Tokyo

Certificate:-

I, Yale Maxon, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8400.

/s/ Yale Maxon

2093

CC 1.8.0.-EGc

July 20, 1944

By letters of 5 and 20 June, the Swiss Minister had the honor of transmitting to His Excellency Mr. Mamoru Shigemitsu a communication of the British Government concerning attacks against the survivors of British merchant vessels by Japanese submarines.

On June 23, the Imperial Foreign Ministry expressed by telephone to the Legation a desire to get the precise information about the place of the torpedo attack on the ship "Ascot," mentioned under #5 of the letter under date of June 5.

The Legation announced this desire to the Federal Political Department for the information of the British Authorities.

The Government in London has just communicated the following information:

"The position of the S.S. "Ascot" when she was sunk may be described as approximately 8° 10' south, 62° 10' east."

The Legation avails itself of this opportunity to renew its high respect to the Imperial Ministry.

Tokyo, July 19, 1944

To the Imperial Ministry
of Foreign Affairs,
Tokyo.

2094

Statement of R.J.Weeks, Master, S.S. DAISY MOLLER, sunk 14 December 1943

On 0420 December 14th, the vessel was struck on the starboard side between No. 1 and 2 holds by a torpedo fired at the vessel without warning. Vessel's position at the time of attack being 195^o, 16 miles, Sacramento Shoal Light House. Vessel immediately started to list and sink by the head. I ordered all boats to be lowered. The starboard forward boat was smashed in lowering and I took the double boat's complement into the port forward boat. As far as I could ascertain every one got away from the vessel, which sank 3 minutes after I left her. As the vessel sank the submarine appeared about 100 yards to the North of where the vessel sank. The sub approached my boat after firing a tracer bullet at us. No words were passed and the submarine turned away but approximately three minutes later rammed my boat at an approx. speed of 16 knots opening fire with machine guns directly after. I swam to a raft about 1½ miles away. The submarine then rammed the other two boats and machine gunned the water over a large area. By this time 12 men were hanging on to the raft. At daylight we saw two other rafts with one man on one of them. After a struggle we got the three rafts together and I placed 4 men on each of the others, keeping 5 on my raft, one being R Casson, A D.E.M.S. gunner who had a badly burnt and sprained foot. I advised the others to rig a sail from the awning and keep close to my raft and we endeavored to make westing, at midnight December 17th we landed in the Krishna River delta and proceeded by various methods to Masulipatam arriving there at 1400 December 18th 1943. We left there at 1600 December 20th arriving Vizagapatam at 1400 December 21st, 1943. Total amount of survivors known being sixteen, ships complement being 69 crew and 2 passengers. I should like to give a word of praise for the D.E.M.S. ratings who were saved. Their behavior was excellent.

/s/ R. J. Weeks, Master.

2095

Extract from the official log of the BRITISH CHIVALRY,
sunk 22 February 1944.

This is to certify that on February 22nd, 1944 at sea in the Indian Ocean at approximately 10:30 a.m., the vessel received a direct hit by torpedo in the engine-room. Something in the water had been reported to the bridge a few minutes previously, and the Second Officer sighted the track of two torpedoes approaching the starboard quarter. He immediately attempted to take avoiding action. One torpedo passed harmlessly astern, but the other struck in way of the engine room immediately below the galley. An attempt to send a radio message was made but it was found that the apparatus was damaged beyond repair.

An attempt to ascertain the extent of the damage was made, but within three or four minutes of the explosion the engine room was filled with water sufficient to cover the upper platform. The two after boats were rendered useless and the crew got amidships and orders were given to clear away two midships boats and four rafts on main decks.

After considering the condition of the vessel which has been rendered totally incapable of proceeding under her own power, the Master decided to abandon ship temporarily in order to prevent further loss of life should another attack be made. Although very much down by the stern the vessel did not appear to be going to founder and it was thought we might return aboard later.

The two boats with all survivors left the ship, and as they drew away the submarine was sighted coming to the surface. One of the boats, a motor boat in charge of the Chief Officer passed the boat under oars in charge of the Master and received instructions to round up the rafts which were floating away. About 5 minutes later the submarine commenced shelling, and according to reports the shots were in line with the Master's boat. Later attention appeared to be made more at shelling the ship, and not until the submarine was within about quarter of a mile of the ship did she score any direct hits. About 20 rounds in all were fired and the ship finally sunk by a third torpedo on her port side. The vessel finally sank at about 11:30 a.m.

During the sinking of the ship a roll call was made and casualties were found to be:

S. Morrison	4th Engineer
R. O'Neil	Fireman
J. Gallagher	Fireman
T. Byrne	Fireman
J. Sayers	Ship's cook
G. Hobbins	Galley boy
K. Bagshaw	Apprentice

After sinking the vessel the submarine then opened fire on the two lifeboats with light machine gun fire. A white flag of truce was displayed from the Master's boat and machine-gunning ceased. Attempts to signal by semaphore were made. The submarine closed the boats and waved us alongside. It was noted that the submarine was manned by Japanese. They intimated that they required the Master to board her, which he did. The boats were then ordered to carry on and the submarine moved off.

After the boats had been proceeding for about 5 minutes in company the submarine suddenly altered course and steered for them, and on passing heavy machine gunning of the boats commenced. Most of the crew dived into the water and some lay down inside the boats. The machine gunning lasted until about 2 p.m. when one boat containing Radio equipment etc. had been sunk and the other left in a sinking condition. The sub made off in a S. W.'ly direction.

Strenuous efforts were then made by the surviving members of the crew to bale out the remaining boat, and at about 5 pm had been successfully made in a condition to be of use. Rafts and survivors in the water were then gathered together and a consultation was held amongst the officers. Another roll call was made and the names of those killed by machine gunning were as follows:

W. Dickinson	Chief Engineer	E. Penfold	Deck hand
C. Mann	2nd Engineer	H. King	Deck hand
C. Kennedy	1st Radio Officer	D. Merrill	Deck hand
C. Cookesley	Chief Steward	C. Keneally	A.B.
T. Beighton	Deck hand	W. Mitchell	Greaser
R. Saunders	Deck hand	J. Gillan	Greaser

Extract from the official log of the BRITISH CHIVALRY,
sunk 22 February 1944

Wounded as follows:

J. Sloan	Deck hand	Lacerations from bullet right shoulder, under chin and back of neck.
G. Taylor	Deck hand	Bullet wound in chest and right forearm.
P. Noonan	ERS	Lacerations from bullet under chin.
L. Morris	A.B.	Laceration from bullet in head and bullet hole through right forearm.
L. Abbott	Deck hand	Bullet in buttock near anus, bullet extracted in boat.

Others had various cuts and abrasions.

After considering the chances of rescue it was decided that it would be hopeless to remain in the area. The boat in company with one raft and all available provisions moved off in an attempt to make land, using the most favorable conditions of wind, weather and currents, etc. Plans were made for making roughly a 1500 mile passage and a scale of rations calculated accordingly.

At 11:30 pm on 23 February 1944, Able Seaman L. Morris, suffering from wounds as described above lost his life by drowning. His wounds were such a character that he had been rendered insane and efforts were made by survivors on the raft to restrain him. He proved to be too violent to hold and during the struggling evaded the others, jumped overboard and disappeared from view before rescue could be effected.

On February 25, Friday, the engine rendered useless by seawater was dumped overboard and the occupants of the raft were transferred to the boat.

The subsequent proceedings of this report were such as might be expected during a period of great hardship and suffering of 38 men cast adrift for 37 days in an overcrowded boat. During this period morale in the boat was excellent, and the conduct and bearing of the men was at all times cheerful and courageous.

Extract from the official log of the BRITISH CHIVALRY,
sunk 22 February 1944

Special mention may be made of three men - Mr. J. Edwards, 3rd Engineer, for calm bearing and cheerful influence on all; Petty Officer Frank Alder, donkeyman, for valuable work rendered in first aid and the care of the sick and wounded; Able Seaman Harry Belcher, for his outstanding ability and brilliant seamanship.

On Wednesday 20th March at 1114 GMT, the boat was sighted by M. V. DELANE and rescue was effected.

(signed) P. Payne, 1st Mate
W. R. Mountain, 2nd Mate

Statement of P.H.Rees, Chief Engineer, M.V. SUTLEJ, sunk 26 February, 1944

(Vessel left Aden on Tuesday 15th February 1944, in convoy, bound for Australia. After being in convoy for 5 days we split up and continued the passage unescorted. Six days later (26 February) at 1820 hours we were struck by a torpedo between nos. 1 and 2 holds on port side.) It has since been reported to me by the Quartermaster, through the Purser, that at this instant the Master and Chief Officer were on the bridge and had seen torpedo approaching the ship. Engines were stopped, engine room personnel cleared (5th Engineer Officer, donkeymen, greaser and fireman). I personally made sure of this before leaving the ship. The "abandon ship" alarm was ringing almost from the instant of being hit. She heeled over to starboard and sank in about 3 to 5 minutes after being struck. Position is unknown but an approximate position of 9°S. 70°E. is given by the 2nd Engineer Officer. There was no foundation for belief that any S.O.S. message was sent out in this brief time limit. The master was last seen in the wireless room nevertheless.

All rafts got away (3). One raft had been previously lost in North Atlantic gale outward bound and was unable to replace at Alexandria. Darkness set in and confusion reigned for quite a time, whilst survivors were in the water.

I shall now proceed by recording what happened to me personally. I proceeded to try and take up my station in No. 1 boat (Boatdeck, starboard side). On getting amidships I was waistdeep in water, the vessel having sunk this deep already. I turned back to try another boat, No. 4 (port side engine room). I had no sooner mounted the ladder when the vessel started to drop away under me. I shouted to those around me to jump for it and jumped myself. I came up alongside the 3rd Engineer and we swam together to what turned out to be the only remaining small drum type auxiliary raft. We mounted and found one coal boy on it. We then picked up as many men as possible. This added up to (8) men, one of which died (chief cook). The submarine now appeared on the surface and stopped our efforts to save more men (about 10 minutes after the sinking). He came alongside and questioned us as to whether the master was amongst us, ship's name, destination and cargo. It was definitely a Japanese submarine, ocean-going type, mounting 8" gun and anti-aircraft armament. He attempted to ram all rafts and machine-gunned us at random. His aiming was poor. The exhausts of the submarine were sparking badly and showed up against the darkness very clearly. He appeared to have good speed and manouverability.

His anti-net gear was good. After the submarine disappeared I set out to try and collect an upturned lifeboat that was in the vicinity so we decided to look for more men that maybe were still afloat on debris. It was then that we contacted two rafts tied together. These we made and found were occupied by (1) 4th Engineer Officer and naval rating and (2) Purser, Chinaman and 7 men. We made fast and waited for daybreak. Throughout the night it rained and blew continuously. Next morning another raft was sighted with men aboard. Owing to distance and weather contact was unable to be made. On the third morning this raft was lost sight of. Attempt was made to set a course N.E. with the prevailing weather. Progress was made in this direction the following 48 days. I stripped the small raft of all material and stores and cut it adrift. We then continued in tandem for the next 30 days.

After 20 days we sighted land (two small islands) but could not make it with the prevailing offshore wind and set. Flares at night did not draw any attention so I assume they were inhabited. Rain water was plentiful. Fish and birds were caught and cooked and the condition of the men was good in general. We decided to part company after 30 days to allow for two chances of being sighted. This decision I may add went badly on the conscience. At about 11.30 on 13th April Catalina aircraft sighted one raft and dropped provisions. The next day both rafts were sighted and H.M.S. FLAMINGO picked up all survivors.

(signed) P.E. Rees, Chief Engineer

2097

Report of attack of S.S. ASCOT, sunk 29 February, 1944.

S.S. ASCOT left Colombo 19 February, 1944, bound for Diego Suarez. At 1205 (ship's time) gunners on watch sighted a torpedo close on the starboard beam, but before warning could be given, the torpedo struck the ship on the starboard side in the fore part of the engine room. The two starboard lifeboats were blown away, and as the ship appeared at first to be settling fast, the two port boats and a raft were got away. It is believed that four people, all engine and boiler room staff, were killed by first explosion. The remainder of the crew, believed 52, got safely away.

The ship had by this time ceased to settle and ten minutes after abandoning a submarine was seen to surface about 2000 yards away from the ship, on the starboard quarter. The submarine circled the ship and commenced shelling her, firing about 7 rounds, but no effort was made to board.

The submarine then approached the boats. She was about 300 feet long with a high conning tower which had square glass windows in the fore part, there is some difference of opinion as to whether the gun, which was about 6" calibre, was forward or aft, but the weight of evidence tends to show that it was forward. It had a large 20 mm type gun fitted in a perspex blister in the side, and light machine-gun resembling a Bren, on top the conning tower. It was painted dark grey and was rusty and barnacled. There were no marks, but the survivors, on being shown photographs and silhouettes, all unhesitating picked out I - 121 - 124 of Jap submarine.

The survivors stated that all the men on the deck of the submarine were Japanese, dressed in khaki shirts and slacks, and soft Japanese type peaked caps. They also state that there was a European in the conning tower, wearing a European type of Naval cap, with yellow or gold wings in front.

A Japanese in broken English asked for the Captain, Chief Engineer and Radio Officer but nobody replied. A burst of machine-gun fire was then fired. The Captain then disclosed his identity and was ordered on board the submarine. The Japanese who had first asked for him, took the despatch case, the Captain was carrying from saying, "So you dont speak English, you English swine". He then slashed the Master's hands across the palms with a knife and threw him into the water, where he was picked up by the lifeboat.

Fire was then opened, with light machine gun in conning tower, on boats and raft, all the survivors jumped into the water to avoid being hit, 10 men around the raft were killed, also an unknown number in the boats. The submarine then left the boats and recommenced shelling the ship, which was by this time, blazing fiercely from stem to stern. About 30 rounds were fired.

The survivors at this time got back into the boats and raft, buried the dead, and one lifeboat took the raft in tow. At 1600 approximately ship's time, the submarine returned to the boats and commenced machine gunning. The men on the raft, with the exception of A.H. Richardson, DEMS, who was wounded in the thigh and was delirious, and Gunner Walker, Maritime Regt. who stayed to assist him, took to the water. Gunner Walker, with great courage, attempted to shield Richardson, and at the same time informed the men in the water as to the position of submarine to enable them to shelter behind the raft. Richardson was killed and Walker was hit twice, once in

the leg and once in the thigh. He did not inform his mates of his wounds until the following morning and though in considerable pain, behaved with fortitude until picked up. I submit this act of gallantry should be suitably rewarded.

The submarine machine-gunned the survivors intermittently until dusk, then disappeared and was not seen again.

There were 7 men left on the raft at this time, and they cleaned, as much as possible, the blood, etc. off the raft, and hoisted sail. The following morning, March 1st, a lifeboat was sighted, but was soon lost to sight. On March 2nd, the lifeboat was again sighted and came alongside at noon. It contained A.B. Hughson, DEIS, and as it was badly damaged, he transferred to the raft taking the provisions with him.

At the time of the second machine gunning Hughson was in the boat with the Master and a number of others. He states that the other lifeboat was rammed and sunk by the submarine. After machine gunning the raft, the submarine approached the boat with the apparent intention of ramming it. All the boats crew, with the exception of Hughson, took to the water, where they were machine gunned. Hughson lay in the bottom of the boat and the submarine took it in tow alongside, apparently to prevent anyone re-boarding it. A Japanese boarded the boat, Hughson feigned death and was not molested. After about 10 minutes the boat was cut adrift and the submarine then rammed it on the port quarter, damaging it. Hughson lay quiet all night, and the following morning hoisted the foresail, and though the boat was waterlogged, sailed her through the day in a freshening wind and sea.

The following morning, the weather moderated and he hoisted the main-sail, sighted the raft and made contact, as stated above.

I consider that Hughson showed courage and fine seamanship.

The survivors were subsequently picked up by H.V. STANT SOEMDA, at 1325, March 3, 1944, and brought to Aden.

(signed) L. A. SWARD,
Lieutenant Commander, R.N.R.
Staff Officer, Intelligence

2098

Statement of S.K. Chu, 2nd Mate, S.S. NANCY MOLLER, sunk March 18, 1944

On March 18th at 8.40 a.m. A.T.S. (or 3.32 GMT) in position Latitude 02.14 N. Longitude 78.25 E., while on her 090° true main course, speed 9.0K through water (ship zigzagging according to diagram No. 11 at that time) diverting from track G/H to J/H, she was torpedoed. The first torpedo hit the engine room from portside, and the second one (fired almost in succession) hit the deep tank under the bridge.

The ship sank within a minute and carried three lifeboats down with her. The fourth lifeboat and all four rafts freed themselves, but the boat was in an upturned condition, and part of the rafts' equipment was lost.

The sub surfaced after 10 minutes. She was painted with dark grayish colour had no identification mark, mounted with one 4 inch gun forward, and had a crew of more than twenty on the lower bridge and fore deck.

She (the submarine) approached one of the rafts on which were Gunlayers Fryers, 2nd Engineer H.T. Shing, Fitter Wong and three Indians. They were ordered to board the sub. Fryers was taken down for examination, and the remaining five were made to kneel down towards the bow. The 2nd Engineer was shot twice with a revolver, and was kicked into the sea. As he wore no lifejacket, he was soon drowned. Fitter Wong received one shot, and as he was wearing his jacket, he managed to struggle in the water and was finally picked up. The three Indians were merely driven into the water without being shot, so they were all rescued later on.

Afterwards the Japs turned the portable machine gun towards the other rafts and opened fire. As the survivors were alert enough to hide their bodies under water with hands grasping the becket lines, nobody was known to be hit. The sub being satisfied that no life was left, drew away out of sight.

Then we picked up and gathered together all the survivors, amounting to 32. (4 British, 2 Chinese, 1 Russian, 25 Indians). The ship originally had a crew of 65, so with the Gunlayer as a prisoner on the sub another 32 persons (including the Captain) lost their lives. (6 British, 5 Chinese and 21 Indians)

The survivors drifted on the 4 rafts for four days, and were finally picked up on March 22nd, early morning.

(signed) S.K. Chu,
2nd Mate, ex s/s "Nancy Moller"

Enclosure (F)

2099
LICENSED UNDER PATENT NO 2,118,888Statement of F. deJong, Chief Officer, S.S. TJJALAK, sunk 26 March, 1944

We sailed on the 7th March 1944 from the port of Melbourne in Australia with a full cargo of flour, about 6640 tons. Destination was Colombo. The ship was loaded on her tropical mark and the draft upon departure was 25'-09" average. The ship was about 4" by the stern. There was 700 tons of fuel oil and 400 tons of fresh water on board. The crew consisted of 76 persons. Furthermore we had five first class passengers and 22 lascars as tweendeck passengers. Making a total of 103 persons on board. The 22 lascars being ex-crew of the M.S. Tjisadane on their way home after having been paid off from afore mentioned ship. The first class passengers consisted of one American lady Mrs. Brittan. She was on the way to her husband who is living in Calcutta. Her husband is a Britisher and is apparently working for the Intelligence Service. Then there was a Capt. Scotti, an officer of the British merchant marine, who was going to rejoin his ship again after having spent his holiday in Australia. As far as I can remember I think he belonged to the tankship Cy. the Anglo-Saxon. Another passenger was an Australian Lieutenant. Then there were two young British boys who had just been enlisted. We proceeded according to the route which was given us by the naval control in Australia. During the trip we received a radio message with a correction on this route. This correction was not altogether clear to us as they referred to a certain secret position which we did not know. Afterwards we thought it most likely to be Colombo. We had to acknowledge the reception of the cable. We did so, but we thought it a little surprising to break the radio silence for it. On the morning watch of Sunday 26th of March 1944. There were the 4th off. and myself. The time used was apparent time, being Gr. time. and added 5h09m. The weather was fair. Slightly clouded. Visibility 8. Westerly wind force 3. Sea 2 and a light swell. Day break started at about 5-25. At 5h30m I went down to call the Master, so I could take sights of the stars. The Master came to the bridge to relieve me. I reminded the master that he had wanted to start zigzagging this morning. On account of this he let the 4th officer start making the zigzag No. 9 ready on the blackboard as he intended to start at six o'clock with it. I was in the chartroom now and had just figured out the estimate position being: 2degr. 30 min. 8 and 78 degr. 40 m. E. At 5-45 I heard the Master shouting "Hard to port, Hard to port." I rushed up on the upperbridge and told the 4th Off. who I passed, to watch the man at the wheel. When I arrived on the upper bridge I could just see the track of the torpedo and the same minute there was a very loud explosion. We could hear steam hissing and water and fuel oil poured over us. The ship got a list over the port side of about 20 degrees and we nearly fell. Directly

afterwards the ship came 5 degrees back and stayed like that with a list of 15 degrees over port. The Captain and I decided to give the "Abandon Ship" signal, which we gave then. The Master gave me the order to go and lower the boats and he disappeared to his cabin for his papers, I went to my boat No. 2 to get her lowered. We always had six boats outside in the lashings; three on portside and three on the starboard side. As three boats were enough to contain the whole crew, we had always intended to leave ship in three boats on the lower side. On account of this we used to practice boatstation in three boats. I found however that all the people of my boat on the higher side in the boat, so I chased them to the port boat. I told Capt. Scotti who was there to get into the boat with all the others and I kept a few sailors and the 4th off. with me on deck. When they were all seated in the boat, I gave Capt. Scotti my knife and told him to cut the lashings. After this was done we lowered the boat into the water. I gave Capt. Scotti an order to let go everything except the forward painter. I told him also to keep this painter fastened until I was back and in the boat. I now let the sailors and 4th officer get into the boat.

There was not a sign of panic, only the Chinese and the lascars sat down in the boat like being dead and we could not force them to do a single thing. I had told the 4th officer to take a sextant and a chronometer to the boat, which he had done and we put these things gently into the boat. All the people were in my boat now and I was alone on the deck. The 2nd Engineer, who belonged to my boat told me he had better lower down some more boats. As my boat and boat No. 3 were already in the water and I had seen them busy with boat No. 1. I told him I did not think we did any good by it. Besides that with only a few persons it was taking unnecessary risks and we might get the painters of the other boats fouled. Besides that I did not like the idea of taking a couple of men back out of my boat. I asked him to get into the boat also, but he disappeared. The ship sank more and more and was getting a heavier list. Afterwards when we had just let our boat go I saw him on deck and again afterwards I saw him in the No. 1 boat. I went up to the Master now, who was on the lower bridge, near his lifeboat and reported to him, that my boat was in the water with the people in it. He told me to get into the boat also and get away from the ship. He was just preparing himself to get into the boat. I saw that he had his secret logbooks under his arm. I went back to my boat now and let myself down along a lifeline into it. The water was right up to the main deck now. On account of the swell our boat was again and again smashed against the rail and came many times under the first class deck. With great efforts we could keep clear the boat with the few Europeans, as we could not get the Chinese or the lascars to help us. The 4th Officer asked if he could go on board for a split second to get something. I really forget why it was. He asked me anyhow to wait for him, which I promised to do though I told him to hurry up. When he came back we let go the forward painter and the boat started to float towards the stern. We were in a dangerous position as the swell crushed us again and again under the first class deck, while the ship was listing more and more. With great difficulty we managed to get the boat clear and by doing so the 4th off and I were

several times thrown off our feet in the boat. We tried to get the crew to pull the oars, but they were simply deaf. Our guncrew was still firing. I saw boat no. 3 alongside and waiting for them. We tried to keep our boat out of the sights of the gun, but we floated through it. We got a few oars out with the aid of the Europeans and got the boat away a little. The guncrew stopped firing for a while trained the barrel a little and carried on firing. Our boat was leaking heavily and the water outside was practically the same level as inside. We started to bail the water out with buckets and pumps. A little later the ship went down with a sigh. I saw the guncrew jumping overboard at the last moment. I spotted the 3rd Engineer in the water and picked him up. Now I could get four men onto the oars and could move a little. When I looked around I could see the periscopes of the sub on the port side at a distance of about a mile. We could see she was heading towards us and soon we could see three things sticking out of the water like periscopes. A little later she was on the surface. She then steamed all around the wreckage.

In the meantime the Master came with his boat alongside of our boat and the other boats to count the survivors. In my boat there were 29 persons. We floated alongside of boat no. 3 and we saw there were only Chinese in this boat. For the good order I let the 4th off. and the 3rd Eng. go over into that boat. As far as we could find out we were only missing the Australian lieutenant. Still I am not very sure about this fact. In the mean time the sub came closer and closer. From the conning tower they started to shout for the captain. When they asked a second time where the Captain was I saw the Master stand up in his boat and put up his hand. They ordered him to come alongside of the sub. with his boat. He did so. The next thing we spotted was the Captain and the Europeans in his boat boarding the sub. The boat of the 2nd Off. started to get away more and more. With a few men rowing in my boat I tried to get a little away from the sub. But now they started to gesticulate and shout from the tower. They shouted to us to report. So we came alongside one by one with our boats. They told the Europeans to board the sub. I did not see anything of the Europeans of the Captain's boat when I stepped on her deck. I only saw somebody disappearing into one of the manholes on the fore deck. With the 3rd Eng. I was the first one to be pointed out to the foredeck. They told us to sit down there facing forward. We should in no case look back they told us. From all around they kept us covered. When I boarded the sub they took my knife away. I had my lifebelt on and luckily they forgot to take that away. My papers were packed in the inside of my lifebelt and they did not spot it. The foreship started to fill up as they were ordering now all the people out of the boats. Two Japs were making us stand by in front of us, one with a revolver and one with a coil of rope. Again and again they shouted from the tower, "Do not look back, because that will be too bad for you." I got the impression that there was little discipline. Everybody just pleased himself and they all tried to get as many souvenirs as possible. So they took watches, papers and knives. A little to the right before me was the 5th Eng. sitting. A little to the left and forward was the 3rd Eng. I got the impression that

[the Japs wanted to start all kinds of things at the same time. One was preparing himself to tie us up, another was fumbling with his revolver and so on. Most of our crew did not obey the order of not looking back. They continuously looked back, I warned them a few times to look forward. I thought it better not to irritate the Japs any more. I understood the end was there for all of us, and I told the Europeans near me. I told them to try to make the best of it. All of us sat down depressed. I felt pity for the 5th Engineer, as he was fighting, I could see, to keep himself under control, but he succeeded. It was a hard blow for him I thought. He had just escaped out of occupied Holland and he was very young. My own feelings were dumb. I had finished with life and I felt abnormally calm. I was surprised about myself, as I had grown a bit nervous after a whole winter on the North Atlantic with a few very bad experiences. During the time I was on board of the sub, I was very proud of every member of our crew, as I heard nobody screaming or begging for life. The Japs can take this as an example. There were a few fights going on behind us, but I do not know the exact facts as I did not look behind me. Waiting was long. At last the sub was getting under way and after clearing the wreckage headed on a course East. I know this because the sun was shining in my face. I guessed the speed at about 8 knots, but it could have been less. The other survivors thought it was less anyhow. I was thinking now about jumping overboard, but I was surrounded by Chinese and I thought I had only a very small chance. So I decided to stay and wait. What would happen now? Would they start to machinegun us from the tower? Would they tie us up and then dive? It was very difficult to guess. To wait all the time was unbearable. Luckily they started now. They called the 5th Eng. out and told him to start walking aft. When he was aft they shot him. Now it was my turn. One Jap was hanging on to my back when I walked aft. Maybe he wanted to pull off my lifebelt, maybe he wanted to prevent me from jumping overboard. Everywhere Japs were standing by with weapons. I realized that to dive with my lifebelt on would be very difficult and my chance was nil as I could not keep myself under with same. Whenever I should come into the water I would be riddled with bullets and probably die slowly. As I had to die anyhow I preferred a sudden death. So I walked on, along the tower and on aft. At about a distance of about 5 or 6 feet from the stern there was one Jap ready with his revolver. When I came alongside of him I stopped as I expected him to shoot me through the head. He pointed out to me however that I had to carry on. When I arrived at the very end of the deck, above the propellers I heard a bang and felt a terrific shock on my head and I toppled over into the water. The Japs tried to make a good job of it indeed, as they did it above the propellers. How I missed them I do not know. I must have been unconscious for a little while. When I came to I was in the water, with plenty of blood around me. I had plenty of trouble to breathe. Heavy sighing gave me just enough. I spotted the sub now at about a mile distant. After a couple of minutes I could breathe and think a little better already. I was very down. I was afraid

they would find out on the sub that I was still alive and come to finish me off. To be executed once is pretty bad, but for a second time looked horrible to me. I inspected my head with my hand and found no hole in the bore. This gave me some new courage. I started to get hope again to live on. Now I decided to try everything in my power to save my life. I kept the submarine all the time in my sight and I saw her altering course a few times. Twice she passed me at close range and I nearly drowned by keeping my head under the surface. I could still see a group of persons on the foredeck of the sub. Now and then I heard a couple of shots. At the end I saw the sub disappear to the South. I tried to upright myself as much as possible to spot the wreckage, but I was unable to locate anything. As I had the sun in my face when the sub was moving I knew now that the wreckage must be to the West of me. So I decided to start swimming with the sun at my back until I could see some of the wreckage. I knew I had to be there before dark, would I have a chance? I did not take a rest but just swam as fast as I could. It was pretty hard to keep proper course. Most of the time I took a cloud right ahead and now and then controlled my course on the sun. Everytime the swell went over my head and then I lost my cloud. My wound started to ache terribly now because of the salt water and the sun made it worse. I could not force myself to a rest and went on swimming continuously. After I had been swimming for about an hour, I luckily discovered some wreckage. This gave me new hope and strength. I was out of breath and very tired but I kept on swimming. I was afraid I would not be able to reach the wreckage before sunset. Besides this the thought of sharks made me swim faster. How I kept on I do not know. "If only the sub does not come back" I repeated again and again. Every thought I repeated twice or thrice because if I did not do that it was just as if I did not realize it. At last I met a table and tried to rest a moment on it. I toppled all the time over, however, and so I went on swimming again. After some time I again met a part of a big raft and could sit down for a little while. I was exhausted. As far as I could see there were a few good big rafts together not far away. Their position was a few miles away and I decided to try to get to those and stop there for the night. Also I could hardly move any more. I let myself slide into the water again and headed for the finish. I could not force myself any longer to stay on this broken raft. I reached the finish. But I was so weak now, that I could not hoist myself onto it. After having been hanging for ten minutes I was able to get on top of one of the rafts. Instantly I started to vomit heavily and the blood was running into my eyes. I felt simply miserable. Every time I vomited the wound started to bleed more and more. Now I discovered that I still had my shoes and so I took them off. I thought I was the only survivor by a miracle. After some time however I heard shouting and as I sat up I saw somebody in the water about a mile away trying to point out something to me. I shouted as loud as I could "Come on here, I cannot help you". After this I had to lie down again and vomit.

I was glad that I was not the only survivor after all. It was the 2nd wireless operator, stark naked, except for a belt. He is a Britisher. He was exhausted. We nearly embraced each other. He lay down and I tried to open the raft and find the medicine chest. I could not manage it as I got cramps and had to vomit again. I realised I must have a brain concussion. When Sparks noticed that I was so bad he straight away came up and searched until he found the first aid box. He put iodine on my wound and bandaged it. Then he let me lie down and covered me with a flag to protect my head against the sun. We both tried to relax a little. After a little while we heard shouting again, and shortly afterwards the 3rd Eng. histed himself into the raft. After we had all a little rest, we started to talk about what we should do next. About one and a half miles away there were a few lifeboats close together. Far away we could see the motorboat. I suggested trying to get one of the nearest boats to go with that boat to the motorboat. After that we could prepare the motorboat for a long trip and we could gather all the useful things from the other boats to sail some time in the evening. Both wanted to go and swim to a boat and bring it back to pick up the others. I told them it was better not to take any risks anymore with the sharks and we had better try to row with one of the rafts to one of the boats. It would be a tough job I told them, but it was worth trying. I could not do very much myself, as I suffered from cramp and vomited all the time. But I gave them advice all the time. Both did everything they could for me. They fished a pillow out of the water and put that under my head. They worked hard and we really managed to get the big raft to the boats. When we were at the boats I found out that the Japs had stolen the sextant and the chronometer. This was a big dissillusionment to me, as I had relied very much on finding them. (Afterwards the 2nd officer told me he had seen the instrument on the sub). We found the portable radio set however. Most of the boats were not very good as they were all leaking badly. We picked out the best one. They made a kind of resting place for me with some blankets in the best boat and then we got underway again with two men on the oars, heading for the motorboat. It was remarkable how they could keep on rowing, as it was a hard job to give some speed to a heavy lifeboat like this one. Anyhow we got there. Here was a second disappointment awaiting us as the motorboat was useless. Leaking and the motor and all the other things under water. We decided now to keep in the boat in which we were, as this was the best boat we had seen up till now. We took all the things we could use and the provisions from the motorboat and took them into our boat. Now I tried to hurry the other two a little, as we still had to visit the other boats to take more supplies and I wanted to sail on the long course by sunset. As I looked at the sun I guessed the time to be between 4 and 5 in the afternoon. Again with the two men on the oars we started heading for the last lifeboat. When we were about halfway we heard shouting and looking around I spotted two men in the sea. With new strength Sparks and the Eng. pulled the oars again in the new direction. Very soon we histed the 2nd off. and a lascar put of the sea.

I asked the others to pick up a few hatchcovers from the sea, as they were good as fuel for our water distillers. There were plenty of hatchcovers of the No. 3 hatch floating around here. They tried hard to get a hatchcover into the boat, but they were so tired that they could not get a single one in. So we decided to leave it. In case of emergency we could burn the covers. We were very glad to have some more survivors.

We had to hurry now because it was getting later and later. We went alongside the last boat and carried as many provisions over into our boat as was possible. At sunset we hoisted sail and departed, course N.W.

We knew it was useless to try to get to the Islands to the west of us, as there is a current of about 50 miles to the east in this locality. By steering N.E. we hoped to make good course North. As we were rescued afterwards we found out we really had been heading course North. Before we sailed we had a good look around us for some more possible survivors. As we had practically covered everything around the wreckage during the day, we could be pretty sure that we had not missed any other survivor. When the sun was setting I asked the 2nd Mate to check our compasses as I knew the direction in which the sun would set. On board I had to do it a routine to check the bearing of the sun every morning and evening when she came above the horizon or was setting. This came in handy now. One of our compasses seemed to be very good and we started to steer course on this one. Our intention was to keep plenty west afterwards so not to come in the gulf of Bengal. We had plenty of boat rations on board and ten tanks of drinking water, as we had unbolted the watertanks from the other boats. Furthermore we had 2 compasses, 2 sets of sails, plenty of rope and canvas. Hatches and all kinds of useful things. During the days in the boat we had lots of trouble with the sail, as it was sometimes all of a sudden calm. Another time the wind with a heavy squall was sending the sail around the masts. We could not always keep proper course as the wind was changing very often. One time the boat even went in a turn all around from N.W. to S.E. in the midst of the night. We were very miserable, cold and soaked, but we had plenty of hope. To be sure we did not think we would be picked up by a plane or a warship on patrol, as we had never seen them in the Indian Ocean. But we thought our boat was alright. We made making a speed of one to two miles and hoped to make land in 3 or 4 weeks. If only the subs would leave us alone we could manage. We reckoned our provisions were ample for two months. Our continuous fear was the sub. Life in the boat was pretty hard and the rain made it worse. We were soaked and could not dry ourselves. The cold let us suffer. We had to bail the boat out day and night. We bailed continuously and made shifts therefore. I will not talk about the boat anymore now. I only want to mention one thing good. When we had very cold feet we just put our feet in the lock water in the boat, which was nice and warm. We decided to wait a couple of days before sending a radio message for help. This was because we were still afraid of the sub and then the distance the radio could cover was not so much. In the afternoon of Tuesday the 28th of March we rigged the aerial and the radio set, as we intended to send s.o.s. messages as soon as it was

properly dark. I forgot to mention before, that we did not send an s.o.s. message from the ship as during the explosion of the torpedoing all the serials broke and came down. The Ch. and the 3rd wireless operator did their utmost to get a message away, but they did not succeed. It was near sunset now. The idea of sending a message by night was that we could reach a bigger distance. There was one thing against it was the sub at night might be on the surface and listening with his big serials. We decided however to risk it. All of a sudden the 2nd off. pulled my arm. He pointed astern. There was the sub coming. Just with its conning tower above the water. It was a very depressing moment and we felt had as anything. No doubt it was the same sub. A little later we saw a flash and when we were thinking what it could be we noticed a splash in the water. They were shelling us. We were absolutely now that it was the sub and we tried to prepare ourselves for a second death. Altogether they fired seven shells. One shell was passing within close over our heads and splashed a bit behind us in the water. It was awful. We lowered the sail and waited for the end. Suddenly we saw the sub altering course and now we could see it was not a sub but a ship. Well then it must be some kind of Japanese raider or supply ship, because an Allied ship would not shell us. A little later we noticed that it was a Yankee ship, because there was a gun on the forecastle head. it was a liberty ship. Our joy was enormous. I will never forget the reception on board. Marvellous. We were all the time under guard on the yank but we had the time of our lives. They really did everything possible for us that they could. We will never forget the few days when we were guests on the JAMES A. HILDER.

A few ideas we used to talk about on board: We have always had the impression on board that on the route between Australia and India there was little or no patrolling at all. Why we never see a plane? The answer was, "They see you, but you cannot see the planes." "Well" I say, "Why dont they fly on a few minutes more in our direction and show themselves". We really like to see them and it gives us a good feeling. I think a few minutes more flying towards us, gives a crew of a 100 persons a warm feeling. Is not it worth it? Last time before we sailed from Colombo, somebody in the Naval Control said to our Master. "O there are no subs at all south of here." It is better not to say things like that, because we do not like it. Then we are thinking: Why arent there small convoys on this route. Dont we have enough corvettes? We cant imagine this is the case. The corvettes are able to refuel during the trip out of one of the steamers with a flexible hose. We have seen them doing it very often in the North Atlantic. After this case of our ship I think every body will be impressed by the fact that it is impossible to send ships unprotected anymore over the Indian Ocean. We should have some protection so that the Japs cannot repeat this slaughtering of shipwrecked people. There can be planes in any case. I have heard there is even a base for planes on the Chagos Islands, and also one on the Maldive Islands. If this is true the planes

could cover a big part of the Indian Ocean. Even close to Australia and Ceylon we never spotted any planes. I just wanted to put down our thoughts as I think it is better if the officials know what we think. It is not just to take the opportunity now for some grumbling. No, I do it because there may be something useful in it. And if we are not right in our thinking a kind word in the right place might alter our opinions to our own benefit. We thought on board that the percentage of the sinkings was very low in the Indian Ocean and on account of this did not care very much for protection over here. But still it is very uncomfortable if you are included in this small percentage. I hope the readers of this report will not be angry with me because I am so frank. I only did it in the hope that there can be something useful in it, and I think it is no good always to hide what you think.

A few suggestions: If these suggestions really have any worth I cannot say, but I just want to write them down, as there might be something good in them. In a case like ours there might have been a possibility to attack the sub with hand grenades. From several directions we could have closed in with the boats and on a certain signal attack the sub. with hand grenades. There is some danger in it of course as a few of the crew might escape with the sub and finish you off with shells from some distance. Another thing is that the first man who boards the sub takes a big bomb with him and blows himself up with the sub and all. This is not a very nice job, but in any case you take the Japs with you if you have to go. Both suggestions could be carried out only a few times as the Japs would be then prepared for it if some of them escape the attack. A better suggestion is the next. Probably this will be very difficult to carry out. The idea is to have a motor torpedo boat on board, camouflaged to look like an ordinary lifeboat. If the ship is torpedoed and the sub surfaces the motor torpedo boat should be able to finish her off.

(signed) F. DeJong, Chief Officer.

敵ノ行動ニ依ル
 聯合國船舶沈没一覽表

SCHEDULE OF ALLIED SHIP SINKINGS BY ENEMY ACTION,

PACIFIC AND INDIAN OCEAN AREAS (involving war crimes)

See schedule attached.

太平洋及印度洋區域
 (戰爭犯罪ヲ含ム)

別紙一覽表參照



赤道上縮尺
 Scale on the equator 1:100,000,000

SCHEDULE OF ALLIED SHIP SINKINGS, PACIFIC AND INDIAN OCEAN AREASIndian Ocean - sunk by Japanese submarine: (chronological)

<u>No.</u>	<u>File No.</u>	<u>Vessel</u>	<u>Nationality</u>	<u>Date</u>	<u>Location</u>
1	67 - 30	OCEAN VENTURE	British	22 Oct 1942	21.37 N, 60.06 E
2	67 - 27	SCOTIA	British	27 Nov 1943	03 S, 69 E
3	67 - 26	DAISY MOLIER	British	14 Dec 1943	16.20 N, 82.13 E
4	67 - 24	BRITISH CHEVALRY	British	22 Feb 1944	0.50 S, 68.00 E
5	67 - 22	SUTLEJ	British	26 Feb 1944	9.00 S, 79.00 E
6	67 - 23	ASCOT	British	29 Feb 1944	7.30 S, 62.00 E
7	67 - 25	NANCY MOLIER	British	18 Mar 1944	2.14 N, 78.25 E
8	67 - 31	TJISALAK	Dutch	26 Mar 1944	2.30 S, 78.40 E
9	67 - 37	RICHARD HOWEY	U. S.	29 Mar 1944	16.40 N, 64.30 E
10	67 - 20	JEAN NICOLET	U. S.	2 July 1944	2.00 S, 74.30 E

Miscellaneous:

A	67 - 21	HOEK H SILVERDAEN (Norweg.) (Sunk by German raider)	15 June 1943	25.45 S, 92.00 E
B	67 - 43	JOHN A. JOHNSON (Sunk by Jap. submarine)	U. S. 29 Oct 1944	29.36.30 N, 141.43 W
C	67 - 29	WILLIAM K. VANDERBILT (Sunk by Jap. submarine)	U.S. 16 May 1943	18.41 S, 175.07 E

2100

CC. 1.8.O.--EGc

September 16, 1944

By letters of 5 and 20 June, the Swiss Minister had the honour of transmitting to His Excellency Mr. Mamoru Shigemitsu a protest of the Government of the United Kingdom on the subject of the attack on the survivors of British merchant vessels by Japanese submarines. By the note of 19 July the Legation sent to the Imperial Foreign Office some complementary information about this matter.

The Swiss Legation would be thankful to the Foreign Office if the Foreign Office would communicate the answer of the Imperial Government to the said protest.

The Legation avails itself of this opportunity to renew its high respect to the Ministry.

September 15, 1944

To The Imperial Ministry of Foreign Affairs
Tokyo

C E R T I F I C A T E

I, Denzel Carr, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8395.

/s/ Denzel Carr

2107

2 Ordinary
No. 36

My dear Minister,

I have the honor to acknowledge the receipt of Your Excellency's letters No. GG.I.I.3-EGd and No. GG.I.I.3 -EGc dated 5 and 20 June as well as the verbal note No. CC.1.8.o.-EGc, of the Swiss Legation in Tokyo dated 19 of last July concerning a protest of the British Government which pretends that in the Indian Ocean some Japanese submarines torpedoes British merchant vessels and unlawfully attacked the survivors of the vessels.

Concerning this matter I have had the competent authorities make strict investigations in each case indicated; and it is clear that Japanese submarine at least, had nothing to do with such facts as are mentioned in that protest. I have the honor to ask Your Excellency to forward this reply to the British Government.

I take this opportunity to renew the assurances of my highest consideration to you, my dear Minister.

28 November 1944

From: Minister for Foreign Affairs
Mamoru Shigemitsu (Seal)

To: His Excellency Camille Gorge,
Envoy Extraordinary and Minister
Plenipotentiary from Switzerland

CC.1.8.0.--FFd.

Karuizawa, May 19, 1945

Monsieur le Ministre,

I have the honor of informing Your Excellency that I had not failed to communicate to my Government for forwarding to the Government of the United Kingdom the answer of the Imperial Government which His Excellency Mr. Mamoru Shigenitsu gave me on the subject of attacks against the survivors of British merchant vessels by Japanese submarines.

The Government in London has just asked the Federal Authorities to send to the Imperial Government the following communication:

"Primo. Government of United Kingdom have received through protecting power Imperial Japanese Government's reply to their protest regarding inhuman conduct of commanders and crews of certain Japanese submarines towards crews of torpedoed British merchant vessels. In this reply Imperial Japanese Government deny all knowledge of the facts mentioned in H.M. Government's communication.

"Secundo. H.M. Government find this reply entirely unacceptable. In all cases mentioned in H.M. Government's protest there were survivors who positively identified submarine concerned as Japanese. Moreover in one instance the submarine was identified as belonging to the Japanese I class.

"Tertio. H.M. Government desire further to draw attention of the Imperial Japanese Government to an operation order dated 20th March 1943 issued by Admiral commanding first Japanese Submarine Force. Fifth paragraph of this order authorises submarine commanders not to stop with sinking of allied ships and cargoes but at the same time to carry out complete destruction of allied crews except for such members as it may be desirable to apprehend with a view to securing intelligence. This order makes it clear beyond any possibility of doubt that the inhuman practices described in H.M. Government's protest are officially sanctioned and prescribed by high Authorities of Japanese Navy.

"Quarto. H.M. Government desire once again to draw most serious and urgent attention of the Imperial Japanese Government to these atrocities committed by

Japanese submarine commanders and crews and sanctioned by Japanese Naval authorities against crews of British merchant vessels and to demand that such inhuman practices cease forthwith and that strictest disciplinary measures be taken against both individual commanders responsible and Naval Authorities who prescribed these actions."

Please accept, Monsieur le Ministre, the assurances of my very high respect.

Swiss Minister

Certificate:-

I, Denzel Carr, hereby certify that I am thoroughly conversant with the French and English languages, and as a result of the comparison between the French and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 8410.

/s/ Denzel Carr

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

City of Tokyo)
)
 Japan)

SS:

A F F I D A V I T

I, William Salter, Lieutenant, Royal Naval Volunteer Reserve, upon oath, make the following statement:

1. I am on duty as Investigating Officer and Interpreter in Japanese in the Legal Section, General Headquarters, Supreme Commander for the Allied Powers, Room 823, Meiji Building, Tokyo, Japan.

2. My official duties include the interviewing of Japanese and other persons on subjects including the treatment of prisoners of war and other Allied nationals during the course of the war. I have lived in Japan and have qualified for the performance of duties involving the reading and speaking of Japanese.

3. MII, Junsuke, former Captain Imperial Japanese Navy, was interviewed by me on the 30th day of May, 1946 at Sugamo Prison, Tokyo, Japan. While he was answering my questions in Japanese, I was writing out his answers in English. After he completed his statement, I translated to him my written record of his statement. He stated that my translation of the written record was an accurate report of his statements and that his statements were true to the best of his knowledge and belief, and he later signed, in my presence, a typed draft copy of the transcription in English of his statement. He agreed that he would sign an affidavit after I had prepared it in typewritten form. Two or three days later, I received a message signed by him at Sugamo in which he requested me to come to see him there on the 2nd of June, 1946 as he wished to tell me further information. His written request, in English, which is in my possession, reads as follows:- "Petition. Sunday 2nd June Sugamo Prisoner 4A-24 Mii Junsuke. Mr. Soltor Prosecutor. Please come here at once. I wish to tell you and settle the matter (end)."

On the 3rd of June, I went to Sugamo to see him. He then refused to give me any statement. He said that a statement by him would involve too many people on the outside and their resentment would be too much for him and his family to face. He indicated fear of physical violence to himself or members of his family. He told me that he had talked to Captain MAYUZUMI and that they had agreed not to talk to investigators. He told me that he had talked with Japanese connected with the Second Demobilization Ministry both before and after my interview with him on the 30th day of May, 1946.

4. I have in my possession the typed translation in English which was signed by Junsuke MII. The translation is a true and accurate statement of the statements made to me by Junsuke MII at Sugamo Prison on 30th May, 1946.

5. The statement is as follows:

W. S.

DRAFT

Document No. H.S. - 18/5

R E S T R I C T E D

I, III, Junsuke, having been duly sworn to speak the truth conscientiously, adding nothing or concealing nothing whatsoever, testify as follows:

I, was formerly a Captain in the Imperial Japanese Navy.

I held the appointment of a Commander on the Cruiser TONE, Captain MAYUZUMI Commanding, in early 1944.

On 9 March 1944, U.S. BEHAR was sunk by gunfire from Tone.

I was on the bridge at the time that Captain Mayuzumi ordered sinking of the Behar by gunfire. As the operational order called for the capture of shipping and as I had the boarding party and prize crews mustered for action, I remonstrated with Captain Mayuzumi but he would not listen to me, and kept on firing until the ship was sunk.

I ordered all boats lowered and even the ship's cutter was used to pick up all the survivors except a few who were killed in the action. I instructed the rescue party that no rough treatment of survivors would be tolerated.

As I was extremely busy on the bridge directing operations for the picking up of survivors, it was some while later that I saw the survivors on board the Tone. I was surprised to find that they were all bound and haltered so I issued orders for the immediate release of the survivors.

Lt. ICHIMURA, the officer in command of the guards, was placed in charge of the prisoners. Surgeon Lt. Commander, YAKAHASHI examined the prisoners for wounds. Paymaster Lt. NAMI, was in charge of the interrogation and in his capacity as supply officer was responsible for the feeding of the prisoners.

Later in the day, after we had reported the sinking of the Behar and the picking up of 115 survivors, the Aoba signalled us to arrange for the immediate disposal of the prisoners with the exception of 2 or 3. I told the Captain that such a course was inhuman and that I could not be a party to the execution especially in view of the fact that I had ordered the rescue of the survivors and saw to it that the order was carried out in spite of the high seas running. The Captain signalled the Aoba that the prisoners were still under investigation.

On the 10th of March, Tone signalled Aoba requesting permission to land all prisoners and have Europeans working as P.O. labor on airfields and Indians as crews of small ships. Aoba replied that Tone must carry out the disposal of all survivors with exception of those required for further interrogation, in accordance with previous orders.

On the 11th March, feeling was running high amongst officers and crew with regard to disposal of prisoners. The Captain took a very weak stand on this question so I called a conference of wardroom officers and found that the majority were in favor of not disposing of the survivors. The other element was led by Lt. TANI. I approached the Captain and told him the feelings of the wardroom on this point. There would have been no need for this meeting if the Captain had stated definitely his refusal to execute the prisoners in the first place.

(signed in English)

ii

R E S T R I C T E D

U.S.

R E S T R I C T E D

On the 15th of March, Tone made Batavia and it was still felt that no blood should be spilt on the Tone.

On the 16th of March, there was a conference on board Aoba as I approached Captain SHIMANOUCHI, the senior staff officer of the 16th Squadron, with request to issue instructions for the landing of all prisoners. He would not listen to my request. I believe that Capt Mayuzumi requested same thing to Vice Admiral SAKONJU.

An order was received from the Aoba to land 15 prisoners, including 2 women and 1 Chinese professor. I carried out the order on the 16th of March.

I again approached Capt Shimanouchi, but was rebuffed. I ask Capt SHIBA, Katsuo, of the Cruiser OI to intervene and I personally asked Vice-Admiral Sakonju. As a result of these efforts, Vice-Admiral Sakonju ordered that 15 Indians be transferred to the P.W. Camp at Batavia. I acquainted Capt Mayuzumi with this order and on the afternoon of 17th of March, I sent ashore 30 Indians. As this was twice the number ordered, I did not tell the captain or Vice-Admiral Sakenju the exact number sent ashore.

On the evening of the 17th of March, I had an argument with Captain Mayuzumi and Captain Shimanouchi and told them that as my efforts resulted in the release of 15 prisoners, their concerted efforts would produce considerably more releases. They argued that the limited capacity of the P.W. camp would not allow the internment of such a number but I said that the P.W. camp may be small but that Java was large. I also told them that if they made no further efforts they were lacking in human sympathy.

On the evening of 18th of March, I was told by Capt Mayuzumi that the execution of the prisoners had to be carried out that night at sea. I refused to be associated with the execution so the Captain issued orders direct to Lt. ISHIHARA.

I cannot remember the names of the members of the execution party, but learnt that most of them were gunroom officers. Lt. TANI and a few other wardroom officers were in the party. I later heard Sub-Lieutenants TANAKA and OTSUKA boasting of their participation in the execution.

As I was not a witness I could not describe the exact methods used but heard that the prisoners were knocked unconscious by a jab in the stomach, kicked in the testicles and beheaded.

I am profoundly sorry that this atrocity should have happened and I console myself with the fact that through my efforts, I was able to save 30 persons from execution.

(signed in Japanese)

MII, Junsuke

I, MII, Junsuke, being duly sworn on oath, state that I had read to me and understood the translation of the foregoing transcription of my testimony and all answers contained therein, consisting of two (2) pages, are true to the best of my knowledge and belief.

(signed in Japanese)

TOKYO, JAPAN

30 day of May 1946

MII, Junsuke

6. I hereby certify upon oath that the preceding two pages beginning with the words "I, MII, Junsuke..." and closing with the words, "MII, Junsuke", consisting of twenty-one (21) paragraphs, dated "30 day of May 1946" are a true and accurate copy of the document referred to in paragraph 4 above. I further certify upon oath that the words contained in the statement as written and reproduced in this Affidavit are a true, accurate and complete report of the words of Junsuke MII.

(signed) W. Salter
WILLIAM SALTER
Lieutenant, R.N.V.R.

Subscribed and sworn to before me, this 31st day of
December, 1946.

(signed) Raymond E. Rudisill
Lt. Col. QMC.
Chief, Investigation Div.
Legal Section, SCAP

Telephone:
Executive 1940

2105

British Naval Staff
Combined Chiefs of Staff
Building
Washington, D. C.

BRITISH ADMIRALTY DELEGATION

Certified to be a complete and
accurate copy of the Original Japanese
Document, now in the possession of the
Office of Naval Intelligence, Washington,
D.C.

1st March, 1946
/s/ George Topla
Lieut., R.N.V.R.

CONFIDENTIAL

JICPOA Item #5738

TRANSLATION OF CAPTURED JAPANESE DOCUMENT

Captured KWAJALEIN Atoll
 Received JICPOA 19 February 1944

 Flagship HEIAN Maru at TRUK
 20 March 1943

MILITARY - ULTRA-SECRET (GUNKI)

Copy 24 of 70

1st SUBMARINE FORCE SECRET OPORD #2-43

1st Submarine Force Order

1. The condition of the enemy is set forth in Detached Force SECRET Opord #15.
2. The 3rd Submarine Force will operate principally in the area off the east coast of AUSTRALIA, will carry out attacks on enemy naval vessels, and will sever the enemy supply lines which lead to eastern NEW GUINEA.
3. The 1st Submarine Force shall advance into the SAMOA and FIJI Areas with the greater part of its submarines; these submarines shall sever the enemy supply lines which lead to the SOLOMON ISLANDS Area and shall carry out attacks against enemy naval vessels.

The I-6 and I-26 shall carry out those duties set forth in 1st Submarine Force SECRET Opord #1 until special orders are received.
4. Duties and activities of the several units (ships).

Units (Ships)	Duties	Essential Points of Operations
------------------	--------	--------------------------------

- | | | |
|------|---------------------------------|--|
| I-32 | 1. To sever enemy supply lines. | 1. The I-32 is to depart from TRUK after all preparations have been completed and arrive at E ₁ Area by 4 April; the I-25 ¹ (following the same procedure) is to arrive at |
|------|---------------------------------|--|

I-25	<p>2. To attack enemy naval vessels.</p> <p>3. To carry out observation and reconnaissance.</p>	<p>F₁ Area by 7 April. They shall observe enemy traffic conditions in the NANUKU and LAKEMBA Channels and, at the same time, take advantage of favorable opportunities to attack enemy naval vessels.</p> <p>2. After 7 April, both submarines as specified in orders, shall proceed eastward from their assigned sectors. The I-32 and the I-25 respectively proceeding via C₁ sector and A₁ sector are to arrive at the A 2 (甲二) skirmish line by 13 April and carry out attacks on naval vessels and observation of the enemy supply lines leading to the FIJI Islands Area via SAMOA.</p>
I-19		<p>The I-19 is to depart from TRUK after all preparations have been completed and arrive at the A (甲二) skirmish line by 13 April. Together with the I-32 and I-25, the I-19 shall carry out attacks against naval vessels and observation of the enemy supply lines leading to the FIJI Islands Area via SAMOA.</p>
I-17		<p>The I-17 is to depart from TRUK after all preparations have been completed and operate so as to arrive at the A₁ () skirmish line by 18 April.</p>
Other Submarines		<p>Operations will be set forth in further orders.</p>
HEIAN Maru (XAS) Supply and Maintenance		<p>For the time being, the HEIAN Maru shall remain at TRUK and carry out supply and maintenance duties.</p>
Remarks	<p>The future operations of each ship shall be subject to special orders as necessitated by circumstances and the condition of the enemy.</p>	

5. Essential Points to be Observed in Severing Enemy Supply Lines.

A. Observation of Enemy Supply Lines

1. Chiefly carry out observation of the enemy's supply lines by proceeding to skirmish line stations. In this situation plan to exploit to the utmost the use of the plane(s) which you carry when you are operating on the surface.
2. When you are unable to observe the enemy's supply lines at your skirmish line station, act under special orders and carry out observation of the strategic points of the enemy's sea routes. In this situation, make use of islands as much as possible and plan to exploit to the utmost the use of the plane(s) you carry.

B. Attacks on Enemy Shipping.

1. All submarines shall act together in order to concentrate their attacks against enemy convoys and shall totally destroy them.
2. When enemy convoys have been sighted at your skirmish line stations, take into consideration, when attacks are to be carried out, the distance which must be travelled in order to maintain contact with and to attack the enemy naval vessels.
Submarines on the skirmish line shall be under the command of the senior submarine commander present.
3. Attacks shall be vigorously repeated until a complete victory is assured.
4. Do not stop with the sinking of enemy ships and cargoes; at the same time that you carry out the complete destruction of the crews of the enemy's ships, if possible, seize part of the crew and endeavor to secure information about the enemy.

6. Skirmish Line Stations.

- A. Positions on the Skirmish Line and Directions from which the Enemy is Expected. (See Annexed Chart #1).

Station	Position		Direction from which Enemy is Expected
A 1 ()	8° 20' S 165° 0' W	8° 20' S 167° 20' W	
A 2 ()	7° 20' S 166° 40' W	7° 20' S 169° 0' W	30°
A 3 ()	7° 0' S 167° 40' W	7° 0' S 170° 0' W	30°
A 4 ()	6° 20' S 169° 0' W	6° 20' S 171° 20' W	
A 5 ()	6° 0' S 170° 0' W	6° 0' S 172° 20' W	
B 1 ()	16° 0' S 175° 0' W	14° 15' S 176° 5' W	60°
B 2 ()	16° 55' S 175° 15' W	15° 0' S 176° 20' W	
C ()	14° 20' S 176° 40' W	14° 0' S 177° 20' W	35°

B. Essential Points to be Observed in Awaiting the Enemy.

Classification	Essential Points of Operation	
	Daytime (From 40 minutes (before sunrise (to 40 minutes (after sunset	Night (From 40 minutes Time (after sunset (to 40 minutes (before sunrise.

1. You shall be at your designated station at the start and close of the operation.
2. You shall proceed on the surface at right angles to the direction from which the enemy is expected, passing through your station. Unless there are special orders, proceed as indicated above.

- | | | |
|----------------|--|----------------------|
| Procedure
X | <ol style="list-style-type: none"> 3. Unless there are special orders, proceed at a standard speed of 8 knots. 4. Turn about three hours and nine hours after the operation has been started and return to the starting point after twelve hours have elapsed. | Same as for daytime. |
|----------------|--|----------------------|

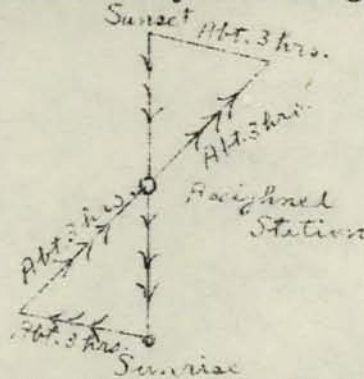
Except for the below, Procedure Y shall be the same as Procedure X.

- | | | |
|----------------|---|------------------------|
| Procedure
Y | <ol style="list-style-type: none"> 1. Proceed submerged at right angles to the direction from which the enemy is expected.
Unless there are special orders, proceed as indicated above. 2. Unless there are special orders, proceed at a low submerged speed. | Same as in Procedure X |
|----------------|---|------------------------|

-
- | | |
|----------------|--|
| Procedure
Z | <ol style="list-style-type: none"> 1. The time for starting operations shall be 6 hours after sunrise and when the operation is started, you shall be at your assigned station. 2. After the operation has started, proceed to the attack on the surface at a 45° angle to the starboard of the direction from which the enemy is expected. The standard speed shall be 12 knots. 3. About 3 hours after the operation has started, change course 90° to port. 4. From sunset on, proceed at a standard speed of 8 knots until sunrise in a direction opposite to that from which the enemy is expected, passing through your assigned station. 5. At sunrise change course and proceed at an angle of 45° to port of the |
|----------------|--|

direction from which the enemy is expected. Standard speed shall be 12 knots.

6. 3 hours after sunrise, change course 90° to starboard. 6 hours after sunrise, return to your assigned station.



C. Position of Each Submarine on A-1 and A-2 Skirmish Lines

1. A-2 Skirmish Line
The I-32, I-19, and I-25 shall come from the west and form a blank file to the east.
2. A-1 Skirmish Line
Shall be formed by the I-32, I-19, I-25, and I-17 coming from the west.

7. Sectors assigned for the severing of Supply Lines and Important Points at which the Enemy is to be Awaited. (See Annexed Chart #2)

A. Sectors Assigned for the Severing of Supply Lines (Battle Zone). The Battle Line is divided into 9 sectors, A, B, C,I.

B. Important Points at which the Enemy is to be Awaited in Various Areas.

Sector	Area
A ₁	Area within a 40 mile radius of PAGO PAGO Harbor
B ₁	Area within a 40 mile radius of 13° 20' S--171° 50' W
C ₁	Area within a 40 mile radius of 13° 20' S--173° 20' W
D ₁	Area within a 40 mile radius of 14° 10' S--172° 20' W

Sector	Area
E ₁	Area within a 40 mile radius of 16° 40' S--179° 0' W
F ₁	Area within a 40 mile radius of 17° 40' S--178° 20' W
G ₁	Area within a 40 mile radius of 19° 0' S--178° 40' W
H ₁	Area within a 40 mile radius of 18° 40' S--177° 40' E
I ₁	Area within a 40 mile radius of 16° 20' S--177° 20' E

8. Communications.

Aside from conforming to Dispatch Force SECRET OpOrd #14, use OTSU Type Communications as set forth below. Submarines which are surfaced during the day shall guard the submarine transmission channel.

MITO, Hisashi ()
 Commanding
 1st Submarine Force

5106

INTERROGATION OF
General Hiroshi OSHIMA

Date and time: 1 February 1946

Questions by Captain Robinson:

- Q. You had various conversations, General, with Ribbentrop in regard to the naval activities of Germany and Japan?
- A. Naturally, I spoke to Ribbentrop about many matters, among which those that you refer to might have been included. However, actual Army matters and Navy matters were always handled by the respective attaches.
- Q. Directing your attention to March 1943, what was said by you and by him in regard to the importance of the submarine warfare?
- A. I do not know whether it was this meeting or not, but I do recall where he suggested that Japan institute submarine warfare as Germany had been doing, and in this regard they would be willing to let us have a new type German submarine.
- Q. In fact they sent you two German submarines, did they not?
- A. Yes. The negotiations were done by me, but the details were handled by the Japanese Navy, and I believe that one of the submarines was sunk before arriving in Japan.
- Q. What officer of the Japanese Navy had charge of the negotiations?
- A. I believe it was Admiral Nomura. The actual matters dealing with military matters are not supposed to be handled by the Ambassador. I heard about this matter and the rest of it was handled by Admiral Nomura.
- Q. However, he did discuss with you the matter of the importance of the submarine warfare and the policy of strong cooperation by the Japanese Navy with the German Navy in the matter of submarine warfare?
- A. Yes.
- Q. He also discussed with you the operating policy and orders under which the German and Japanese submarines would coordinate their efforts?
- A. No. That was not my duty. It was handled between the two Navies.
- Q. When I say policy, I don't mean how to run a ship, but I mean the policy with regard to dealing with merchant vessel crews, the desirability of having a strong aggressive policy which will determine the large outlines of the activities of the Japanese submarines along the same lines of those followed by the German submarines.
- A. Yes, I did discuss these matters, but it was not within my ken to say yes or no to the suggestions.

- Q. You would pass on suggestions to the Japanese naval authorities? That was Ribbentrop's request to you and you agreed to pass on information?
- A. Ribbentrop was able to speak to me about many matters dealing with tactics or military matters as the German set-up was such that he was permitted this maneuver. However, as you know, in Japan as a civil official I was not supposed to concern myself with tactics during the war and in this regard I bring up the matter of the Supreme Military prerogative.
- Q. I appreciate that. You were not giving orders to Japanese commanders of ships, but on the matter of policy Ribbentrop indicated to you that he was convinced that the submarine campaign alone could force a successful conclusion of the war along 1943 and perhaps 1944, did he not?
- A. I do not remember whether he said we could win by this alone, but I do know that he stressed the importance of submarine warfare as being very, very valuable.
- Q. And therefore urged that Japan make more use of the submarine?
- A. Yes, in general, he stated that we should make more and better use of our submarines, and in this regard offered to give us two submarines. If you wish, I will tell you some of the promises made between the two military branches.
- Q. On account of the shortage of time, General, I should like to direct the answers a bit, and at the end I will be glad to take any general statement. Specifically, you stressed the importance of the submarine dealing with the merchant ship supply lines of the British and Americans, did you not?
- A. Yes.
- Q. And he discussed with you the difficulty of cutting down not only the supply of merchant ships, but also of merchant sailors to man those ships, did he not?
- A. Yes, I definitely remember.
- Q. And he discussed with you the German U-Boat order of September 1942, in regard to failing to rescue survivors of torpedoed merchant vessels?
- A. Yes, I recall hearing that.
- Q. That order included a provision against taking measures for the rescue of the crews of torpedoed vessels?
- A. I recall definitely hearing that they were going to do the utmost to cut down the movement of merchant sailors, but I can not definitely say whether I heard it was an order of the German Navy or whether I heard this in 1942 or 1943.
- Q. The U-Boats were forbidden to pick up any survivors except the Captain and the 1st Engineer. Do you recall that detail of the order.

- A. I do not know any such small details. All I recall hearing in 1942 or 1943 was that in the future they would not pick up any merchant survivors?
- Q. And you recall further that the orders were to annihilate or destroy survivors?
- A. I would not go so far as to say that, essentially it was that they would not rescue survivors.
- Q. He was not recommending that to you as a policy for submarines?
- A. That would be merely ordinary practice, not to rescue survivors. The only place where his orders would be important and therefore subject to a special policy statement by Ribbentrop would be in the fact that these special orders differed from ordinary practice in that the special orders provided for the complete destruction of the survivors of the merchant vessel's crew and passengers. I want the connection between this German order and the same order as followed by the Japanese.
- A. I do think that the German order went so far as to say that. In fact, I naturally think so. The Japanese one, I do not know about. I believe that the Japanese would not put out such an order. And further, the newspapers have it that I favored this order, but that is not so. Of course, I did not tell Ribbentrop that he should stop doing this, as it wasn't any of my business, but I do say that I did not encourage it. Of course, as you know, this order was put out, but I believe that even among the Germans there were those who opposed it.
- Q. And some who carried it out and executed it?
- A. Admiral Gross, who was naval liaison officer to us, told me that he did not favor this order, as it was a blot on the honor of the Navy.
- Q. Nevertheless, at the request of the Germans you did convey to the Japanese submarine authorities information of that operating policy, namely, complete destruction of personnel, as well as the ship?
- A. I did tell it to the Naval Attache, but I have no recollection of having sent any despatches to Japan about this matter.
- Q. The Naval Attache's name was what?
- A. Whether it was Admiral Nomura or Admiral Yokoi I spoke to, I do not recall. Yokoi was the Naval Attache and a Rear Admiral, while Nomura was a Vice Admiral and member of the Naval Commission to Germany. I did definitely tell them that these matters had been brought up and the rest of it was up to the Japanese Navy.
- Q. At what time and place did you make that statement to the Japanese representatives?
- A. In Berlin immediately after the conference - but when that was I am not certain.

- Q. Did you check up with them later to find out whether or not they had followed up as requested by the Germans?
- A. I did not go into it any further and I further don't think there was any communication with Japan about this matter.
- Q. Did the Germans never ask you whether you had followed through or not?
- A. No. Although you probably know more about it than I do, I do not believe Japan did anything about it.
- Q. You know, do you not, that the United States State Department filed with the Japanese numerous protests because that precise policy was carried out against the crews of the United States merchant vessels?
- A. No, I do not recall any protests on that matter, although I am aware that they protested many times about the treatment of prisoners of war.
- Q. You never had any information following that date of the machine gunning of merchant seamen following the torpedoing by Japanese submarines of United States merchant ships?
- A. No. I have not heard anything of the sort.
- Q. And you did not know that an ultra-secret operating order was issued to Japanese submarine commanders on March 20, 1943, as well as on other dates, in which paragraphs b, item 4, provided "Do not stop with the sinking of enemy ships and cargoes. At the same time as you carry out the complete destruction of the crews of the ships, seize part of the crew and endeavor to secure information about the enemy."
- A. No. I do not know of the order, and further, if there had been such an all-secret order it would not have come into the hands of a civil official such as me.
- Q. You do recognize in those words the same order of which you were informed by the Germans?
- A. Yes, they are alike. I believe that if such an order had been issued by the Japanese Navy they would have done it independently, for, as you know, the Japanese Army and Navy are not in the habit of taking suggestions from outside sources, and if Japan had followed the German suggestion on this and put out such an order a communication should have come to me saying that they had done so, but I received no such communication. I have not heard of there having been any communication and if there had been it would have gone with the Naval Attache to pass on to the German Navy.
- Q. Did the Germans hand you a copy of the order they had issued for such a situation? Your information was simply oral?
- A. Yes, that is all.

- Q. Do you know whether or not with these two submarines which Germany sent to Japan she also sent crews and specimen orders for use by the Japanese?
- A. No, I know nothing whatsoever about what happened subsequent to my talks, as it was all handled by the Navy.
- Q. Did the Germans draw particular attention to the necessity of Japanese submarines operating in the Indian Ocean against merchant shipping?
- A. The matter was not spoken of to me, but I do recall some talk of the German Navy having spoken to Admiral Nomura about this matter.
- Q. Did you later learn of the sinking of the United States Liberty Ship JEAN NICOLLET on 2 July 1944, in the Indian Ocean by a Japanese I-class submarine, in which sinking these tactics were carried out?
- A. I know nothing of it.
- Q. Did not Ribbentrop or other Germans later comment to you on the fact that their request to you for such a submarine campaign appeared to be bearing fruit?
- A. No. Further, I believe Japan was not very successful in her submarine warfare.
- Q. You are aware, are you not, of the boast of the Japanese authorities that they had practically wiped the Allied merchant shipping off the Indian Ocean? In 1943?
- A. I do not recall such a boast - did the Government say it?
- Q. That statement was made officially.
- A. I do not recall.
- Q. Did you ever discuss with any Japanese naval official this proposal by the Germans that Japan follow their practice of complete destruction of merchant ships and crews?
- A. No, I did not. Further I do not recall whether I discussed this matter at all with either Nomura or Yokoi. I do remember telling them about German's proposal to intensify submarine warfare and of their offer to give us two submarines. That is all and what occurred after that I do not know.
- Q. Two questions and I am through: 1. By "intensify submarine warfare" you include destruction of survivors of the torpedoed vessels, do you not?
- A. No. I do not believe this would be included in intensification of submarine warfare. I am not a naval expert, but I do not believe these tactics should be used.
- Q. What you believe and I believe does not make any difference. We have your statement of what the German proposal was, namely, the destruction of survivors of the crews. We have your statement that Ribbentrop and others did tell you that part of their submarine warfare had adopted a policy of destroying crews of torpedoed vessels, is that not correct?

- A. Yes, Ribbentrop did say that to me.
- Q. And further that you did convey that information to Japanese naval authorities?
- A. I conveyed to the Naval representatives the matter of the two submarines that they offered to give us, and the request that we intensify submarine warfare, but whether I actually spoke to them about this order that you are stressing I do not recall, as I never felt that the order was anything that should be followed. In this regard I would wish that you speak to either Nomura or Yokoi to see whether I did convey this to them or not.
- Q. I regard that as a reversal of your statement previously.
- A. I believe that this was what I told you originally.
- Q. Regardless of that, you say that you did not know what the actual practice of the Japanese submarine was; therefore, incidents such as the one I mentioned in the Indian Ocean may have occurred so far as your knowledge is concerned.
- A. No, I do not know whether such incidents occurred or not. I wish in this regard that you would see how the Japanese Ambassadors operate, as military and naval matters were not brought up to me.

Captain Robinson:

- I am sure that my questions based on these German records and Japanese records may refresh your memory. I cannot be back this afternoon, but if your memory is refreshed, I want you to tell Mr. Hyde, who will be here this afternoon, what these answers are and if you have a memorandum to give, I will be glad to have that statement by you.
- A. I believe that I have been telling you all I can within the ken of my knowledge and remembrance of events, and that I have been truthful in my answers. However, if there are certain specific instances that you wish me to recall, and you will name them, I will try to think them over and remember all that I can.
- Q. Just a matter of checking back on what we have said this morning.
- A. If you come tomorrow I will think it over then.
- Q. Maybe next week.
- A. I wish to explain this one fact; that in December 1941, a joint military commission was set up which decided matters of tactics and operations and I had no hand in this. Further, if Ribbentrop or someone like that told me something military, I passed this matter on to this military commission which went into details, and they are the ones who are responsible for the carrying out of the operations.

Q. What are their names?

A. These are the aforementioned NOMURA, YOKAI for the Navy, and Lt. Gen. BANZAI for the Army.

Q. The date of the appointment of this Commission?

A. About the middle of December 1941.

Q. And the place?

A. Berlin. All important matters were decided by them.

Q. Who were the German members?

A. I am not sure, but I believe it was Field Marshal Keitel, and probably Admiral Doenitz.

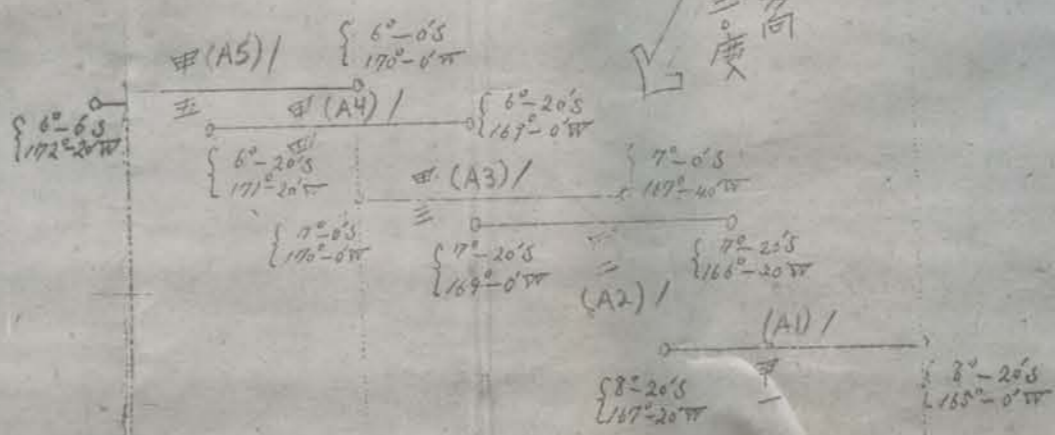
附圖第一
Amended Chart #1

散開配圖
海軍儀用圖
甲二下圖
(度)

Chart showing
Shipment
Line Station
(Same scale as Chart
A2 (甲=)
Used in
Naval
Operations)

A Shipment Line
Direction from
Which Entry
Expected - 35°

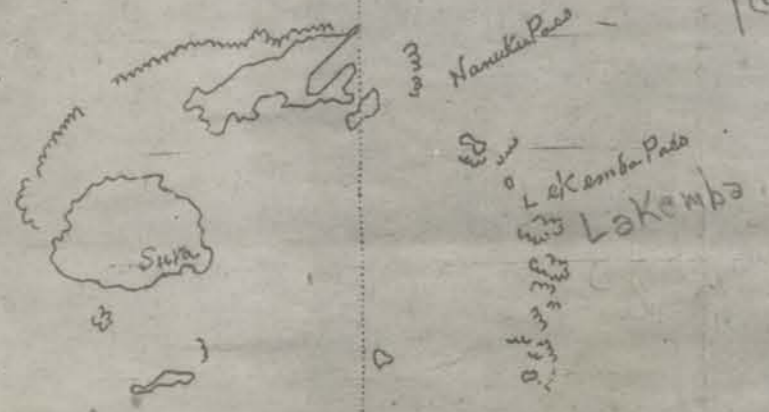
甲散開線
待散開
三度



丙散開線
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三六五度
Wallis I.
C Shipment Line
Direction from
Which Entry
Expected - 35°

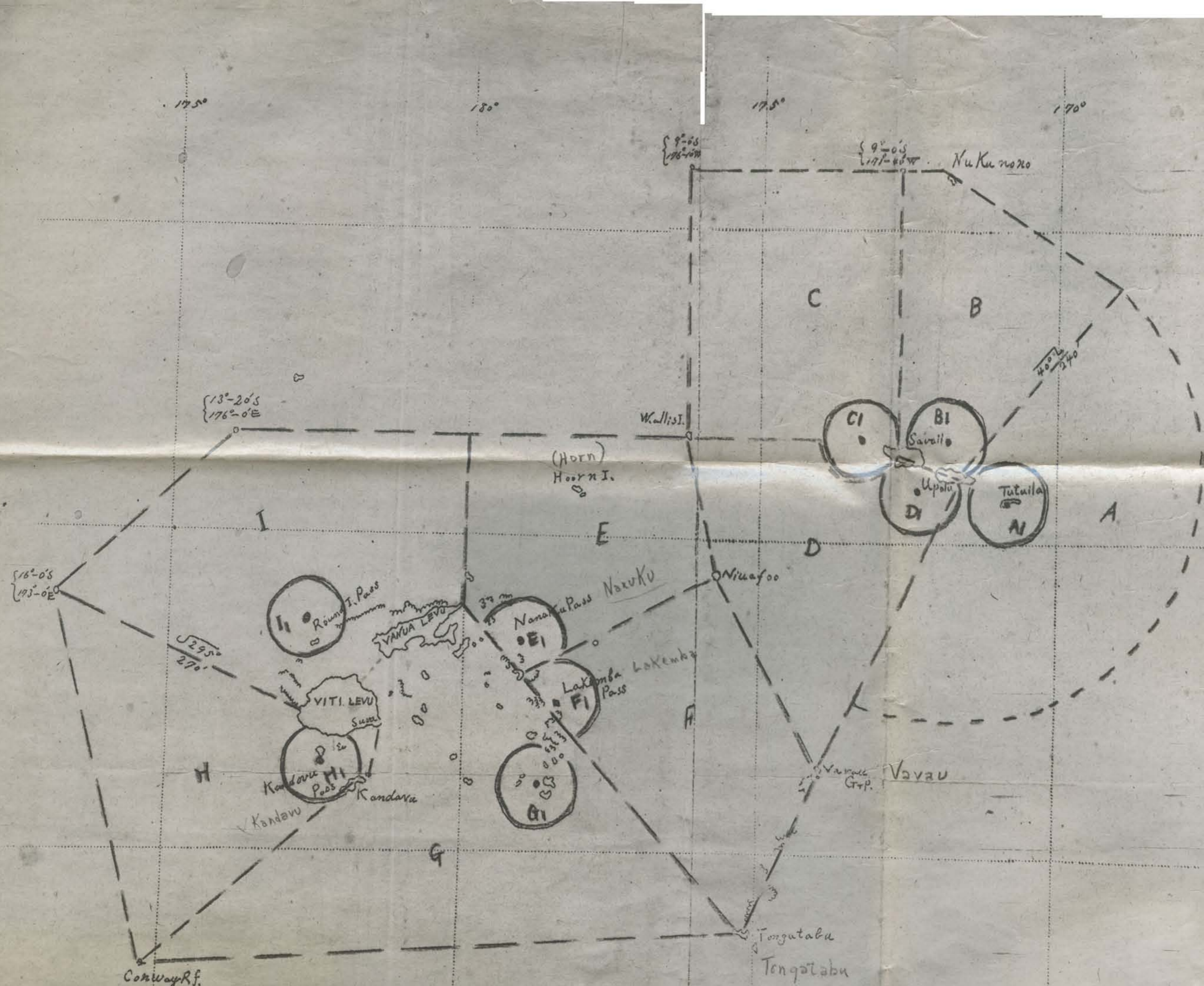
(Horn) { 14°-0'S
177°-20'W }
Horn Is. { 14°-20'S
176°-20'W }

乙散開線
待散開
六度
O Shipment
Line Direction
from which
Entry Expected
- 60°



Note to
Cartographer
W = W

Use all things
written in
pencil



Sections assigned for the severing of supply lines and strategic points at which the enemy is to be awaited

(Same scale as Chart A2 (A=) used in Naval Operations)

輸送路遮断擔任区域及主要待敵地點圖 (海軍作戰用圖 甲二圖 尺度)