

UNWCC

CHARGE FILES

USA vs. JAPANESE

PAG - 3

REGISTERED

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NOS.**

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TO

10

P29/us/J/1

0655

1. ODI, and 2. + 3.

Date Submitted Decision of Committee I

Date Submitted	Decision of Committee I		
31 OCT 1945	+ 2 A		

P29/us/J/1

(For the Use of the Secretariat)

SECRET

0656

Registered Number.

Date of receipt in Secretariat.

P29/US/J/1

26 OCT 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CHARGE No. 30 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. **Captain Odi**
2. **A Japanese guard, correct name unknown, whose nickname is "The Killer" both stationed at Nichols Field, Luzon, Philippine Islands in January 1944.**

WITNESS:

3. **Alfred A. Simacek, ASN 18048894
903 West Main St., Cameron, Texas.**

Date and place of commission of alleged crime.

**January 1944.
Nichols Field, Luzon, Philippine Islands.**

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Execution of an unknown PW (Prison number 744) at Nichols Field.

Source: War Crimes Office, Washington. (Case No. 40-545).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(26352) W.P.1505 1120 500 1 44 A. & F.W.L.L. Cp.685
(26924) W.P.1817 P.1139 5,000 3 44

PARTICULARS OF ALLEGED CRIME

0657 ●

Toward the end of January 1944, the victim was working with a detail at the runways at Nichols Field. At the noon hour, the victim walked off the job and hid in a tree about a quarter of a mile from the runway. He was discovered by the guards at about 3:00 p.m. the same day, was beaten, then shot twice by Capt Odi and shot twice by a Japanese guard called "The Killer", and buried.

7-26-61

PARTICULARS OF EVIDENCE IN SUPPORT

0658

NOTES ON THE CASE

0659 ●

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

NOTES ON THE CASE

0659

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P30/US/J/2

0660

1. ABEKO
2. LYMAN Harold George

Date Submitted

Decision of Committee I

31 OCT 1945 I. A

P30/US/J/2

(For the Use of the Secretariat)

SECRET

0661

Registered Number.

Date of receipt in Secretariat.

P30/US/J/2

20 OCT 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS.
WAR CRIMINALS

CASE No. 31 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Lt. Abeko, Japanese Commander at Santo Tomas, Manila, between 5 January 1942 and 3 February 1945.

WITNESS:

2. Harold George Lyman,
134 N. Almont Dr., Beverly Hills, Cal.

Date and place of commission of alleged crime.

Between 5 January 1942 and 3 February 1945,
Santo Tomas, Manila, P.I.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Mistreatment of American internees at Santo Tomas, Manila.

Source: War Crimes Office, Washington. (Case No. 40-535)

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Between 5 January 1942 and 3 February 1945 Americans interned at Santo Tomas were made to stand in the sun without food or water as a form of punishment. During the time stated herein, one Albert Rogge (address unknown) described as being seventy-one years old, was taken by the Japanese to the garrison office and compelled to stand in the hot sun without food or water until evening as punishment for watching from Room 209, Educational Bldg., the American bombing of Manila.

PARTICULARS OF ALLEGED CRIME

Between 5 January 1942 and 3 February 1945 Americans interned at Santo Tomas were made to stand in the sun without food or water as a form of punishment. During the time stated herein, one Albert Rogge (address unknown) described as being seventy-one years old, was taken by the Japanese to the garrison office and compelled to stand in the hot sun without food or water until evening as punishment for watching from Room 209, Educational Bldg., the American bombing of Manila.

PARTICULARS OF EVIDENCE IN SUPPORT

0663

NOTES ON THE CASE

0664

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P31/US/J/3

0665

1. TAGASAKI
2. STRONG Phillip, K.

Date Submitted

Decision of Committee I

31 OCT 1945 1. A

P31/US/J/3

(For the Use of the Secretariat)

0666

Registered Number.

Date of receipt in Secretariat.

P 31/US/J/3

26 OCT 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CHARGE No. 32 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Tagasaki, Commander of Camp No. 1 at Cabanatuan, on 20 November 1944.

WITNESS:

2. Phillip K. Strong, Civilian
P.O. Box 75, Laurens, N.Y.

Date and place of commission of alleged crime.

20 November 1944.
Airfield in the vicinity of Cabanatuan, Camp No.1.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Exposure of Phillip K. Strong and other Prisoners of War to bombing by American planes.

SOURCE: War Crimes Office, Washington. (Case No. 40-552).

TRANSMITTED BY

*Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(26352) W.P.1505/1120 500 1/44 A.X.E.W.L.II Cp.685
(26924) W.P.1817/P.1139 5,000 3/44

PARTICULARS OF ALLEGED CRIME

0667

On the date given, while victim, together with other PsW was being transferred from Cabanatuan No. 1 to Ft. McKinley in Manila they were subjected to bombing by American planes. The trucks in which the prisoners were being transported were not marked properly and were parked alongside of the airfield. None of the prisoner personnel were allowed to leave the trucks at any time during the bombing. The Japanese personnel retired to fox holes during the raid. There was no way for the American air men to distinguish the prisoners from Japanese military units.

00141

PARTICULARS OF EVIDENCE IN SUPPORT

0668

NOTES ON THE CASE

0669

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P 32/US/J/4

0670

1. NAIHARA, and
2. & 3.

Date Submitted

Decision of Committee I

3.1 OCT 1945 1 + 2 A

P 32/US/J/4

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SECRET

0671

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Date of receipt in Secretariat.

P32/US/J/4

26 OCT 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CHARGE No. 33 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Three Star Private Naihara, nicknamed "Air Raid".
 2. Major Y. Iwanaka
- Both stationed at Cabanatuan Number 1 on September 1943.

Witness:

3. ~~Herman N. Archer -O-206909,~~
120 Nassau St. Princeton, N.J.

Date and place of commission of alleged crime.

September 1943.
Cabanatuan Number 1.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating of Captain Worthington.

Source: War Crimes Office, Washington (Case No. 40-583).

TRANSMITTED BY _____

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(26352) W.C.P. 1505 1120 500 1-14 A. & E.W.L.L. Cp. 685
(26324) W.C.P. 1817 P. 1139 5,000 3-14

PARTICULARS OF ALLEGED CRIME

Victim was a member of a work detail and was in formation preparatory to marching to work when accused came along. Accused was carrying a 2 x 3 inch pole eight feet long. He demanded that the whole detail take off their shoes, and before anyone could possibly comply, he started swinging his club at every man in the formation one by one. He hit Captain Worthington on the head cutting a gash which took fifteen stitches to close.

700

PARTICULARS OF EVIDENCE IN SUPPORT

0673

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P33/US/J/5

0675

1. OSHANAGA (OSHANAKA), and
2. + 3.

Date Submitted

Decision of Committee I

B 1 OCT. 1945 1 + 2 A

P33/US/J/5

(For the Use of the Secretariat)

SECRET

0676

Registered Number.

Date of receipt in Secretariat.

P33/US/J/5

26 OCT 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CHARGE No. 34. J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. 2 Star Private Oshanaga (Oshanaka), nicknamed "Donald Duck".
2. Major Y. Iwanaka *presumably Commandant of camp*
both stationed at Cabanatuan No. 1. (Prison Farm)
between July 1943 and October 1943.

3. WITNESS: Herman N. Archer, Major, O-206909

Date and place of commission of alleged crime.

Between July 1943 and October 1943.
Cabanatuan No. 1 (Prison Farm).

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating of Captain Batchlor.

Source: War Crimes Office, Washington (Case No. 40-585)

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(26852) W.P.1505-1120 500 1-44 A.& E.W.L.L. Cp.685
(26924) W.C.P.1817 P.1139 5,900 3-44

PARTICULARS OF ALLEGED CRIME

0677 ●

Victim was working on the camp Prison Farm when the accused engaged him in a friendly conversation. The accused was laughing and talking with his victim and gave him (victim) both a cigarette and a light. As soon as the victim got his cigarette lit, the accused administered a kick in his victim's stomach, then proceeded to kick him in the testicles and on the shins. When the victim put his hands up to protect himself, the accused kicked the skin off his hands.

PARTICULARS OF EVIDENCE IN SUPPORT

0678

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P34/US/J/6

0680

1. Captain of Guard
2. MEALER, Gladys A

Date Submitted	Decision of Committee I
31 OCT 1945	1. A

P34/US/J/6

(For the Use of the Secretariat)

0681

Registered Number.

Date of receipt in Secretariat.

P34/US/J/6

2 OCT 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGE No. 35 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Captain of the Guard at Santo Tomas Prison Camp in November 1944 (Believed to be Captain Abeco)

WITNESS:

2. Gladys A. Mealer, Captain, Army Nurse Corps, N-702481
1715 1/2 4th Ave., Bessemer, Alabama.

Date and place of commission of alleged crime.

About November 1944.
Santo Tomas Prison Camp.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Slapping and kicking or hitting of American civilian internee by Japanese Captain of the Guards.

Source: War Crimes Office, Washington, (Case No. 40-751).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(20352) W.C.P.1505.1120 500 144 A.N.E.W.L.I. Cp.685
(26924) W.C.P.1817 P.1139 5,000 344 " " "

Charley Kers, civilian internee, in about November 1944, was helping move something (believed to be lumber). He asked the Captain of the Guard where it was to be moved. The Captain slapped Charley Kers across the face and either kicked or hit him across the shins with a saber.

PARTICULARS OF EVIDENCE IN SUPPORT

0683

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P35/US/J/7

0685

1. SHITAKA, and 2-4.

Date Submitted

Decision of Committee I .

3 1 OCT 1945 1-3 A

P35/US/J/7

(For the Use of the Secretariat)

SECRET

0686

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P35/US/J/7

26 OCT 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CHARGE No. 36-J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. A Non-commissioned officer named Shitaka, nicknamed "Big Speedo"
 2. 2nd Lt. Hashimoto (Hosimoto, Hosumoto), nicknamed "Little Caesar"
 3. Col. or Lt. Col. Mori, Commander.
- All three stationed at Cabanatuan No. 1 in December 1942(?)

WITNESSES:

4. James H. Berry, Sgt., 18009483,
Lampasas, Texas

Date and place of commission of alleged crime.

December 1942 (?)
Cabanatuan No. 1.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating of 2 American Ps. of W.

Source: War Crimes Office, Washington (Case No. 40-764).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(26752) W.P.1505 1120 500 174 A.&E.W.Ltd. Cp.685
(26924) W.P.1817 P.1139 5,000 2144

PARTICULARS OF ALLEGED CRIME

0687

Victims attempted to escape. They were recaptured, brought back and tied to the hospital gate for at least one full day. Each time a Japanese would pass through the gate he would pick up a club left at the gate, and beat the ~~men~~ across the chest and back. This was done several times.

2. 4. 1.

PARTICULARS OF EVIDENCE IN SUPPORT

0688

NOTES ON THE CASE

0689

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P36/US/J/8

0690

1. Soldier, and
2.-5-

Date Submitted

Decision of Committee I

31 OCT 1945

AC A

P36/US/J/8

(For the Use of the Secretariat)

SECRET

0691

Registered Number.

Date of receipt in Secretariat.

P36/US/J/8

26 OCT 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CHARGE No. 37 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Japanese soldier (correct name unknown) nicknamed "Greasy Pig"
2. Japanese soldier (" " ") " "Donald Duck"
3. Japanese soldier (" " ") " "Yap Yap"
4. Japanese soldier (" " ") " "Nigger"
5. Lt. Itchi Marro (Phonetic), Japanese Army, Commander, all stationed at Camp Murphy, Luzon, Philippine Islands, in June 1944.

Date and place of commission of alleged crime.

June 1944.
Camp Murphy, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating of eight or nine prisoners of war at Camp Murphy about June 1944.

Source: War Crimes Office, Washington (Case No. 40-695).

TRANSMITTED BY

*Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(26952) W.C.P.1505/1120 500 144 A.&E.W.L.H. Cp.685
(26924) W.C.P.1817/P.1139 5,000 344

The victims, Corporal Ordean B. Kittleson, and seven or eight other prisoners of war whose names are unknown, while at work at an unnamed airfield apparently in the vicinity of Camp Murphy, bought coconuts from the Filipinos, broke them up and smuggled them into camp. They were searched by the Japanese guards and the coconuts discovered. Then the victims were beaten with hoe handles by the four guards named above. The beatings were of such severity that some of the victims became unconscious and some had their arms and wrists broken. Following the beating the victims were made to kneel in front of the Japanese guard house for twenty four hours during which period they were periodically kicked and spit on.

2970 PARTICULARS OF EVIDENCE IN SUPPORT

0693

NOTES ON THE CASE

0694

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P37/US/J/9

0695

- 1. NAIHARA
- 2. TAGASAKI (?)

Date Submitted	Decision of Committee I
5 OCT 29	Both A

P37/US/J/9

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SECRET

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0696

P37/US/J/9

26 OCT 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CHARGES AGAINST

CHARGE No. 38 J

*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. 3 Star Pvt. Naihara, nicknamed "Air Raid", Japanese Army.
2. Major Tagasaki(?), Japanese Army, *Commander*
both stationed at Cabanatuan No. 1 Prison Farm, Philippine Islands in early part of September 1944.

Date and place of commission of alleged crime.

Cabanatuan No. 1 Prison Farm, Philippine Islands.
"Early part of September 1944"

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating of 21 American Prisoners of War for failure to reveal the name of a prisoner who made a remark.

Source: War Crimes Office, Washington, (Case No. 40-745).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(20352) W.G.P. 1505 1120 500 1-44 A. & E.W.L.U. Cp. 685
(20924) W.G.P. 1817 P. 1139 5,000 3-44 " " " "

PARTICULARS OF ALLEGED CRIME

0697

Witness states that on the day in question it was near quitting time, and the accused told the detail that they would cease work in 15 minutes. At the same time a conversation was going on between an officer P of W and an enlisted man, P of W. The remark "I hope so" was uttered. The accused presumed that this remark was made in connection with his statement made to the whole detail and asked the name of the man who uttered it. When no-one would tell him, he ordered the 21 men nearest him, to line up, drop to their knees and clasp their hands behind their backs. Then the accused took a bamboo pole, walked down the line, and struck each man on the back. When no one would still tell who made the remark, the accused removed his leather belt and struck each man in the face with it.

The information desired by the accused was never revealed, so the men were sent back to camp.

PARTICULARS OF EVIDENCE IN SUPPORT

0698

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P38/US/J/10

0700

SHIRAJE

Date Submitted

Decision of Committee I

1 OCT 1955 A

P38/US/J/10

(For the Use of the Secretariat)

SECRET

Registered Number.

Date of receipt in Secretariat.

0701

P38/US/J/10

20 OCT 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 39.J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Lt. Shiraje, Japanese Army, the Japanese officer in charge of Finance and Supplies at Santo Tomas Camp. Described as short, stocky, and walked by setting each foot down slowly and swaying noticeably from side to side. Stationed at Santo Tomas Camp in January 1945.

Date and place of commission of alleged crime.

During month of January 1945. Camp Commander's Office, Educational Bldg., 1st Floor, at Santo Tomas Camp, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Slapping of American internee without provocation.

Source: War Crimes Office, Washington, (Case No. 40-672)

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A & E.W.Ltd. Gp.685

PARTICULARS OF ALLEGED CRIME

During the month of January 1945 (exact date not ascertained), Lt. Shiraje, the Japanese Finance and Supply Officer at Santo Tomas, cuffed and slapped George Coleman in the face, causing his face to later become swollen. This occurred in the Commander's Office, 1st floor of Educational Building, Santo Tomas Camp.

According to hearsay information, the reason given for the slapping was that Coleman had left a package of rationed cigarettes in Lt. Shiraje's office and had returned to pick them up. Lt. Shiraje claimed the cigarettes as his own and accused Coleman of stealing them.

PARTICULARS OF EVIDENCE IN SUPPORT

0703

NOTES ON THE CASE

0704

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

**REGISTERED
NOS.**

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**REGISTERED
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11

TO

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P.39/US/J/11

0705

1. MAIDA, and 2.-5.

Date Submitted

Decision of Committee I

21 NOV 1945

Acc. S

R

P.39/US/J/11

(For the Use of the Secretariat)

SECRET

0706

Registered Number.

Date of receipt in Secretariat.

P 39/US/T/11

9 NOV 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 40 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Maida, Japanese Army.
 2. Lt. Hashimoto (Hashumato), Japanese Army, nicknamed by prisoners "Caesar".
 3. Lt. Hosamai (Hosemi), Japanese Army, nicknamed by prisoners "Bubble Nose".
 4. Japanese Sergeant, name unknown, nicknamed by prisoners "Ironside".
 5. Japanese Sergeant, name unknown, nicknamed by prisoners "Smiling Jack".
- All stationed at Lasang Airfield, Mindanao, Philippine Islands, in July 1944, (also stated as March 1944).

Date and place of commission of alleged crime.

July 1944, (also stated as March 1944).
Lasang Airfield, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating and torture of United States prisoners of war.

Source: War Crimes Office, Washington. (Case No. 46-70).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A.&E.W.Ltd. Gp.685

PARTICULARS OF ALLEGED CRIME

0707

For no apparent reason, except possibly they were suspected of planning to escape, the above victims were singled-out, beaten severely, and given the "water-cure". The torture and beating lasted for approximately six hours.

Victims: S/Sgt Joseph P. Lamkin.
Pvt. Johnson.
Pvt. George Robertson.

PARTICULARS OF EVIDENCE IN SUPPORT

0708

WITNESSES:

1. NAME: Joseph P. Lamkin.
ADDRESS: 3548 N. Trenton Ave., Portland, Oregon.

Signed and Sworn Statement.

This witness was one of the victims. States that the reason for the beating and torture may have been that he had, earlier in the day, picked up a Japanese sandal while walking in formation, carried it a short distance and threw it away.

2. NAME: Jack M. Donohoe.
ADDRESS: 779 W. 5th St., Reno, Nevada.

Signed and Sworn Statement.

Not an eyewitness; saw the victims being taken to the place of torture, but did not witness the beatings. Observed condition of the victims after they had been beaten. States that one victim was "Mc Grath", which is probably erroneous since Lamkin does not mention "Mc Grath"; possibly has Mc Grath confused with another man.

3. NAME: D.J. Olinger.
ADDRESS: 143 Steele St., Denver, Colorado.

Signed and Sworn Statement.

Saw the victims being led away and heard their screams. Particulars of the incident were related to him by Lamkin (W1).

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The statements of the witnesses present a case of unlawful beating and torture.

P40/US/J/12

0710

TAKASAKI

Date Submitted Decision of Committee I

21 NOV 1945

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P40/US/J/12

(For the Use of the Secretariat)

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0711

Registered Number.

Date of receipt in Secretariat.

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9 NOV 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES	CHARGES AGAINST	JAPANESE WAR CRIMINALS
CHARGES AGAINST		WAR CRIMINALS

CASE No. 41 J *

Name of accused, his rank and unit, or official position. (Not to be translated.)	Maj. Takasaki, Japanese Army, Camp Commander, stationed at Cabanatuan No. 1, Philippine Islands in August 1944.
Date and place of commission of alleged crime.	August 1944. Cabanatuan No. 1, Philippine Islands.
Number and description of crime in war crimes list. References to relevant provisions of national law.	Ill-treatment of Prisoners of War. Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Improper Imprisonment of United States Prisoner of War.

Source: War Crimes Office, Washington. (Case No. 40-872).

TRANSMITTED BY _____

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Victims discovered after search of their canteens to have secreted shelled corn in them. For this offense and the further offense that they attempted to bring this shelled corn inside the prison compound they were confined for fourteen days in solitary confinement in the Camp Guardhouse. Cells were six by eight feet. While in solitary confinement the victims were not allowed to go to the latrine at the whim of their guards and as a consequence had to use their cells as a latrine. The victim's ration of water was one canteen per day and 250 grams of rice per day, nothing else.

These victims were placed in solitary confinement at the direction of the accused.

Victims: Maj. Brown - 31st Inf.

Officer of the 60th CAC, name unknown.

Enlisted man, name unknown.

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS: Marion L. Daman, Capt. O-390000

ADDRESS: 7 Pines, Colonial Court, Lynchburg, Va.

Signed and Sworn Statement.

Says he knows facts of own knowledge. Does not say whether he was an eyewitness to all or any part of the facts related by him.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Sufficient evidence in file to make out a prima facie case.

PHI/US/J/13

0715

1. IWANAKA, Y.
2. NAIHARA

Date Submitted	Decision of Committee I	
21 NOV 1945	2 A } 1 S }	B

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Registered Number.

Date of receipt in Secretariat.

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9 NOV 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 42 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Probably Y. Iwanaka, Major, Japanese Army.
2. Naihara, 3 star private, Japanese Army, nicknamed by prisoners "Air Raid". (Note that witness refers to him as "Iharasaw").

Both stationed at Cabanatuan No. 1. Prison Farm, Philippine Islands between November 1942 and 6 August 1943.

Date and place of commission of alleged crime.

Between November 1942 and 6 August 1943.
Cabanatuan No. 1 - Prison Farm, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating of Cpl. Barry.

Source: War Crimes Office, Washington. (Case No. 40-77).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Victim was at work, helping cultivate the farm. For no apparent reason the Accused, Naihara, grabbed a shovel and beat his victim over the head. This treatment did not knock the victim out, but made him irrational and sick. Victim was not allowed medical attention.

Victim: Cpl. Lewis B. Barry.

PARTICULARS OF EVIDENCE IN SUPPORT

0718

WITNESS: Lee W. Moore, Cpl. 18001751

ADDRESS: 3533 Vine St., Denver, Colorado.

Signed and Sworn Statement.

Eyewitness account.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

Sufficient evidence in file for a prima facie case.

P.42/US/J/14

0720

1. IMOTO, and 2-4

Date Submitted Decision of Committee I

21 NOV 1945 All A

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P.42/US/J/14

(For the Use of the Secretariat)

0721

Registered Number.

Date of receipt in Secretariat.

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9 NOV 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 43 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Imoto, Commander, Japanese Army, nicknamed by prisoners "White Angel"
2. Fuzegawa, 2nd in Command, Japanese Army.
3. Swematch, guard, Japanese Army.
4. Enona, guard, Japanese Army, nicknamed by prisoners "Pistol Pete"

All stationed at Nichols Field, Philippine Islands, in January or February 1943.

Date and place of commission of alleged crime.

January or February 1943.
Nichols Field, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating of United States Sergeant by Japanese guard.

Source: War Crimes Office, Washington. (Case No. 40-817).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0722

Victim ordered to do twenty-five pushups - could only do fifteen, and was beaten by guard Swenatch.

At another time, victim beaten severely by Enona.

Victim: Sgt. John Oscar Manning, ASN 6904650

PARTICULARS OF EVIDENCE IN SUPPORT

0723

WITNESS: Sgt. John Oscar Manning, ASN 6904650,

ADDRESS: 40 S. Goodman St., Rochester, N.Y.

Sworn Statement.

Victim relates story of own beatings.

NOTES ON THE CASE

0724

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Names of guards and superiors responsible for this crime are given.

P.43/US/J/15

0725

1. Officer, probably IWANAKA, Y.
2. NAIHARA

Date Submitted

Decision of Committee I

21 NOV 1945

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Registered Number.

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 44 J *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Officer of Japanese Army, probably Major Y. Iwanaka. 2. Naihara, three star private, Japanese Army, nicknamed by prisoners "Air Raid" (Note that witness refers to him as "Iharasaw").</p> <p>Both stationed at Cabanatuan - Prison Farm, Philippine Islands in June 1943.</p>
<p>Date and place of commission of alleged crime.</p>	<p>June 1943. Cabanatuan - Prison Farm, Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War. Breach of the Geneva Convention 1929, article 2.</p>

SHORT STATEMENT OF FACTS.

Beating of Cpl. Moore.

Source: War Crimes Office, Washington. (Case No. 40-798).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.
(29655) Wt.P 252/4 5,000 5/45 A.& E.W.Ltd. Gp.685

PARTICULARS OF ALLEGED CRIME

Victim was at work with a detail on the Camp Farm. Accused came by and because he thought the detail was not working hard enough, he singled out this one victim and beat him with a bamboo stick some thirty or forty lashes. Victim was not allowed to secure medical attention and was forced to continue working.

Victim still has scars on his back from this treatment.

Victim: Cpl. Lee W. Moore - ASN 18001751

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS: Lee W. Moore, Cpl. 18001751

ADDRESS: 3533 Vine Street, Denver, Colorado.

Signed and Sworn Statement.

Eyewitness account of the victim.

NOTES ON THE CASE

0729

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Sufficient evidence in the file to make out a prima facie case.

P.44/US/J/16

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Date Submitted Decision of Committee I

21 NOV 1945

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 45 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

Major Maeda, Japanese Army, stationed at Lasang Airfield, Mindanao, Philippine Islands, July 1944.

Date and place of commission of alleged crime.

July 1944.
Lasang Airfield, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

Ill-treatment of Prisoners of War.
Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Group punishment.

Source: War Crimes Office, Washington. (Case No. 46-84).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

A group of men were arbitrarily selected for punishment and forced to assume a squatting position for about half an hour with a bamboo pole in the joints behind the knees.

Victims: T/3 Jesse Bier and a group of unidentified prisoners of war.

PARTICULARS OF EVIDENCE IN SUPPORT

0733

WITNESS. T/3 Jesse Bier.

ADDRESS: Not stated.

Signed and Sworn Statement.

Was one of the group punished. States that he had "committed no offense to justify punishment."

NOTES ON THE CASE

0734

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P.45/US/J/17

0735

1. HOSIDE
2. HASHIMOTO

Date Submitted

Decision of Committee I

21 NOV 1945

Both S



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(For the Use of the Secretariat)

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Registered Number.

Date of receipt in Secretariat.

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UNITED NATIONS WAR CRIMES COMMISSION

CHARGES AGAINST

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CASE No. 46 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Lt. Hoside, Japanese Army.

2. Lt. Hashimoto, Japanese Army.

Both stationed at Lasang Airfield, Mindanao, Philippine Islands.

Date and place of commission of alleged crime.

Date not stated.

Lasang Airfield, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating and torture.

Source: War Crimes Office, Washington. (Case No. 46-87).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Prisoners on several occasions were beaten and tortured for no reason except to ascertain whether there were any plans to escape.

Victims: Corporal Anaya and other prisoners of war.

154

PARTICULARS OF EVIDENCE IN SUPPORT

0738

WITNESS: William C. Chenoweth, Lt. Col., CE.

ADDRESS: Not stated.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P.46/US/J/18

0740

1. IWANAKA, Y.
2. ROCAGIN

Date Submitted

Decision of Committee I

21 NOV 1945

Both A

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Registered Number.

Date of receipt in Secretariat.

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST
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WAR CRIMINALS

CASE No. 47 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Y. Iwanaka, Japanese Army.
2. Rocagin, 3 Bar Private, Japanese Army, nicknamed by prisoners "Charlie".

Both stationed at Cabanatuan No. 1, Philippine Islands, in September 1943.

Date and place of commission of alleged crime.

September 1943.
Cabanatuan No. 1, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating of Sgt. Roth.

Source: War Crimes Office, Washington. (Case No. 40-816).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Victim was slapped simultaneously on both ears by accused for about five minutes duration. So far as the victim knows, the attack was without the slightest provocation on his part.

Victim suffered perforated eardrums.

Victim: Sgt. Jerome J. Roth - ASN 6658258.

PARTICULARS OF ALLEGED CRIME

Victim was slapped simultaneously on both ears by accused for about five minutes duration. So far as the victim knows, the attack was without the slightest provocation on his part.

Victim suffered perforated eardrums.

Victim: Sgt. Jerome J. Roth - ASN 6658258.

8800

PARTICULARS OF EVIDENCE IN SUPPORT

0743

WITNESS: Jerome J. Roth, Sgt. 6658258.

ADDRESS: 1247 Schiller Ave. Louisville, Ky.

Signed and Sworn Statement.

Eyewitness account of the victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Evidence sufficient to make out a prima facie case. No leads to further evidence given in this file.

P.47/US/5/19

0745

Guard

Date Submitted

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 48 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

Japanese Guard, name unknown, nicknamed by prisoners "Yardbird", stationed at Corregidor, Philippine Islands in August 1942.

Date and place of commission of alleged crime.

August 1942.
Corregidor, Philippine Islands.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

Ill-treatment of Prisoners of War.
Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating of United States Prisoner of War by a Japanese Guard.

Source: War Crimes Office, Washington. (Case No. 40-820).

TRANSMITTED BY

*Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

In August 1942 victim, who was a United States Prisoner of War at Corregidor, was engaged in nailing covers on boxes of .50 cal. ammunition under the direction of a Japanese Guard. He was given an order in Japanese which victim did not understand. When victim failed to obey the order, he was struck by the Japanese Guard one blow across the shoulders. The instrument used by the guard in striking the victim is described as a "2 x 6 board, about two or three feet long."

Victim suffered considerable pain at the time, but received no permanent injuries.

Victim: David Owen Dodds, Cpl., Med. Corps, 19017907.

PARTICULARS OF EVIDENCE IN SUPPORT

0748

WITNESS: David Owen Dodds, Cpl., Med. Corps, 19017907

ADDRESS: 135 North Grotto,
St. Paul, Minnesota.

Signed and Sworn Statement.

This witness is victim. He was imprisoned at Corregidor from 6 May 1942 to 15 October 1942. His statement comprises the facts of the case.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

No other identification of the accused is disclosed.

P.48/US/J/20

0750

1. IWANAKA. Y.
2. NAIHARA

Date Submitted

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

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WAR CRIMINALS

CHARGE No. 49 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. Major Y. Iwanaka, Japanese Army.
- 2. Naihara, three star private, Japanese Army, nicknamed by prisoners "Air Raid".

Both stationed at Cabanatuan No. 1 Camp Prison, Farm, Philippine Islands in August 1943.

Date and place of commission of alleged crime.

August 1943.
Cabanatuan No. 1 Camp Prison Farm, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating of S/Sgt. Dunn.

Source: War Crimes Office, Washington. (Case No. 40-832).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Victim was a member of a work detail and engaged in carrying a sack of soil. Victim evidently was not carrying enough soil to suit the accused; so accused, Naihara, struck the victim with the butt of his rifle, knocking him to the ground. He struck again after victim was on the ground.

Victim: S/Sgt. Fred C. Dunn Jr. ASN 15018842.

PARTICULARS OF EVIDENCE IN SUPPORT

0753

WITNESS: Fred C. Dunn Jr., S/Sgt. 15018842

Signed and Sworn Statement.

Eyewitness account by the victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

Sufficient evidence in this file to make out a prima facie case. No additional leads as to testimony furnished by this file.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

Sufficient evidence in this file to make out a prima facie case. No additional leads as to testimony furnished by this file.

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P.49/US/J/21

0755

1. MORI, S and 2. + 3.

Date Submitted Decision of Committee I

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Date of receipt in Secretariat.

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

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CHARGE No. 50 J. *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Lt. Colonel S. Mori, Japanese Army. 2. Capt. N. Nogi, Japanese Army. 3. 2nd Lt. S. Konichi, Japanese Army.</p> <p>All stationed at Cabanatuan No. 1, Philippine Islands, 1 November 1942.</p>
<p>Date and place of commission of alleged crime.</p>	<p>1 November 1942. Cabanatuan No. 1, Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Murder. Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

Death due to starvation and lack of medical care of a United States Prisoner of War.

Source: War Crimes Office, Washington. (Case No. 40-837).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(26352) W.P.1505/1120 500 144 A & E.W.L.M. Cp.685
(26924) W.P.1817 P.1139 5,000 344 " " " "

PARTICULARS OF ALLEGED CRIME

Deceased was given a starvation diet of dirty rice, greens and thin soup of water in which caribao bones were boiled. The total daily diet consisted of about one-third of the necessary calories. No medical care was given and practically no medicines were available. Sanitation was to all practical purposes, non-existent. Victim was placed in barracks housing three times the number of persons intended for them to shelter.

Victims weight was 170 pounds when captured and he weighed 90 pounds or less when he died.

Until victim was too weak to stand, he was forced to do hard manual labor.

Victim: Cpl. Aaron Myers, Co. K., 31st Infantry.

PARTICULARS OF EVIDENCE IN SUPPORT

0758

WITNESS: Ira W. Taylor, Pfc., 6269437.

ADDRESS: c/o Early Taylor, R.F.D., No. 1,
Dawson, Texas.

Signed and Sworn Statement.

Eyewitness account.

NOTES ON THE CASE

0759

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Sufficient evidence in the file to make out a prima facie case.
In the event further evidence is discovered, it would be only corroborative and/or cumulative.

P. 50/US/J/22

0760

1. MORI, S., and 2. + 3.

Date Submitted

Decision of Committee I

21 NOV 1945

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Registered Number.

Date of receipt in Secretariat.

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9 NOV 1945

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 51 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Lt. Col. S. Mori, Japanese Army.

2. Captain N. Nogi, Japanese Army.

3. 2nd Lt. S. Konichi, Japanese Army.

All stationed at Cabanatuan No. 1, Philippine Islands
between 1 June 1942 and 30 January 1945.

Date and place of commission of alleged crime.

Between 1 June 1942 and 30 January 1945.
Cabanatuan No. 1, Philippine Islands.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Death due to starvation and lack of medical care.

Source: War Crimes Office, Washington. (Case No. 40-901).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Deceased was given a starvation diet of dirty rice, greens, and occasionally meat. The total daily diet consisted of approximately one-third calories necessary. No medical care was given and practically no medicine was available. Sanitation was almost non-existent. The prisoner was placed in barracks with three times the number of persons it was intended to house. (Complete statements in file 40-27).

Victim: M/Sgt Wayne E. Hathaway.

PARTICULARS OF EVIDENCE IN SUPPORT

0763

WITNESS: Gerald W. Wagner T/Sgt 6580865

ADDRESS: 817 Quincy St., Rapid City, S. Dakota.

Signed and Sworn Statement.

Eyewitness account.

NOTES ON THE CASE

0764

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Sufficient evidence in this file to make out a prima facie case. While the exact date of the death of the deceased is not given, it is believed that this detail is not essential to the prosecution of the case as he died at some time between two known dates.

P. 51/US/J/23

0765

1. MORI, S., and 2. & 3.

Date Submitted

Decision of Committee I

21 NOV 1945

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(For the Use of the Secretariat)

0766

Registered Number.

Date of receipt in Secretariat.

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9 NOV 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CHARGE No. 52 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Lt. Colonel S. Mori, Japanese Army.
2. Capt. N. Nogi, Japanese Army.
3. 2nd Lt. Konichi, Japanese Army.

All stationed at Camp No 1 - Cabanatuan, Philippine Islands, in June or July 1942.

Date and place of commission of alleged crime.

June or July 1942.
Camp No. 1 - Cabanatuan, Philippine Islands.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Death of United States Prisoner of War due to starvation and lack of medical care.

Source: War Crimes Office, Washington. (Case No. 40-862).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(26352) W.P.1505/1120 500 144 A.S.E.W.L.L. Cp.685
(26924) W.P.1817 P.1139 5,000 344 " " " "

PARTICULARS OF ALLEGED CRIME

0767

Victim died of malaria, dysentery, and starvation. P of W doctors were helpless because the Japanese withheld all medicines. Contributing factors to this death were lack of proper food and improper housing conditions. Sanitary facilities consisted of a hole in the ground. Men constantly exposed to elements without proper bed clothing.

Victim: _____ Powell of 31st Inf.

PARTICULARS OF EVIDENCE IN SUPPORT

0768

WITNESS: Herman J. Keller, Cpl. 19017537.

ADDRESS: Pineola, North Carolina.

Signed and Sworn Statement.

Eyewitness account.

NOTES ON THE CASE

0769

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

1. Sufficient evidence in this file to make out a prima facie case.

2. The records of the Prisoner of War Information Bureau, Office of the Provost Marshal General, were checked in an effort to determine the full name and serial number of the victim. However, no information was disclosed in the files of the Prisoner of War Information Bureau.

P. 52/US/J/24

0770

1. IWANAKA. Y.
2. Private

Date Submitted

Decision of Committee I

21 NOV 1945

Both A

R

P. 52/US/J/24

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Registered Number.

Date of receipt in Secretariat.

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CHARGE No. 53 J. *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Major Y. Iwanaka, Japanese Army. 2. Japanese Private, name unknown, nicknamed by prisoners "Beetle Brain", 5'9" tall, weight 120 pounds, small head, long neck, protruding teeth, gold crowned, and a sneering grin on his face at all times. Both stationed at Cabanatuan No. 1. Prison Farm. Philippine Islands, in July 1944.</p>
<p>Date and place of commission of alleged crime.</p>	<p>July 1944. Cabanatuan No. 1. Prison Farm. Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War. Breach of the Geneva Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

Beating of United States Prisoner of War.

Source: War Crimes Office, Washington. (Case No. 40-863).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(20352) W.F.P.1505.1120 500 144 A. & E.W.L.L. Cp.685
(20924) W.F.P.1817 P.1139 5,000 344

PARTICULARS OF ALLEGED CRIME

0772

Victim was a member of a working party engaged in shucking corn. Orders were that the large ears of corn were not to be completely shucked but left attached to the ear of corn, after removing them from around the ear. The accused, "Beetle Brain", saw his victim break off the shuck from a large ear of corn. Thereupon he struck the victim across the head with a hoe handle, breaking the skin of his scalp.

Victim: Cpl. Arthur S. Roberts, ASN, 6289318.

PARTICULARS OF EVIDENCE IN SUPPORT

0773

WITNESS: Arthur S. Roberts, Cpl., 6289318.

ADDRESS: P.O. Box 188, Marion, Texas.

Signed and Sworn Statement

Eyewitness account of the victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Sufficient evidence in this file to make out a prima facie case. While the name of the accused is not given, his description and nickname are sufficient to identify him.

P.53/US/J/25

0775

1. Commandant
2. Soldier

Date Submitted

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Boots A

B

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 54 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Commandant, Bilibid Prison, Manila, Philippine Islands, on

28 May 1942.

2. Japanese Soldier, name unknown, acting as guard at 1930

hours, 28 May 1942 at old hospital building, Bilibid Prison, Manila, Philippine Islands.

Date and place of commission of alleged crime.

28 May 1942.

Old hospital building, Bilibid Prison, Manila, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Indiscriminate beating of United States Prisoners of War without provocation.

Source: War Crimes Office, Washington. (Case No. 40-350).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0777

At about 1930 hours, 28 May 1942, a group of about 300 United States Army and Navy personnel, prisoners of war, were herded into a room in the old hospital building at Bilibid Prison, Manila, Philippine Islands, and there several prisoners were beaten for no apparent reason by Accused, a Japanese Guard (unidentified), using a heavily loaded quirt. The beating was about the head, face and neck of the prisoners he indiscriminately selected, and the beatings caused bleeding. This continued throughout the night.

Victims: Gaylord Ralph Shores, T/4 ASN 6865248, was one who was beaten causing him to partially lose consciousness.

One Navy Officer, name unknown, was stamped on and beaten with gun butts.

PARTICULARS OF EVIDENCE IN SUPPORT

0778

WITNESS: Gaylord Ralph Shores, T/4, ASN 6865248

ADDRESS: 827 S. Mill, Kansas City, Kansas.

Signed and Sworn Statement.

This witness was one victim. ~~Witnessed by~~

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The name of the Commandant of Bilibid Prison at the time of the offense herein is currently unknown. Available information has placed Captain Nogi as later being in charge of Hospital Section.

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0780

1. NOGI, and 2. -4.

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 55 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Doctor Nogi, Captain, Japanese Army, Camp Commander.
2. Captain of the Guards, Japanese Army, name unknown, nicknamed by prisoners "Captain Bligh".
3. Sergeant Sukahari
4. Private Three Star Chickichid.

All stationed at Bilibid Prison, Philippine Islands in August 1944.

Date and place of commission of alleged crime.

August 1944.
Bilibid Prison, Philippine Islands. (prison hospital).

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Injuring of United States Prisoners of War during effort to recapture an unnamed escapee, and imposition of collective punishment of all United States Prisoners of War at Bilibid Prison for act of one unnamed Prisoner of War.

Source: War Crimes Office, Washington. (Case No. 40-353).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.2524 5,000 5/45 A.&E.W.Ltd. Gp.685

PARTICULARS OF ALLEGED CRIME

0782

In August 1944 a Prisoner of War attempted escape but failed. Name not disclosed. Being returned to prison camp he was carried past United States Prisoners of War (many of whom were stretcher cases, ill and injured) collected together at an entertainment during celebration of Emperor's birthday. The escapee jumped from stretcher into the gathered crowd, was pursued by Japanese guards with fixed bayonets, and in "the stampede that resulted many of the stretcher cases and those seriously ill and wounded were badly injured." As punishment, all entertainment was permanently barred from all Prisoners of War, rations were cut and work details increased. Joseph Paul Keys, Sgt., ASN 7022764, was one of the victims. Others are unnamed.

Victims: Joseph Paul Keys, Sgt., ASN 7022764.

United States Prisoners of War (collectively) at Bilibid
Prison.

ANON PARTICULARS OF EVIDENCE IN SUPPORT

0783

WITNESS: Joseph Paul ~~Keys~~, Sgt. ASN 7022764

ADDRESS: 1303 Bidwell St., Pittsburgh, Pa.

Sworn Statement.

W1 liberated 4 February 1945.

NOTES ON THE CASE

0784

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

W1 in his statement names the following as responsible:

- (a) Doctor Nogi, a Captain and the Camp Commander.
- (b) Sergeant Sukahari,
- (c) Private Three Star Chickichin.
- (d) A "Captain Bligh" (true name unknown), Captain of the guards, described as 5'5", 160 to 165 lbs., bowlegged, very muscular, large chested, large full clean-shaven face, walking habitually with hands behind back.

P.55/US/J/27

0785

1. OKAMOTO (LOKOMOTO)
2. Guards

Date Submitted

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 56 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Lt. Okamoto (Lokomoto), Japanese Army.
2. Japanese guards, names unknown.

All stationed at Cabanatuan, Camp No. 1, Philippine Islands, in March or April 1943.

Date and place of commission of alleged crime.

March or April 1943.
Cabanatuan, Camp No. 1, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Torture of a United States Marine Prisoner of War.

Source: War Crimes Office, Washington. (Case No. 40-384).

TRANSMITTED BY

*Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0787

Victim purloined a small bar of soap while passing through the tool shed. Immediately afterwards the Japanese lined up the detail and started searching each member of the detail. The bar of soap was discovered in the victim's pocket. In front of the entire detail, the victim was forced to put his arm across two blocks of wood which were placed approximately six inches apart. Upon the order of the Japanese Lieutenant who was in charge of the detail, a guard proceeded to strike the victim's arm with a pick-ax handle. The blow was delivered on the arm just between the two blocks of wood. The arm was broken as a result.

The Lieutenant then ordered that the victim see no doctor, not even a United States medical officer, for 12 to 24 hours.

Victim: Cpl. Raymond (last name unknown).
A member of the 4th Marine Division.

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESSES:

1. NAME: Fred W. Matthews T/5 6287045

ADDRESS: 300 Blackwell Rd., Ranger, Texas.

Signed and Sworn Statement.

Eyewitness account - States that the victim was a sailor. Says that the beating of the victim had already started when he arrived on the scene, but says victim was being beaten by two soldiers with the butts of their rifles. The victim finally fell to the ground where they continued to beat and kick him for several minutes.

Hearsay from Medical Corps. men to the effect that victim's arm and other bones broken, and in hospital for a month or two. Hearsay as to reason for beating.

2. NAME: Lloyd A. Jackson, Cpl. 37055827.

ADDRESS: Holcomb, Missouri.

Signed and Sworn Statement.

Eyewitness account - Agrees with the witness, Matthews, above as to the essential facts. States that after victim became unconscious from the beatings, he was revived and made to stand in front of the Japanese guard house from approximately 0800 to approximately 1700. Says victim was again beaten unconscious and the guards stamped victim's face with their boots before they released him at 1700.

3. NAME: Robert F. Ingham, Cpl. 14042384.

ADDRESS: 1300 Cambronne St., New Orleans, La.

Signed and Sworn Statement.

Eyewitness account. Confirms in general the method by which victim's arm was broken. - Hearsay as to reason for torture.

4. NAME: James C. Turner, Cpl. 14042500

ADDRESS: Rt. 1, Varnedo, Louisiana.

Signed and Sworn Statement.

Eyewitness account.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1. While no witness positively identifies either the Japanese guards concerned or the Lieutenant who gave the order, a search in the files of the Accused and Suspects Branch of this office, places the identification of the Japanese Lieutenant as Okamoto or Locomoto. He is described in Document 5.
2. There is sufficient material in this file to make out a prima facie case, even though the last name of the victim is unknown. A description of the victim's physical characteristics is given in Document 1.

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

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CASE No. 57 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

Col. or Lt. Col. Mori, Japanese Army, stationed at Cabanatuan No. 1, Philippine Islands about 1 December 1943 and about 20 January 1944.

Date and place of commission of alleged crime.

Two separate incidents. About 1 December 1943 and about 20 January 1944. Cabanatuan No. 1, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Slapping of Lt. Col. Curtis Beecher, USMC, without provocation.

Source: War Crimes Office, Washington. (Case No. 40-421).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

On or about 1 December 1943 victim, as United States POW C.O., went to the accused and begged him to issue to the POW the Red Cross boxes that had been delivered at the camp. Accused deliberately struck the victim across the face with the back of his hand.

On or about 20 January 1944 victim begged the accused for medicine and again was treated in the same manner by the accused.

Victim: Lt. Col. Curtis Beecher, USMC.

PARTICULARS OF EVIDENCE IN SUPPORT

0793

WITNESS: William K. Smith, Cpl, 19020921.

ADDRESS: Box 337, Red Bay, Alabama.

Signed and Sworn Statement.

Eye-witness account. States that he has seen Lt. Col. Beecher many times come out of Col. Mori's office with his nose and mouth bleeding from the slaps he had received from Col. Mori.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

There is sufficient evidence in this file to make out a prima facie case. A stronger case could be made by additional or corroborative evidence, but since no leads are given in the file, and all elements of the offense are present, the case is ready for trial.

It is believed that Lt. Col. Beecher was killed when the prison ship on which he was being taken to Japan was sunk.

P. 57/US/J/29

0795

I. IWANAKA. y. and
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Date Submitted

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 58 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Y. Iwanaka, Japanese Army.
2. Lt. Okamoto (Lt. Locomoto), Japanese Army.
3. Naihara, three star private, Japanese Army, nicknamed by prisoners "Air Raid".

All stationed at Cabanatuan No. 1, Philippine Islands, 10 October 1943.

Date and place of commission of alleged crime.

10 October 1943.
Cabanatuan No. 1, Philippine Islands.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

Ill-treatment of Prisoners of War.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating of Capt. Paul E. Pearson.

Source: War Crimes Office, Washington. (Case No. 40-520).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CHARGES AGAINST

CASE No. 58 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Y. Iwanaka, Japanese Army.
2. Lt. Okamoto (Lt. Locomoto), Japanese Army.
3. Naihara, three star private, Japanese Army, nicknamed by prisoners "Air Raid".

All stationed at Cabanatuan No. 1, Philippine Islands, 10 October 1943.

Date and place of commission of alleged crime.

10 October 1943.
Cabanatuan No. 1, Philippine Islands.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

Ill-treatment of Prisoners of War.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating of Capt. Paul E. Pearson.

Source: War Crimes Office, Washington. (Case No. 40-520).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Victim was a member of a work detail on the prison farm, actually engaged in setting out tomato plants. Accused, Naihara, walked up behind the victim and struck him heavily across the shoulders with a pick-handle. Victim straightened up and faced his assailant who continued to beat him about the arms and back until he fell to the ground, apparently unconscious. The accused, while his victim was lying on the ground, kicked him in the face and stomach, stood upon his body, and jumped up and down on his chest and stomach with hob-nailed shoes. This treatment lasted about two minutes, and then the accused walked away, leaving his victim unconscious in the sun.

No one was allowed to render any aid to Capt. Pearson, and after about thirty minutes, he regained consciousness and resumed work until he was allowed to go back to camp for the noon meal, some two hours afterwards. At camp, the United States Doctors gave him medical attention. He was hospitalized about a week in the barracks before he resumed work.

Victim: Capt. Paul E. Pearson, Co. M, 38th Inf., 2nd Div.

PARTICULARS OF EVIDENCE IN SUPPORT

0798

WITNESS: William E. Schults, Cpl., 694539

ADDRESS: 831 Main St., Corsicana, Texas.

Signed and Sworn Statement.

Eyewitness account. Says written orders by the Japanese Camp C.O. were posted at every barracks to the effect that all Japanese guards were authorized to beat any and all United States prisoners they wanted to for any reason, and that the Prisoners of War could expect no protection from the Japanese Camp C.O. States further that the Japanese Camp C.O. and the Prison Farm C.O. approved the beating of Prisoners of War.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

1. Sufficient evidence in this file to make out a prima facie case.
2. The following witnesses also saw the beating of Capt. Pearson

Commander Stewart
Cpl. Carl Stuart

Both were liberated at the same time as the witness, Schults.

3. Major Ralph Hubbard, M.C. saw Capt. Pearson and talked with him shortly after this incident happened.
4. Capt. Pearson, according to Schultz was taken to Japan.

P.58/US/J/30

0800

1. IWANAKA, Y.
2. NAIHARA

Date Submitted Decision of Committee I

21 NOV 1945

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UNITED NATIONS WAR CRIMES COMMISSION

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CASE No. 59 J *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Major Y. Iwanaka, Japanese Army.</p> <p>2. Naihara, three star private, Japanese Army, nicknamed by prisoners "Air Raid".</p> <p>Both stationed at Cabanatuan No. 1, Philippine Islands in August 1943.</p>
<p>Date and place of commission of alleged crime.</p>	<p>August 1943.</p> <p>Cabanatuan No. 1, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War.</p> <p>Breach of the Geneva Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

Beating of Maj. Dobrinic and 30 officers, Prisoners of War.

Source: War Crimes Office, Washington. (Case No. 40-464).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0802

At approximately 0800 on the day in question, a group of approximately 60 officers were lined up near the tool shed awaiting their issue of tools for the day's work. Without warning, the accused, Naihara, came from the tool shed swinging a club fashioned from a hoe handle and proceeded to strike at least thirty men in this group about the head, no more than one blow per victim. Maj. Dobrinic was the fourth or fifth man struck. The blow knocked Maj. Dobrinic to the ground and cut a gash in his head which bled considerably. Victim describes this weapon as a club 2" x 6' which also was used as a hoe handle.

Victims: Major Matt P. Dobrinic and thirty (30) other officers.

PARTICULARS OF EVIDENCE IN SUPPORT

0803

WITNESS: Major Matt P. Dobrinic O-339314

ADDRESS: Taylor Springs, Ill.

Signed and Sworn Statement.

1. Eyewitness account of one of the victims. This witness gives the name of his assailant as "Ihara", but "Air Raid" appears on the list of Japanese war crimes suspects as given on page one hereof. A good physical description of the accused is also given, as well as numerous of this accused's inhumanity.
2. Witness mentions two of his fellow victims and/or witnesses as a 2nd Lt. Harowitz AC and a 1st Lt. Worthington CE, however, he states these men were later taken to Japan in October 1944.

PARTICULARS OF EVIDENCE IN SUPPORT

0803

WITNESS: Major Matt P. Dobrinic O-339314

ADDRESS: Taylor Springs, Ill.

Signed and Sworn Statement.

1. Eyewitness account of one of the victims. This witness gives the name of his assailant as "Ihara", but "Air Raid" appears on the list of Japanese war crimes suspects as given on page one hereof. A good physical description of the accused is also given, as well as numerous of this accused's inhumanity.
2. Witness mentions two of his fellow victims and/or witnesses as a 2nd Lt. Harowitz AC and a 1st Lt. Worthington CE, however, he states these men were later taken to Japan in October 1944.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

There is sufficient evidence in this file to make out a prima facie case. Two leads are given which should be developed if and when these victims and witnesses are ever found to be alive. They will be corroborative of this case, as well as separate offenses.

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 60 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Doctor Nogi, Japanese Army, Commander of Bilibid Camp.

2. Sergeant Sukahari, Japanese Army.

3. Three Star Private Chickichin, Japanese Army.

All stationed at Bilibid Prison, Manila, Philippine Islands, in June 1943.

Date and place of commission of alleged crime.

June 1943.

Bilibid Prison, Manila, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Collective punishment of all United States Prisoners of War at Bilibid Prison for act of two United States Prisoners of War.

Source: War Crimes Office, Washington. (Case No. 40-336).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0807

About June 1943, as punishment for failure of United States Prisoners of War to disclose names of two United States Prisoners of War who had stolen two pints of milk, and to compel the disclosure of this information, every United States Prisoner of War, including hospital and crutch cases, was forced to stand out in the sun until the two responsible revealed themselves. They stood approximately two hours before the two responsible prisoners (unnamed) confessed. As additional punishment, rations were cut, and entertainment privileges denied and Prisoners of War forced to go to bed early.

PARTICULARS OF EVIDENCE IN SUPPORT

0808

WITNESS: Joseph Paul Keys, Sgt., ASN 7022764.

ADDRESS: 1303 Bidwell St., Pittsburgh, Pa.

Sworn Statement.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1. W1 states: Doctor Nogi was commander of Bilibid Camp (later killed at Santa Tomas). Three Star Private Chickichin was in charge of galley and responsible for cutting of rations. Sgt. Sukahari was responsible for carrying out punishment to the Prisoners of War.

2. W1 evidenced other collective punishments imposed by same accused but at other dates.

0810

1. IWANAKA, Y.
2. TANAKA, (TENIKA)

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

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CASE No. 61 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Y. Iwanaka, Japanese Army.
 2. Pfc. Tanaka, Taneka, Japanese Army by prisoners "Caribou".
 Both stationed at Cabanatuan No. 1. Camp Prison Farm, Philippine Islands 19 June 1943.

Date and place of commission of alleged crime.

19 June 1943.
 Cabanatuan No. 1. Camp Prison Farm. Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating of a United States Prisoner of War.

Source: War Crimes Office, Washington. (Case No. 40-864).

TRANSMITTED BY

*Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Victim was at work in the stubble field when he asked permission to go over the fence to relieve himself. As he finished, the accused, Pfc. Tanaka, came up, called the victim to attention, took his shovel away from him and struck him on the jaw twice. Then the accused attempted to wrestle him to the ground. When this failed the victim was ordered to wait and the accused walked off some distance, borrowed a club from another Japanese guard, returned and beat the victim across the shins, both upper arms, shoulders, and then on the head. When the victim fell to the ground the accused kicked him several times on the head. Victim was able to work after the beating.

The time of this beating is fixed in the victim's mind since it happened on his (the victim's) birthday.

Victim: Cpl. Arthur . Roberts, ASN, 6289318.

PARTICULARS OF EVIDENCE IN SUPPORT

0813

WITNESS: Arthur . Roberts, Cpl, 6289318.

ADDRESS: P.O. Box 188, Marion, Texas.

Signed and Sworn Statement.

Eyewitness account of victim.

NOTES ON THE CASE

0814

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Sufficient evidence in this file for a prima facie case.

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0815

1. HOMMA, Masaharu
2. MORIMOTO, Ichiro
- + 3. + 4.

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UNITED NATIONS WAR CRIMES COMMISSION

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CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 62 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Lt. General Masaharu Homma, Japanese Army.

2. Major General Ichiro Morimoto, Japanese Army.

3. Col. Akira Nagohama, Japanese Army.

4. Capt. T'Shenko, Japanese Army.

X X Nagohama and T'Shenko stationed at O'Donnell Prisoner of War Camp, Province of Tarlac, Luzon, Philippine Islands between 15 May and 30 May 1942.

Date and place of commission of alleged crime.

Between 15 May and 30 May 1942.

O'Donnell Prisoner of War Camp, Province of Tarlac, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Death due to starvation.

Source: War Crimes Office, Washington. (Case No. 40-232 - 238).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Deceased received starvation diet consisting mainly of rice, a few greens and only received meat twice in two months. The United States doctors were given no medicine for the camp. There was no sanitation, and barracks were inadequate and filthy.

VICTIMS: Pfc. Denzel O. Bush, 21 May.
Pfc. Pablo Fragua, 22 May.
Cpl. Johnnie Hamilton, 20 May.
Pvt. Eusebio Herrera, 25 May.
Pvt. Cruz Regaldo, 30 May.
Pvt. Martin J. Tafuya, 15 May.
Cpl. Frederick J. Wallace, 29. May.

PARTICULARS OF EVIDENCE IN SUPPORT

0818

WITNESS: T/Sgt. Thomas W. Ratcliffe's testimony will prove all the above stated facts. (Complete statement in file 40-30).

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

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1. IWANAKA, Y.
2. NAIHARA

Date Submitted

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JAPANESE WAR CRIMINALS

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CASE No. 63 J. *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Major Y. Iwanaka, Japanese Army. 2. Naihara, three star private, Japanese Army, nicknamed by prisoners "Air Raid".</p> <p>Both stationed at Cabanatuan No. 1 - Camp Farm, Philippine Islands in March 1944.</p>
<p>Date and place of commission of alleged crime.</p>	<p>March 1944. Cabanatuan No. 1 - Camp Farm, Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War. Breach of the Geneva Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

Beating of United States Prisoner of War.

Source: War Crimes Office, Washington. (Case No. 40-898).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0822

Victim was digging holes on the Camp Farm for the planting of cucumbers. The Japanese Farm supervisor had set a stake in the ground at the end of the row and had ordered the work detail to sight on the stick in order that they might keep their holes straight.

After victim had dug approximately ten holes, another supervisor ordered victim to measure a certain distance from the edge of the field. Since the edge of the field was crooked, this caused the rows to be crooked. When victim had completed approximately fifteen more holes, the first supervisor (accused, Naihara,) returned, and noticing the crooked row of holes, beat the victim with a pickhandle, severely bruising his arms and legs.

Victim: T/Sgt. Seth G. Bish - ASN 6566991.

PARTICULARS OF ALLEGED CRIME

0822

Victim was digging holes on the Camp Farm for the planting of cucumbers. The Japanese Farm supervisor had set a stake in the ground at the end of the row and had ordered the work detail to sight on the stick in order that they might keep their holes straight.

After victim had dug approximately ten holes, another supervisor ordered victim to measure a certain distance from the edge of the field. Since the edge of the field was crooked, this caused the rows to be crooked. When victim had completed approximately fifteen more holes, the first supervisor (accused, Naihara,) returned, and noticing the crooked row of holes, beat the victim with a pickhandle, severely bruising his arms and legs.

Victim: T/Sgt. Seth G. Bish - ASN 6566991.

PARTICULARS OF EVIDENCE IN SUPPORT

0823

WITNESS: Seth G. Bish, T/Sgt, 6566991

ADDRESS: 1802 Pine St., Olympia, Wash.
Signed and Sworn Statement.
Eyewitness account of the victim.

NOTES ON THE CASE

0824

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Sufficient evidence in this file to make out a prima facie case.

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OSAWA

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CASE No. 64 J. *

Name of accused, his rank and unit, or official position.

Captain Osawa, Japanese Army, stationed at Dansalan, Mindanao, Philippine Islands, June 1942.

(Not to be translated.)

Date and place of commission of alleged crime.

June 1942.
Dansalan, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoner of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Torture of a United States prisoner of war.

Source: War Crimes Office, Washington. (Case No. 46-97).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

When Major Wyatt surrendered the Japs wanted him to use his influence in persuading the natives to turn-in their arms and to cooperate with the Japanese.

When he refused to do this, he was subjected to treatment known as the "water cure". The Japs forced him to swallow two or three gallons of water then jumped on his stomach, forcing the water out. His finger nails were torn out and vinegar poured on the wounds.

Victim: Major Charles H. Wyatt.

PARTICULARS OF EVIDENCE IN SUPPORT

0828

WITNESS: Charles H. Wyatt.

ADDRESS: not stated.

Signed and sworn statement of victim.


NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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HASHIMOTO

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UNITED NATIONS WAR CRIMES COMMISSION

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CASE No. 65 J. *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>Lt. Hashimoto, Japanese Army, stationed at Lasang Airfield, Mindanao, Philippine Islands.</p>
<p>Date and place of commission of alleged crime.</p>	<p>Date not stated. Lasang Airfield, Mindanao, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War. Breach of the Geneva Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

Slapping of United States prisoners of war.

Source: War Crimes Office, Washington. (Case No. 46-112).

TRANSMITTED BY.....

*Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

The victims were slapped by Lt. Hashimoto for failure to complete a designated amount of work.

Victims: Major Robert B. Blakeslee, Captains Dudley and Mc Gowan.

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS: Robert B. Blakeslee, Major.

ADDRESS: Not stated.


NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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NICHIMURI (NISHIMURA)

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UNITED NATIONS WAR CRIMES COMMISSION

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CHARGES AGAINST

JAPANESE WAR CRIMINALS

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CASE No. 66 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

Lt. Nichimuri (Nishimura), Japanese Army, stationed at Davao Penal Colony, Mindanao, Philippine Islands in October 1942.

Date and place of commission of alleged crime.

October 1942.
Davao Penal Colony, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

Ill-treatment of Prisoners of War.
Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating of a United States prisoner of war.

Source: War Crimes Office, Washington. (Case No. 46-81).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

At a show-down inspection Nishimura found a flashlight in Private Rice's barracks bag and beat him with a knotted rope.

Victim: Private Rice.

PARTICULARS OF EVIDENCE IN SUPPORT

0838

WITNESS: Bill J. Lorton.

ADDRESS: not stated.

Signed and Sworn Statement.

The present address of the victim is unknown. His statement will be requested when this information is available.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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Date Submitted

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES	CHARGES AGAINST	JAPANESE WAR CRIMINALS
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CASE No. 67 J. *

Name of accused, his rank and unit, or official position. (Not to be translated.)	Lt. Hosime, Japanese Army, stationed at Davao Penal Colony, Mindanao, Philippine Islands, September or October 1943.
Date and place of commission of alleged crime.	September or October 1943. Davao Penal Colony, Mindanao, Philippine Islands.
Number and description of crime in war crimes list. References to relevant provisions of national law.	Ill-treatment of Prisoners of War. Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating and torture.

Source: War Crimes Office, Washington. (Case No. 46-80).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0842

The victims were beaten and summarily sentenced to be confined in the guardhouse for 3 days for talking while on a work detail. While in the guardhouse they were required alternately to kneel for one hour and stand for 15 minutes and were struck on the head with a rod.

Victims: Vincent Bailey (USN).
T/4 John Stymelaki.

PARTICULARS OF ALLEGED CRIME

0842

The victims were beaten and summarily sentenced to be confined in the guardhouse for 3 days for talking while on a work detail. While in the guardhouse they were required alternately to kneel for one hour and stand for 15 minutes and were struck on the head with a rod.

Victims: Vincent Bailey (USN).
T/4 John Stymelski.

PARTICULARS OF EVIDENCE IN SUPPORT

0843

WITNESS: John Stymelski.

ADDRESS: Not stated.

Signed and Sworn Statement.
Victim.

The present address of Vincent Bailey is not known. His statement will be requested when this information becomes available.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

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JAPANESE WAR CRIMINALS

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CASE No. 68 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

Major Maeda, Camp Commandant, Japanese Army, stationed at Davao Penal Colony, Camp No. 2, Mindanao, Philippine Islands in April 1943.

Date and place of commission of alleged crime.

April 1943.
Davao Penal Colony, Camp No. 2, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Collective Punishment.

Source: War Crimes Office, Washington. (Case No. 46-82).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

0847 ●

In April 1943 approximately ten men escaped from the camp. The camp commandant, Major Maeda, ordered a large group of prisoners put in the guardhouse in cramped quarters on reduced rations where they were mistreated.

The confinement lasted for a period of thirty days, during which time the ration consisted of rice and salt only.

Victims: Approximately 200 or more United States prisoners of war.

PARTICULARS OF EVIDENCE IN SUPPORT

0848

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

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WAR CRIMINALS

CASE No. 76 J. *

Name of accused, his rank and unit, or official position.

Sergeant Ocubo, Japanese Army. Stationed at Davao Penal Colony, Mindanao, Philippine Islands in October 1942.

(Not to be translated.)

Date and place of commission of alleged crime.

October 1942. Davao Penal Colony, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

United States prisoner of war struck in the face with a pistol.

Source: War Crimes Office, Washington. (Case No. 46-59.).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

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WAR CRIMINALS

CASE No. 76 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

Sergeant Ocubo, Japanese Army. Stationed at Davao Penal Colony, Mindanao, Philippine Islands in October 1942.

Date and place of commission of alleged crime.

October 1942.
Davao Penal Colony, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

United States prisoner of war struck in the face with a pistol.

Source: War Crimes Office, Washington. (Case No. 46-59.).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

While waiting to disembark at Davao, enroute to the camp, Colonel Robinson attempted to explain to Sergeant Ocubo that he wanted chow prepared for the men. Ocubo struck Robinson several times in the face with his pistol, covering his face with blood.

Victim: Colonel Robinson (Robertson).

PARTICULARS OF EVIDENCE IN SUPPORT

0853

WITNESSES:

1. T/3 Otis E. Radcliff
2. T/4 William T. Fredrick
3. T/3 Donald I Mc. Pherson.

ADDRESSES: Not stated.

Signed and Sworn Joint Statement.

The present address of the victim is not known. His statement will be requested when this information is known.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

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WAR CRIMINALS

CASE No. 77 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1) Major Maeda, Japanese Army, Commander.

2) Lt. Hashimoto (Hashumato), Japanese Army, nicknamed by prisoners "Caesar".

Both stationed at Davao Penal Colony, Mindanao, Philippine Islands in January 1944.

Date and place of commission of alleged crime.

January 1944.

Davao Penal Colony, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating and mistreatment of a United States prisoner of war.

Source: War Crimes Office, Washington. (Case No. 46-64).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Sergeant Fitzjohn worked in the food warehouse, at Davao, and hollowed out a place in his wooden shoes as a means of removing rice from the warehouse. While being searched, a Japanese guard discovered that he was taking rice by this means. Fitzjohn was kicked and severely beaten and placed in the guardhouse for ten days. Having a beard, he was forced to wear the wooden shoes tied to his beard during the time of his confinement.

Victim: Sergeant Fitzjohn.

PARTICULARS OF EVIDENCE IN SUPPORT

0858

WITNESSES:

1. NAME: Victor L. Mapes.

ADDRESS: St. Cloud, Florida.

Signed and Sworn Statement.

States that Fitzjohn was imprisoned for 15 days and received but two meals during that period, in addition to the beating.

2. NAME: Willard E. Hall.

ADDRESS: 1115 SW Columbia Ave., Portland, Oregon.

Signed and Sworn Statement.

States that Fitzjohn was continually beaten during 15 days confinement.

3. NAME: D.J. Olinger.

ADDRESS: 143 Steele St., Denver, Colorado.

Signed and Sworn Statement.

Supplies the name of accused. States that Fitzjohn was confined for 10 days.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The present location of the victim is unknown. When this is ascertained his statement will be requested.

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[Signature]

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0861

Registered Number.

Date of receipt in Secretariat.

P76/US/J/42

12 DEC 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CHARGES AGAINST

CASE No. 78 J. *

Name of accused, his rank and unit, or official position.

Major Maeda, Japanese Army, stationed at Davao Penal Colony, Mindanao, Philippine Islands, 28 December 1943.

(Not to be translated.)

Date and place of commission of alleged crime.

28 December 1943.
Davao Penal Colony, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Torture of United States prisoners of war.

Source: War Crimes Office, Washington. (Case No. 46-116).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0862

During an investigation of the escape of two men from the rice field the Japanese questioned three unidentified officers, tied them in chairs and placed their feet in buckets of water and applied electric current to the water for approximately one half-hour.

Victims: Three unidentified United States officers.

1871
PARTICULARS OF EVIDENCE IN SUPPORT

0863

WITNESS: Frank L. Schaf, Jr.

ADDRESS: 809 Harrison St., Shelbyville, Indiana.

S

Signed and Sworn Statement.

Eyewitness.

Names and addresses of the victims are unknown at the present time.
Their statements will be requested when this information is available.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

NOTES ON THE CASE

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(For the Use of the Secretariat)

0861

Registered Number.

Date of receipt in Secretariat.

P.76/US/J/42

12 DEC 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 78 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

Major Maida, Japanese Army, stationed at Davao Penal Colony, Mindanao, Philippine Islands, 28 December 1943.

Date and place of commission of alleged crime.

28 December 1943. Davao Penal Colony, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Torture of United States prisoners of war.

Source: War Crimes Office, Washington. (Case No. 46-116).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0862

During an investigation of the escape of two men from the rice field the Japanese questioned three unidentified officers, tied them in chairs and placed their feet in buckets of water and applied electric current to the water for approximately one half-hour.

Victims: Three unidentified United States officers.

PARTICULARS OF EVIDENCE IN SUPPORT

0863

WITNESS: Frank L. Schaf, Jr.

ADDRESS: 809 Harrison St., Shelbyville, Indiana.

S

Signed and Sworn Statement.

Eyewitness.

Names and addresses of the victims are unknown at the present time.
Their statements will be requested when this information is available.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P.77/US/J/43

0865

Date Submitted

Decision of Committee I

10 FEB 1945

A.

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P.77/US/J/43

P.77/US/J/43

0865

Date Submitted

Decision of Committee I

19 FEB 1945

A.

M...

P.77/US/J/43

(For the Use of the Secretariat)

0866

Registered Number.

Date of receipt in Secretariat.

P.77/US/J/43

12 DEC 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 79 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Maeda, Japanese Army.

2. Lt. Yuki, Japanese Army.

3. Mr. Nishimura, Japanese Civilian.

4. Dr. Yoshimura.

All stationed at Davao Penal Colony, Mindanao, Philippine Islands, 28 or 31 December 1943.

Date and place of commission of alleged crime.

28 or 31 December 1943.

Davao Penal Colony, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Torture of United States prisoners of War.

Source: War Crimes Office, Washington. (Case No. 46-110).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0867

At Christmas, 1943, the victims staged an entertainment for the prisoners. In appreciation the ranking United States officer gave them some alcoholic drinks. When the Japanese learned of this they stripped the men, forced them to kneel on hands and knees in water and then applied an electric current to their bodies in an effort to force them to tell where they had obtained the alcohol. This treatment continued from 7 a.m. until 11 p.m. During that time the men were forced to remain kneeling and were given no food or water.

Victims: Lt. Scott Gordon,
CPO Bridges,
Sgt. Frank Blaydes,
Sgt. William Biggs,
Sgt. Roy Hughes.

PARTICULARS OF ALLEGED CRIME

0867

At Christmas, 1943, the victims staged an entertainment for the prisoners. In appreciation the ranking United States officer gave them some alcoholic drinks. When the Japanese learned of this they stripped the men, forced them to kneel on hands and knees in water and then applied an electric current to their bodies in an effort to force them to tell where they had obtained the alcohol. This treatment continued from 7 a.m. until 11 p.m. During that time the men were forced to remain kneeling and were given no food or water.

Victims: Lt. Scott Gordon,
CPO Bridges,
Sgt. Frank Blaydes,
Sgt. William Biggs,
Sgt. Roy Hughes.

PARTICULARS OF EVIDENCE IN SUPPORT

0868

WITNESSES:

1. NAME: Joseph R. Stanford
ADDRESS: 124 Vernon Drive, Pittsburgh, Pa.

Signed and Sworn Statement.

States that the incident occurred 28 December 1943 and that the men were forced to kneel in tea while the current was applied.

2. NAME: Donald I. Mc. Pherson.
ADDRESS: 709 North 28th St., Lincoln, Nebraska.

Signed and Sworn Statement.

States the incident occurred on New Year's eve 1943-1944. States that the victims were made to stand in water while the electric current was applied and that they alternately stood and kneeled with their hands behind their necks.

PARTICULARS OF EVIDENCE IN SUPPORT

0868

WITNESSES:

1. NAME: Joseph R. Stanford
ADDRESS: 124 Vernon Drive, Pittsburgh, Pa.

Signed and Sworn Statement.

States that the incident occurred 28 December 1943 and that the men were forced to kneel in tea while the current was applied.

2. NAME: Donald I. Mc. Pherson.
ADDRESS: 709 North 28th St., Lincoln, Nebraska.

Signed and Sworn Statement.

States the incident occurred on New Year's eve 1943-1944. States that the victims were made to stand in water while the electric current was applied and that they alternately stood and kneeled with their hands behind their necks.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The present location of the victims is unknown. When this is ascertained their statements will be requested.

P.78/US/J/44

0870

Date Submitted

Decision of Committee I

19 DEC 1945 A

W. H. ...

P.78/US/J/44

P.78/US/J/44

0870

Date Submitted	Decision of Committee I	<i>Other</i>
18 DEC 1945 A		

P.78/US/J/44

(For the Use of the Secretariat)

0871

Registered Number.

Date of receipt in Secretariat.

P 78/US/J/44

2 DEC 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 80 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

Nishimura, Japanese Army, nicknamed by prisoners "Simon Legree",
stationed at Davao Penal Colony, Mindanao, Philippine Islands,
7 November 1942.

Date and place of commission of alleged crime.

7 November 1942.
Davao Penal Colony, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Whipping.

Source: War Crimes Office, Washington. (Case No. 46-73).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0872

When 1000 prisoners arrived at Davao from Cabanatuan, Nishimura stood on the road as they came into camp and whipped them with a whip as they passed by.

Victims: Approximately 1000 prisoners of war.

PARTICULARS OF EVIDENCE IN SUPPORT

0873

WITNESS: Willard E. Hall.

ADDRESS: 1115 SW Columbia Ave., Portland, Oregon.

Signed and Sworn Statement. States facts as given above.

PARTICULARS OF EVIDENCE IN SUPPORT

0873

WITNESS: Willard E. Hall.

ADDRESS: 1115 SW Columbia Ave., Portland, Oregon.

Signed and Sworn Statement. States facts as given above.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

P.79/US/J/45

0875

Date Submitted Decision of Committee I

9 DEC 1945 A

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P.79/US/J/45

(For the Use of the Secretariat)

0876

Registered Number.

Date of receipt in Secretariat.

P 79/US/J/45

12 DEC 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES	CHARGES AGAINST	JAPANESE WAR CRIMINALS
CHARGES AGAINST	CHARGES AGAINST	WAR CRIMINALS

CASE No. 83 J *

Name of accused, his rank and unit, or official position.

Sergeant Kuba, Japanese Army, stationed at Davao Penal Colony, Mindanao, Philippine Islands, 24 December 1943.

(Not to be translated.)

Date and place of commission of alleged crime.

24 December 1943.
Davao Penal Colony, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating of a United States Prisoner of War.

Source: War Crimes Office, Washington. (Case No. 46-57).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Captain Morrett received two blows on the face while walking across the bridge to the chapel. The blows were evidently struck to warn him that he should not have been in that area.

Victim: Captain John J. Morrett.

PARTICULARS OF EVIDENCE IN SUPPORT

0878

WITNESS: John J. Morrett.

ADDRESS: Not stated.

Signed and Sworn Statement of Victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P. 80/US/J/46

0880

Date Submitted

Decision of Committee I

7 DEC 1945

Vote on H.

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P. 80/US/J/46

(For the Use of the Secretariat)

Registered Number.

Date of receipt in Secretariat. **0881**

P.80/US/J/46

12 DEC 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 90 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1) Major Maida, Japanese Army, Commander

2) Lt. Hashimoto, Japanese Army.

Both stationed at Davao Penal Colony, Mindanao, Philippine Islands, Early 1944.

Date and place of commission of alleged crime.

Early 1944.

Davao Penal Colony, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating and kicking prisoners of war.

Source: War Crimes Office, Washington. (Case No. 46-25).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

In the early part of 1944, Lt. Lester Thornton was severely beaten about the head by Lt. Hashimoto for failure, due to a malaria attack, to join his formation. He was kicked, knocked to the ground, and stamped on.

Victim: Lt. Lester Thornton.

PARTICULARS OF EVIDENCE IN SUPPORT

0883

WITNESSES:

1. NAME: Andrew T. Buckovinsky

ADDRESS: 687 Somerset Street, New Brunswick, N.J.

Signed and Sworn Statement.
Eyewitness. Does not specify the date.

2. NAME: John Mc Gee

ADDRESS: Minot, North Dakota.

Signed and Sworn Statement.
States that the incident occurred "in early 1944."

NOTES ON THE CASE

0884 ●

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The present location of the victim is not known. When this is ascertained his statement will be requested.

P.81/US/J/47

0885

Date Submitted

Decision of Committee I

9 DEC 1945 A.

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P.81/US/J/47

(For the Use of the Secretariat)

0886

Registered Number.

Date of receipt in Secretariat.

P81/US/J/47

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 92 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

Corporal Okuba, Japanese Army, stationed at Davao Penal Colony, Mindanao, Philippine Islands, 10 November 1942.

Date and place of commission of alleged crime.

10 November 1942.
Davao Penal Colony, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating.

Source: War Crimes Office, Washington. (Case No. 46-24).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A.&E.W.Ltd. Gp.685

PARTICULARS OF ALLEGED CRIME

On 10 November 1942 Sergeant Schrock was struck on the nose by Corporal Okuba, causing a nose-bleed for about two days.

Victim: Sergeant Schrock.

PARTICULARS OF EVIDENCE IN SUPPORT

0888

WITNESS:

NAME:

Andrew T. Buckovinsky.

ADDRESS:

687 Somerset St., New Brunswick, N.J.

Signed and Sworn Statement.

The present address of the victim is not known. When this becomes available his statement will be requested,

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P.82/US/J/48

0890

Date Submitted Decision of Committee I

19 DEC 1945

Both A.

M. Lee

P.82/US/J/48

(For the Use of the Secretariat)

0891

Registered Number.

Date of receipt in Secretariat.

P.82/US/J/48

12 DEC 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 93 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1) Tanaka, Japanese Army.

2) Hosime, Japanese Army.

Both stationed at Davao Penal Colony, Mindanao, Philippine Islands, May 1944.

Date and place of commission of alleged crime.

May 1944.

Davao Penal Colony, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article. 2.

SHORT STATEMENT OF FACTS.

Beating of a United States prisoner of war.

Source: War Crimes Office, Washington. (Case No. 46-45).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A.&E.W.Ltd. Gp.685

PARTICULARS OF ALLEGED CRIME

0892

Because he evidently disobeyed an order Private Kaplan was beaten, clubbed, and kicked for 15 or 20 minutes.

Victim: Private Kaplan.

PARTICULARS OF EVIDENCE IN SUPPORT

0893

WITNESS:

NAME:

Cpl. Michael Pulice.

ADDRESS:

712 N. Guadalupe St., Carlsbad, N.M.

Signed and Sworn Statement.

Eyewitness.

The present address of the victim is unknown. His statement will be requested when this information is known.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P.83/US/J/49

0895

Date Submitted Decision of Committee I

9 DEC 1945

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P.83/US/J/49

(For the Use of the Secretariat)

0896

Registered Number.

Date of receipt in Secretariat.

P 83/US/J/49

12 JEC 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 94 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1) Major Maeda, Japanese Army. Commander.

2) Hosema (Hozuma), Japanese Army.

3) Tanaka, Japanese Army.

All stationed at Matina Airfield, Davao, Mindanao, Philippine Islands, August 1944.

Date and place of commission of alleged crime.

August 1944.

Matina Airfield, Davao, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating and clubbing of two United States prisoners of war.

Source: War Crimes Office, Washington. (Case No. 46-46).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

In August 1944, Sgt. Parker and Cpl. Dale were severely beaten and clubbed for heating food in their barracks.

Victims: Sergeant Buster Parker, US Army.
Corporal Billy Dale, US Army.

WITNESSES:

1. NAME: Michael Pulice...
ADDRESS: 712 N. Guadalupe St.
Carlsbad, New Mexico.

Signed and Sworn Statement .
Eyewitness.

2. NAME: Donald F. Gillin.
ADDRESS: Not stated.

Signed and Sworn Statement.
States that an unidentified Japanese marine also participated in the
beating.

3. NAME: Marcus N. Simkins.
ADDRESS: Not stated.

Corroborates the above witnesses.

4. NAME: Emery A. Motsinger.
ADDRESS: Box 444, Webb City, Missouri.

Signed and Sworn Statement.
Eyewitness.
Believes Corp. Dale died in the sinking of a Japanese prisoner ship
off Liloy Point, Mindanao, 7 Sept. 1944.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Victim Corporal Dale is believed to have died in the sinking of a Japanese prisoner ship off Lily Point, Mindanao, 7 September 1944. Interrogation of Sgt. Parker has been requested. His statement has not yet been received.

NOTES ON THE CASE

0899

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Victim Corporal Dale is believed to have died in the sinking of a Japanese prisoner ship off Lily Point, Mindanao, 7 September 1944.

Interrogation of Sgt. Parker has been requested. His statement has not yet been received.

P.84/US/J/50

0900

Date Submitted Decision of Committee I

19 DEC 1945

both A.

[Signature]

P.84/US/J/50

P.84/US/J/50

0900

Date Submitted Decision of Committee I

19 DEC 1945

both A.

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P.84/US/J/50

(For the Use of the Secretariat)

0901

Registered Number.

Date of receipt in Secretariat.

P.84/US/J/50

12 JUL 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS

CHARGES AGAINST WAR CRIMINALS

CASE No. 95 J. *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1 Major Maeda, Japanese Army, Commander.</p> <p>2 Lt. Hashimoto, Japanese Army.</p> <p>Both stationed at Davao Penal Colony, Mindanao, Philippine Islands, May 1943.</p>
<p>Date and place of commission of alleged crime.</p>	<p>May 1943.</p> <p>Davao Penal Colony, Mindanao, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War.</p> <p>Breach of the Geneva Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

Torture of United States prisoners of War.

Source: War Crimes Office, Washington. (Case No. 46-126).

TRANSMITTED BY _____

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.
(29855) Wt.P.252/4 5,000 5/45 A. & E.W.Ltd. Gp.685

PARTICULARS OF ALLEGED CRIME

0902

Lt. Hashimoto discovered a pair of tin snips in the barracks and ordered a formation of all prisoners, nude. Lighted cigarettes were then applied to the penis of practically every man, the guards holding bayonets to each man as he was burned.

Victims: William E. Biddle and approximately 650 other prisoners of war.

PARTICULARS OF EVIDENCE IN SUPPORT

0903

WITNESS:

NAME:

William E. Biddle.

ADDRESS:

Box 104, Mediapolis, Iowa.

Signed and Sworn Statement.

A victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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P.85/US/J/51

0905

Date Submitted

Decision of Committee I

9 DEC 1945

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1, 3, 4, 5 on C.

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P.85/US/J/51

(For the Use of the Secretariat)

0906

Registered Number.

Date of receipt in Secretariat.

P.85/US/J/51

12 DEC 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 98 J. *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>COMMANDER (or higher authorities responsible, if any)</p> <p>1) Major Takasaki, Japanese Army.</p> <p>2) Major Maeda, Japanese Army.</p> <p>3) Captain Hotsumi, Japanese Army.</p> <p>4) Lt. Uki, Japanese Army.</p> <p>5) Lt. Hoshime, Japanese Army.</p> <p>6) Superior Private Osenaga, Japanese Army, nicknamed by prisoners "Liver Lip".</p> <p>All stationed at Davao Penal Colony, Mindanao, Philippine Islands, March 1943.</p>
<p>Date and place of commission of alleged crime.</p>	<p>March 1943.</p> <p>Davao Penal Colony, Mindanao, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Murder.</p> <p>Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

Murder of a United States Prisoner of War.

Source: War Crimes Office, Washington. (Case No. 46-16).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Sergeant Mc Fee was digging camotes outside the camp fence with another prisoner of war. Both men had permission to dig camotes at that place. Mc Fee called to another man inside the fence to throw him a canteen, which he did. The guard called to Mc Fee, who exhibited the canteen to him. The guard thereupon shot and killed Mc Fee. The excuse for the shooting, as given by the camp commandant, was that Mc Fee was attempting to escape.

Victim: Sergeant John Mc Fee (Mc Phee), Medical Corps.

X i.e the accused No. 6.

WITNESSES:

PARTICULARS OF EVIDENCE IN SUPPORT

1. Joseph E. Lamkin ADDRESS: 3548 N. Trenton Ave., Portland, (Ore.)
Signed and Sworn Statement. Eyewitness. States that Mc Fee had per- mission to be outside the compound.
 2. John Mc Gee, Col.
 3. Harry O. Fischer, Lt. Col., 0260832.
 4. M. L. Schoss, Capt., 022937
 5. Edward Tresniewski, 1st Lt., 0890334
 6. Harry Skinner, 1st Lt., 0890440.
 7. Theodore L. Pflueger, Capt., 0372888
 8. James K. Vann, Lt., 0890264
 9. Paul S. Snowden, 2nd Lt., 0890512
 10. William P. Cain, Capt., 0310076.
- Joint statement, signed and sworn. Addresses of witnesses not given. Major Maeda identified as camp commandant at the time of the incident.
11. Mark M. Wohlfeld, address not stated. States that the commandant claimed that Mc Fee was attempting to escape.
 12. S. M. Mellnick, address not stated.
 13. George W. Cane, Jr. ADDRESS: 1200 Van Buren St, SW, Atlanta, (Georgia.)
Signed and Sworn Statement. Not an eyewitness, but heard the shots and investigated.
 14. Gilbert L. Jackson. ADDRESS: 800 Colvin, Ft. Worth, Texas.
Signed and Sworn Statement. Was with Mc Fee at the time of the shooting. States they bribed the guard to be allowed outside the fence, that Mc Fee was shot after a conversation with the guard and while saluting the guard.
 15. James A. Pittman. ADDRESS: PO Box 322, Dublin, Texas.
Signed and Sworn Statement. Hearsay.
 16. Joseph R. Stanford. ADDRESS: 124 Vernon Drive, Pittsburgh, Pa.
Signed and Sworn Statement. Eyewitness. Names the responsible Japanese guard. States that the shooting was without provocation and that Mc Fee was within the permitted area.
 17. Charles H. Wyatt. Address not stated. States that Mc Fee had permission to be outside the fence and that he was shot without cause.
 18. Robert B. Blakeslee. Address not stated.
 19. Raymond H. Knapp. ADDRESS: 259 Geneseo Rd., San Antonio, Texas.
Signed and Sworn Statement. States that Mc Fee was detailed to work outside the fence and that he was shot by the guard when he called to another prisoner to throw a canteen of water over the fence to him.
 20. Donald J. Granz. ADDRESS: 270 Howard St., Fresno, Calif.
Signed and Sworn Statement. Corroborates the above witnesses in regard to the asking for the canteen.
 21. Frank L. Schaf, Jr. ADDRESS: 809 Harrison St., Shelbyville, Indiana.
Signed and Sworn Statement. Eyewitness. States that Mc Fee was shot, after the canteen had been thrown to him and while he was showing the canteen to the guard.
 22. Marcus N. Simkins. ADDRESS: 298 N. Central, San Bernardino, Calif.
Signed and Sworn Statement. Hearsay. Corroborates above witness.
 23. Julius B. Farrell. ADDRESS: 409bs Ochoa St., Ex Paso, Texas.
Signed and Sworn Statement. States that Mc Fee had a pass to be outside the fence, that he exhibited the pass and the guard shot him 3 or 4 times. Does not mention the throwing of the canteen. An eyewitness.
 24. Willard L. Haskell, Jr. ADDRESS: 11 Chachapacasset Rd, Barrington, R. I.
Signed and Sworn Statement. Eyewitness. States Mc Fee was shot after the canteen had been thrown to him and while he was placing it in his canteen holder.
 25. Lawrence Tipton. ADDRESS: 1310 E. Herman Ave., Dayton, Ohio.
Signed and Sworn Statement. Eyewitness. Corroborates the above witness.
 26. William J. Garleb. ADDRESS: 6408 Chippewa, St. Louis, Mo.
Signed and Sworn Statement. Hearsay.
 27. Quentin P. De Vere. Address not stated. Signed and Sworn Statement. Corroboration.
 28. Ralph H. Person. ADDRESS: 5605 30th Ave., NW Seattle, Wash.
Hearsay.
 29. Eugene Gibson. ADDRESS: 2006 Mc Kee St., Houston, Texas.
Signed and Sworn Statement. States that Mc Fee had been detailed to work outside the fence and was shot three times after having received the canteen. Was standing about 50 feet from the scene and saw no evidence that Mc Fee was attempting to escape.

NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Statements of the witnesses are not in agreement as to the incidental details occurring before Mc Fee was shot, but all agree that he was not attempting to escape and that he was shot without provocation.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

Statements of the witnesses are not in agreement as to the incidental details occurring before Mc Fee was shot, but all agree that he was not attempting to escape and that he was shot without provocation.

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Date Submitted

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 81 J. *

Name of accused, his rank and unit, or official position.

Lt. Hashimoto, Japanese Army, stationed at Lasang Airfield, Mindanao, Philippine Islands.

(Not to be translated.)

Date and place of commission of alleged crime.

Date not stated.
Lasang Airfield, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating of a United States prisoner of war.

Source: War Crimes Office, Washington. (Case No. 46-111).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

An unidentified sergeant was hit, thrown to the ground, and kicked by Lt. Hashimoto for having a green banana in his pocket.

Victim: Unidentified United States enlisted man.

PARTICULARS OF EVIDENCE IN SUPPORT

0913

WITNESS: Robert B. Blakeslee.

ADDRESS: Not stated.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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UNITED NATIONS WAR CRIMES COMMISSION

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CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

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CASE No. 82 J. *

Name of accused, his rank and unit, or official position.

Hozuma, Japanese Army, stationed at Matina Airfield, Davao, Mindanao, Philippine Islands in July 1944.

(Not to be translated.)

Date and place of commission of alleged crime.

July 1944.
Matina Airfield, Davao, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating of a United States prisoner of war.

Source: War Crimes Office, Washington. (Case No. 46-128).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Pinks asked Hozuma for permission to gather firewood. After accusing Pinks of using too much wood, Hozuma picked up a stick and beat him, causing welts on his body from the knees to the ribs and across the back.

Victim: Private Glenn Pinks.

PARTICULARS OF EVIDENCE IN SUPPORT

0918

WITNESS: Marcus N. Simkins.

ADDRESS: Not stated.

Signed and Sworn Statement.

Eyewitness.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

The victim is believed to have died in the sinking of a Japanese prisoner ship off Liloy Point, Mindanao, on 7 September 1944.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The victim is believed to have died in the sinking of a Japanese prisoner ship off Liloy Point, Mindanao, on 7 September 1944.

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 85 J. *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1) Lt. Hosimoto (Hashimoto), Japanese Army, nicknamed by prisoners "Little Caesar".</p> <p>2) Okamoto, Three Star Private, Japanese Army.</p> <p>Both stationed at Lasang Airfield, Davao Province, Mindanao, Philippine Islands. July 1944.</p>
<p>Date and place of commission of alleged crime.</p>	<p>July 1944.</p> <p>Lasang Airfield, Davao Province, Mindanao, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War.</p> <p>Breach of the Geneva Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

Torture and unlawful punishment of United States prisoners of war.

Source; War Crimes Office, Washington. (Case No. 46 - 8).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0922

A detail of 10 men and one officer was sent to a warehouse to draw rations. It was the custom of the Japanese to place attractive articles near the prisoners and then punish those who took them. On this occasion Rebouche took some candy, and Mc Cowskey took a pair of tinsnips. When these articles were found by the Japanese, Rebouche admitted that he took the candy; he was then hit on the head with a club. No one admitted taking the tinsnips. Okamoto loaded his rifle and threatenend to kill all unless a confession was had. Lt. Hashimoto then made Rebouche and Captain Wetzel kneel, holding a 2 x 4 overhead for 10 or 15 minutes until Mc Cowskey confessed that he took the tinsnips. Mc Cowskey was given 20 days in the guardhouse on one meal a day. When he was released his feet were badly swollen.

Victims: Captain Wetzel.
John Mc Cowskey.
Rebouche.

PARTICULARS OF EVIDENCE IN SUPPORT

0923

WITNESS: Isaac B. Hagins.

Signed and Sworn Statement.

Was a member of the detail and an eyewitness.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Magazine article, Document No. 7, states that Mc Cowsky ("Jim") did not steal the tinsnips but took them for the purpose of repairing a stove and that he was severely beaten by Hasimoto and after a mock trial was sentenced to confinement for 21 days during which time he was periodically beaten, mistreated, and starved.

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 87 J. *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>Lt. Hashimoto, Japanese Army, stationed at Lasang Airfield, Davao Province, Mindanao, Philippine Islands, July 1944.</p>
<p>Date and place of commission of alleged crime.</p>	<p>July 1944. Lasang Airfield, Davao Province, Mindanao, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War.</p> <p>Breach of the Geneva Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

Beating of United States officer prisoner of war.

Source: War Crimes Office, Washington. (Case No. 46-6).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Lt. Fleming carried a piece of sugar cane into the camp compound. For bringing the cane into the camp, Lt. Hashimoto beat him with his fists, kicked him, and struck him on the head with the flat side of his sword and dislocated his arm.

Victims: Lt. Clyde Fleming, United States prisoner of war.

PARTICULARS OF EVIDENCE IN SUPPORT

0928

WITNESSES:

1. NAMES: Bert Schwarz.
Signed and Sworn Statement.
States that Fleming had been handed the sugar cane to carry into the compound by a Japanese guard.

2. John J. Morret
3. Otis E. Radcliff
4. John Stymelski
5. William T. Fredrick
6. Donald I Mc Pherson
7. Calvin E. Latham
8. Cletis O. Overton

Signed and Sworn Joint Statement by the above witnesses.
Eyewitnesses.
Witnessed the beating and state that Fleming was given the sugar cane by one of the guards inside the compound.

9. Victor L. Mapes:
Signed and Sworn Statement. States Fleming was beaten for about 15 minutes.

10. Willard E. Hall.
Signed and Sworn Statement. Corroborated above witnesses.

11. William S. Horabin
12. Ray E. Billik
13. Lewis A. Moore
14. James R. Greene
15. Bill J. Lorton
16. Isaac B. Hagins

Signed and Sworn joint Statement by the above witnesses. Cumulative and corroborative of the above.

17. Harry J. Skinner
18. M. L. Shoss
19. Harry O. Fisher
20. Paul S. Snowden
21. Wm. P. Cain

Signed and Sworn joint Statement by the above witnesses. Corroborates statements of the other witnesses.

22. Robert B. Blakeslee; Extract. Original Statement in 46-47.

23. Donald J. Granz.
Signed and Sworn Statement.

24. George R. Robinett
Signed and Sworn Statement.

25. Felix C. Sharp, Jr.
Signed and Sworn Statement.

26. James F. Mc Comas
Signed and Sworn Statement.
Eyewitness.

The witnesses, Nos. 22 - 26, corroborate the statements of the other witnesses, stating that Fleming was severely beaten and kicked for having contraband in his possession.

NOTES ON THE CASE

0929

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The available evidence presents a clear case of an unwarranted and unlawful beating.

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UNITED NATIONS WAR CRIMES COMMISSION

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CHARGES AGAINST

JAPANESE WAR CRIMINALS
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CASE No. 88 J. *

Name of accused, his rank and unit, or official position.

Lt. Hashimoto, Japanese Army, stationed at Lasang Airfield, Davao Province, Mindanao, Philippine Islands, 10 March 1944.

(Not to be translated.)

Date and place of commission of alleged crime.

10 March 1944.
Lasang Airfield, Davao Province, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

United States officer prisoner of war beaten with wooden club.

Source: War Crimes Office, Washington. (Case No. 46-7).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

Lt. Hashimoto was talking to a group of United States prisoners of war. Lt. Haile, a member of the group, turned his head to look at planes landing or taking off at the time. Lt. Hashimoto called Haile out of the group and beat him severely with a wooden club.

Victim: Lt. Scott Haile, CAC.

500

PARTICULARS OF EVIDENCE IN SUPPORT

0933

WITNESSES:

NAMES:

1. Bert Schwarz.

Signed and Sworn Statement.

States that Haile turned his head to watch planes while Hashimoto addressed the group; that Hashimoto struck him severely with a wooden club across the front of his left shoulder.

2. Harry O. Fisher
3. Theodore L. Pflueger
4. Harry J. Skinner
5. James K. Vann
6. Edward S. Tresniewski

Joint Statement, signed and sworn. Corroborates the witness above.

7. Cecil H. Mc Clure
8. William S. Horabin
9. Lewis A. Moore
10. James R. Greene

Joint statement, signed and sworn. States same facts as above witnesses.

11. Joseph E. Lamkin:

Signed and Sworn Statement.

States that Hashimoto called Haile out in front of the group and drew his sword, that the guards took the sword from him and that Hashimoto then beat Haile with his fists and kicked him.

12. John J. Morrett
13. Otis E. Radcliff
14. William T. Frederick
15. Donald I Mc Pherson
16. Cletis O. Overton

Joint statement, signed and sworn.

States beating was with a wooden club.

17. Robert B. Blakeslee: Extract. Original statement in 46-47.

States that Haile was beaten apparently for inattention to Hashimoto's speech.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Testimony shows this to be a case of unwarranted and unlawful beating.

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12 JUL 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

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WAR CRIMINALS

CASE No. 91 J *

Name of accused, his rank and unit, or official position.

Lt. Hashimoto, Japanese Army, stationed at Lasang Airfield, Davao Province, Mindanao, Philippine Islands. July 1944.

(Not to be translated.)

Date and place of commission of alleged crime.

July 1944.
Davao Province, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating and kicking; forcing prisoner of war to stand in the sun all day.

Source: War Crimes Office, Washington. (Case No. 46-10)

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Lt. Hashimoto issued orders that prisoners of war were not to have reading material in their quarters. The guards caught Lt. Bradshaw, Pvt. Stahl, and another enlisted man reading the 31st Infantry Journal.

Lt. Bradshaw and the unnamed enlisted man were beaten and kicked by Lt. Hashimoto for disobeying the order, and Private Stahl was forced to stand at attention all day in the sun.

Victims: Lt. Bradshaw,
Pvt. Robert Stahl and
an Unidentified enlisted man.

PARTICULARS OF EVIDENCE IN SUPPORT

0938

WITNESSES:

1. NAME: Victor L. Mapes

Signed and Sworn Statement.

States that Lt. Hashimoto is responsible for the punishment inflicted.

2. NAME: Willard E. Hall.

Signed and Sworn Statement.

Not an eyewitness.

Says that he did not see the beating, but understood Hashimoto did it.

NOTES ON THE CASE

0939

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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UNITED NATIONS WAR CRIMES COMMISSION

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CHARGES AGAINST
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JAPANESE WAR CRIMINALS

WAR CRIMINALS

CASE No. 97 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1) Major Takasaki, Japanese Army, Commander.
- 2) Lt. Hosida, Japanese Army, nicknamed by prisoners "Bubble Nose".
- 3) Lt. Hashimoto, Japanese Army.
- 4) Mr. Nishimuro, interpreter.

All stationed at Lasang Airfield, Mindanao, Philippine Islands, July 1944.

Date and place of commission of alleged crime.

July 1944.
Lasang Airfield, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Torture and group punishment.

Source: War Crimes Office, Washington. (Case No. 46-5).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0942

While working on the Lasang Airfield, one work detail was slow in finishing its assigned work. As punishment and to set an example for the others, the entire detail of men was required to kneel in an erect position on the sharp edge of an up-turned railroad rail for nearly one half-hour exposed to the sun. As a result of this, legs and knees were severely out. Men of all the details, including those who had been forced to kneel on the rail, were later that day forced to run barefooted over coral and rough ground nearly 2 kms. to the compound.

Victims: Approximately 50 United States Prisoners of War.

PARTICULARS OF EVIDENCE IN SUPPORT

0943

WITNESSES:

1. Cecil E. McClure, T/Sgt, 6288045
2. William S. Horabin, T/4, 20842353
3. Ray E. Billick, T/3, 6913614
4. Lewis A. Moore, T/5, 6967765
5. James R. Greene, T/3, 19045769
6. Bill J. Lorton, T/4, 6574554

Addresses of all above witnesses are listed in front of folder of "Affidavits Liloy Sinking, JAG 1-100".

All above witnesses signed a joint sworn statement.

7. John J. Morrett, Capt, FA
8. Otis E. Radcliffe, T/3, 6897340
9. John Stymelski, T/4, 6832358
10. William T. Frederick, T/4, 19056741
11. Donald I. McPherson, T/3, 6932512
12. Jesse Bier, T/3, 11017163
13. Calvin E. Latham, T/4, 19013454
14. Cletis O. Overton, T/5, 17010094

Addresses all above witnesses (7-14) are listed in front of folder of "Affidavits Liloy Sinking, JAG 1-100".

All above witnesses (7-14) signed a joint statement.

15. Harry O. Fischer, Lt Col
16. Morris L. Shoss, Capt.
17. Harry L. Skinner, 1st Lt.
18. Theodore L. Pflueger, Capt.
19. James K. Vann, Lt.
20. Paul S. Snowden, 2nd Lt.
21. William P. Cain, Capt.
22. Edward S. Tresniewski, 1st Lt.

Addresses of all above witnesses (15-22) are listed in front of folder of "Affidavits Liloy Sinking", JAG 1-100".

All above witnesses (15-22) signed a joint sworn statement.

Statement merely states witnesses saw PW's forced to kneel for "varying periods" (more than one occasion implied that this offense occurred).

23. Victor L. Mapes, S/Sgt. 6669165
24. Willard L. Hall, Cpl. 20935151

Signed and Sworn Statement (23,24).

Witness (24) states he was one of the persons who was made to kneel on the rail. Statements of other witnesses do not indicate that any of them signing were themselves victims of the kneeling (though possibly some were). All, however, had to run over the coral.

25. Robert B. Blakeslee, Major.
Names Maj. Takesaki as Camp C.O.
26. Donald J. Granz, ADDRESS: 270 Howard St., Fresno, California.
Signed and Sworn Statement. Eyewitness.
27. Jack M. Donohoe, ADDRESS: 779 W. 5th St., Reno, Nevada.
Signed and Sworn Statement.
States number of victims to be 20 to 25 POW. Identifies (Bubble Nose) as being in charge of the detail and responsible for the incident.
28. William E. Biddle.
Original Statement in 46-47. States that the Lt. Hashimoto ("Little Caesar") is responsible and that "Bubble Nose Maru" assisted Hashimoto.
29. Wm C. Chenowith.
Original Statement in 40-6. Witnessed condition of the victims after the incident.
30. Wm J. Garleb.
Signed and Sworn Statement. States that this type of punishment was not a regular practice. Places date "around in April 1944".
31. Ralph H. Person.
Signed and Sworn Statement. Hearsay. States that approximately 30 prisoners were tortured in this manner.
32. Felix C. Sharp, Jr..
Signed and Sworn Statement. Corroborates above witnesses and states that this form of torture occurred on numbers of occasions.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

Witnesses are not in agreement as to the exact number of men punished and exact date, however a prima facie case of mass punishment and torture is made out.

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0945

Date Submitted	Decision of Committee I
19 DEC 1945	<i>Adjourned</i> <i>later:</i>
9 DEC 1945	<i>1, 2, 3 on A.</i>

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(For the Use of the Secretariat)

0946

Registered Number.

Date of receipt in Secretariat.

P.93/US/J/59

12 JUL 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 84 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

Japanese Soldiers, Names unknown, nicknamed by prisoners

1) "Laughing Boy"

2) "Smiley"

3) "Beetle Brain" *(also known as)* and/or "Donald Duck".

All stationed at Cabanatuan No.1, Philippine Islands.

Sometime during 1944 - Given variously as February, August or September.

Date and place of commission of alleged crime.

Sometime during 1944 - Given variously as February, August or September.

Cabanatuan No. 1, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating of Capt. Arthur Wermuth for protesting to Japanese Guards concerning their treatment of United States Prisoners of War.

Source: War Crimes Office, Washington. (Case No. 40-107).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Victim was in charge of a work detail on the Prison Farm. The detail was ordered to move a manure pile by hand, using litters. The entire personnel of this detail were half-starved and many were suffering so badly from dysentery that they fell under their loads and could not carry on. Victim either demanded that the loads be lightened or was charged with the responsibility for the failure to perform this work detail. He was badly beaten by the Japanese guards and had to be hospitalized.

Capt. Wermuth was later removed to a prison camp in China.

Victim: Capt. Arthur Wermuth.

PARTICULARS OF EVIDENCE IN SUPPORT

0948

WITNESSES:

1. Name: Pfc. Louis C. Zelis ADDRESS: Chicago.
Statement: Newspaper Item - New York Herald-Tribune of 14 March 1945.
Witness was a member of victims work detail and evidently an eyewitness. States that some of the detail were "insane with disease", and that victim knowing the condition of his men, demanded of the Japanese officer that his men be treated decently. States further that this Japanese officer thereupon used judo on the victim, throwing him to the ground. The guard thereupon used their hob-nailed boots on the victim. Victim was hospitalized for some time.
2. NAME: Pfc. Zelis (formerly Tank corpsman) ADDRESS: Chicago.
Statement: Newspaper Item - Washington Daily News - 14 March 1945.
See above - same statement.
3. NAME: William D. Gibson, 1st Lt., O-890565
Signed and Sworn Statement.
Places date of occurrence in August or September 1944. Says victim was hospitalized for about a week, because he was beaten with a club.
4. NAME: John V. Vaughan, Cpl., 14050713 ADDRESS: Oxford, No. Car.
Signed and Sworn Statement.
States that this incident took place in February 1944. Was an eyewitness. States that victim was beaten in the small of his back with a pick handle; that he did not fall, but had a hard time remaining in a standing position. However, witness states he was about 100 yards from where the beating took place at the time. Says accused had 3 bars "about the size of the Presidential Unit Citation" on his pocket.
5. NAME: Abraham Richstein, Sgt., 11007737
Signed and Sworn Statement.
Confirms the beating. Shows Japanese policy of all guards carrying clubs approximately 4 feet long which were used "unsparingly" on United States Prisoners of War. Facts entirely hearsay.
6. NAME: Isidore Oppenheim, T/Sgt., R323537 ADDRESS: 314 Sixth Ave., Newark, N.J.
Signed and Sworn Statement.
Eyewitness. Confirms witness Zelis as to essential facts.
7. NAME: Matt D. Dobunic, Maj.
Signed and Sworn Statement.
Says Captain Wermuth told him (witness) of beatings received from the Japanese guard called "Laughing Boy".

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Sufficient testimony in file to make out a prima facie case.

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Date Submitted Decision of Committee I

19 DEC 1945

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Date of receipt in Secretariat.

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12 JEC 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 86 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1) Major Tagasaki, Japanese Army, Commander. (Japanese C.O. of Cabanatuan No. 1, Philippine Islands - who delivered victims to Japanese Military Police Headquarters in City of Cabanatuan and kept them in the guardhouse at No. 1 in solitary confinement.)

2) 1st. Lt. Shizu Minatoya, Unit C.O., Japanese Army, Cabanatuan Section, M.P. Unit Detachment of 14th Army.

Both stationed at Cabanatuan, Luzon, Philippine Islands, May to August 1944.

Date and place of commission of alleged crime.

May to August 1944.
Military Police Headquarters, City of Cabanatuan, Luzon, Philippine Islands, and Cabanatuan POW Camp No. 1.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Torture and solitary confinement of United States Officers and enlisted Prisoners of War for approximately 108 days.

Source: War Crimes Office, Washington. (Case No. 40-228).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Fourteen United States Prisoners of War personnel and three civilians (United States?) were taken into custody for smuggling food, money, letters, and supplies into camp. Col. Oliver admits this was true. The victims were interrogated by Japanese officers through a civilian interpreter at the M.P. Headquarters in the City of Cabanatuan. Lt. Col. Schwartz was beaten severely at least once and Col. Oliver three times the first day. M/Sgt Patrick was beaten severely at least eight times during his interrogation between 10th and 24th of May, 1944. All personnel were threatened with execution. After several days at M.P. Headquarters, the victims were returned to Cabanatuan No 1 and tied up in front of a Japanese guardhouse for several days. Then they were kept in another guardhouse near the main gate in solitary confinement until their release in August 1944.

Col. Oliver states that Burns (Byrne), Sherk, and Zimmerman, and a captain whose name he does not know were released and returned to duty upon the return from M.P. Headquarters to Cabanatuan No. 1. The rest stayed in solitary confinement until sometime in August 1944.

Victims:

Col. Alfred C. Oliver, Ch. C.	Capt. Robert P Taylor, Ch. C.
Lt. Col Mack	Capt. Frank E. Tiffany, Ch. C.
Lt. Col. Jack W. Schwartz, Med C.	Capt. Leslie Zimmerman, Ch. C.
Capt. Rex Atom MAC	Lt. Jack Sherk CE
Capt. Lee Baldwin CE	M/Sgt. Darwin O Patrick
Capt. Patrick Byrne (Burns) AGO	S/Sgt. Seth Bish Med. Dept.
Capt. Jack F. Lemire MAC	S/Sgt. Virgil P. Burns, M.D. Vet.
Civ. Trest	Pvt. Herbert Ballew Finance Dept.
Civ. - Unknown	Civ. P.D. Rogers, known as "Governor".

PARTICULARS OF EVIDENCE IN SUPPORT

0953

WITNESSES:1. NAME: Lloyd A. Jackson, Cpl. 37055827.ADDRESS: Holcomb, Missouri.

Signed and Sworn Statement. Eyewitness account. Says that one of the victims was Col. Biggs. File 40-4 conclusively proves that Col. Biggs was executed in September 1942. This witness has confused Col. Mack with Col. Biggs. He confirms the offense for which these men were tortured, confirms Col. Oliver's heart attack, and sentences of others. States they were in solitary confinement four months. For what this witness knows, he corroborates victim's testimony.

2. NAME: Jack A. Comstock, Maj. (Med C) O-400866ADDRESS: 1603-4th St., Boulder, Colo.

Signed and Sworn Statement. Hearsay account. Gives a list of victims. Corroborates victims' statements. Says his facts reported to him by victims Col. Oliver and M/Sgt Patrick. Note that this witness is a medical officer and weight should be given to his observation of reduced rations and lack of exercise permitted the victims. Probably eyewitness to events happening in Cabanatuan POW camp and hearsay as to what transpired at City of Cabanatuan.

3. NAME: Alfred C. Oliver Jr., Col. (Ch. C.)

Signed and Sworn Statement. One of the victims. Eyewitness account. States he was made to kneel across three branches of wood and while in this position was beaten by the senior Japanese officer present who used a green bamboo club about five feet in length, one and one-half inches in diameter. Victim was beaten and kicked into unconsciousness. Says his back looked like a piece of raw liver. States that upon his return to Camp No. 1, this victim was tied up in front of the Japanese guardhouse for several days and then placed in solitary confinement until the latter part of August 1944. He was removed from solitary confinement after he suffered a heart attack, falling and injuring his right elbow and hand. Victim contracted Malaria while in solitary confinement due to the refusal of the Japanese to provide him with a mosquito net. Note: Col. Oliver says that there were two lieutenants, brothers, named Sherk, but no other witness confirms this.

4. NAME: Albert W. Fields, Col. O-11505.

Signed and Sworn Statement.
Confirms part of list of victims and length of "close confinement".

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

There is sufficient evidence in this file to make out a prima facie case. Documents 2 and 5 are alone sufficient. The other documents corroborate the main facts and should be used as such.

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Date Submitted Decision of Committee I

9 DEC 1945

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Registered Number.

Date of receipt in Secretariat.

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12 JEL 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 99 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Y. Iwanaka, Japanese Army, Commander.
2. Tanaka, 3 star private, Japanese Army, nicknamed by prisoners "Caribou". About 30 years of age, 5'10" tall, 170 lbs.
3. Japanese Guard, Japanese Army, name unknown.
4. Japanese Guard, Japanese Army, name unknown.

All stationed at Cabanatuan No. 1, Philippine Islands in February 1944.

Date and place of commission of alleged crime.

February 1944.
Cabanatuan No. 1, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating and injuring of Capt. Harry M. Brown.

Source: War Crimes Office, Washington. (Case No. 40-391).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Victim was working with one 50 man detail and through error, became mixed in with another detail. Victim was standing alone when Japanese discovered a man missing from one of the details. The three guards came over to where the victim was standing. One slapped him, another hit him in the jaw with his fist, knocking him to the ground; thereupon all three jumped on their victim with hob-nailed shoes about the face and chest. Victim suffered lacerations of the mouth, intense nausea and severe headaches lasting about ten days.

Victim: Capt. Harry M. Brown, Med. C. - O-379525

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F ~~the~~ accused No. 2

PARTICULARS OF EVIDENCE IN SUPPORT

0958

WITNESS:

Harry M. Brown, Capt. MC. ADDRESS:Cicero, Indiana

Eyewitness account. Victim's statement, Signed and Sworn.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

There is sufficient evidence to make out at least a prima facie case against the named accused. Note that there is no corroborative testimony in the file as yet, but such is not essential in order to bring the case to trial.

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Date Submitted

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9 DEC 1945

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12 JUL 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CHARGES AGAINST

CASE No. 100 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1) Major Tagasaki, Japanese Army, Commander.
2) Oshanaga (Oshanaka), 2 star private, Japanese Army, nicknamed by prisoners "Donald Duck".

Both stationed at Cabanatuan No. 1, Philippine Islands in July 1944.

Date and place of commission of alleged crime.

July 1944.
Cabanatuan No. 1, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating of Major Raymond H. Knapp, prisoner of war.

Source: War Crimes Office, Washington. (Case No. 40-394).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Victim was at work on a detail in the rice field. Instructions were to weed the rice field and victim was following instructions. About 0900 accused, Oshanaga, walked up behind his victim, struck him across the back with a stick and started a harangue about weeding in a different manner than the victim was then doing. Then without the slightest provocation from his victim, kicked Major Knapp in the mouth, knocking out two upper teeth, victim was not released from his detail and had to work all day. No medical or dental treatment was afforded him.

Victim: Major Raymond H. Knapp.

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS: Raymond H. Knapp, Major, 0278892

ADDRESS: 259 Geneseo Rd., San Antonio, Tex.

Signed and Sworn Statement.

Eyewitness account of the victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

There is sufficient material in this file to make out a prima facie case.

No further leads appear in the file.

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Date Submitted Decision of Committee I

19 DEC 1945

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2 DEC 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CHARGES AGAINST

CASE No. 102 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1) Maj. Y. Iwanaka, Japanese Army, Commander.
- 2) Superior Private, Japanese Army, name unknown, nicknamed by prisoners "Little Speedo". (Scar under right ear).

Both stationed at Cabanatuan No. 1, Philippine Islands on 24 or 25 May 1943.

Date and place of commission of alleged crime.

24 or 25 May, 1943.
Cabanatuan No. 1, Philippine Islands on bridge building detail approximately one mile from camp.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating of United States Prisoner of War for not working at forced labour.

Source: War Crimes Office, Washington. (Case No. 40-890).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Victim and a working party were rebuilding a bridge which had been washed away. Victim and three others were ordered to put a bridge timber 12" x 12" x 10 ft. into place, but he was not physically able to pick up his end of the timber. The accused, "Little Speedo", seeing his victim was not lifting the timber struck him across the back over the kidneys with a club about three inches in diameter and approximately four feet long. Victim was kicked three or four times in the ribs after he fell to the ground.

Victim was unable to stand the rest of the afternoon and could not work for ten days. He was treated by a United States medical officer Prisoner of War at the camp dispensary.

Victim: Cpl. Arthur S. Roberts ASN - 6289318.

PARTICULARS OF EVIDENCE IN SUPPORT

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WITNESS:

Arthur S. Roberts, Cpl., 6289318.

ADDRESS:

P.O. Box 188, Mauer, Texas.

Signed and Sworn Statement.

Eyewitness account of the victim.

NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Sufficient evidence in the file to make out a prima facie case.

While the real name of "Little Speedo" is ^{as} yet unknown, sufficient identification is present to warrant his connection with this case if he is ever turned over for trial.

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Date of receipt in Secretariat.

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12 DEC 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 104 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

Naihara, Japanese Farm Supervisor, Japanese Army, nicknamed by prisoners "Air Raid", stationed at Cabanatuan No. 1, Philippine Islands, 9 September 1943.

Date and place of commission of alleged crime.

9 September 1943.
Cabanatuan No. 1, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating of Capt. Rosenstock for no apparent reason.

Source: War Crimes Office, Washington. (Case No. 40-211).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Victim was on the day in question in charge of a 50 man work detail on the Camp Farm. The Japanese guard told victim to take his detail back to Camp. Victim formed his detail, counted them, and started marching them toward the Camp Gate. Accused, Naihara, ordered the detail to return to the farm. Victim was leading the men back to the farm when accused beat him severely about the body and legs with a heavy club.

Victim required medical attention after the beating.

Victim: Capt. Edwin Rosenstock.

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS: John K. Borneman, Lt. Col. (ChC).

Signed and Sworn Statement.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

There are enough facts in this file to make out a prima facie case.

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19 DEC 1945 163 A.

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES	CHARGES AGAINST	JAPANESE WAR CRIMINALS
	CHARGES AGAINST	WAR CRIMINALS

CASE No. 105 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1) Lt. Colonel Mori, Japanese Army, Commander.

2) Captain N. Nogi, Japanese Army

3) 2nd Lt. S. Konichi, Japanese Army

All stationed at Cabanatuan No.1, Philippine Islands.

June or July 1942.

Date and place of commission of alleged crime.

June or July 1942.

Cabanatuan No. 1, Philippine Islands.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Death due to starvation and lack of medical care.

Source: War Crimes Office, Washington. (Case No. 40-874).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0977 ●

Deceased was given a starvation diet of dirty rice, greens, and occasionally meat. The total daily diet consisted of approximately one third calories necessary. No medical care was given and practically no medicine was available. Sanitation was almost non-existent. The prisoner was placed in barracks with three times the number of persons it was intended to house.

Victim: _____ Farnum 31st Infantry.

PARTICULARS OF EVIDENCE IN SUPPORT

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WITNESS:

Herman J. Keller, Cpl., 19017537

ADDRESS: Pineola, North Carolina.

Signed and Sworn Statement.

Eyewitness account.

NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1. Sufficient evidence in this file to make out a prima facie case. While the complete name of the victim is not given, sufficient identification of this victim is contained in the file as to put the accused on notice of the crime.

2. The records of the Prisoner of War Information Bureau, Office of the Provost Marshal General, were checked in an effort to determine the full name and serial number of the victim. However, no information was disclosed in the file of the POW Information Bureau.

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 89 J. *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p><i>Guard</i> 1) Japanese Soldier, Name unknown, nicknamed by prisoners "Pick Handle Pete"</p> <p><i>Guard</i> 2) Japanese Soldier, Name unknown, nicknamed by prisoners "Issimoto" (See also Paragraph b on Page 4 hereof)</p> <p><i>Guard</i> 3) Japanese Soldier, Name unknown, nicknamed by prisoners "Wolf"</p> <p>4) Japanese Civilian, Name unknown, nicknamed by prisoners "Cherry Blossom" (in charge of work detail at Pasay).</p> <p>All stationed at Nichols Field, Manila, Philippine Islands and Pasay Prison Camp. June 1943.</p>
<p>Date and place of commission of alleged crime.</p>	<p>June 1943. Nichols Field, Manila, Philippine Islands and Pasay Prison Camp.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War. Murder. Breach of the Geneva Convention 1929, Article 2. Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

Brutal beatings of two United States prisoners of War.
Murder of one.

Source: War Crimes Office, Washington. (Case No. 40-223).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

During second week of June 1943, unidentified victim, a Mexican boy, collapsed at work at Nichols Field. "Pick Handle Pete", using a pick handle, administered a brutal beating until and after victim was unconscious. "Issimoto" arrived and with his fists and feet further beat the unconscious boy who was then carried to Pasay. At Pasay "Wolf" severely punched victim and struck him, while unconscious, with the butt of a revolver. Thereupon the aforesaid Japanese administered the "water cure". Then a United States doctor, the late Captain John W. Haines, M.C., U.S.A., was summoned to scene. Upon arrival, "Wolf" struck him repeatedly with a pistol, causing semi-consciousness, broken jaw, loss of three teeth. Major Brest, M.C., U.S.A., interceded and was struck by "Wolf", suffering a laceration of the face. The unidentified soldier died the same day.

Victims: Unidentified United States prisoner, Mexican,
attached to 200th Artillery, New Mexico Nat'l Guard.
Captain John W. Haines, M.C., U.S.A., Ser. O-346748
Major Brest, M.C.

PARTICULARS OF EVIDENCE IN SUPPORT

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WITNESSES:

NAME: Major Ralph B. Scheibley

ADDRESS: Wellesly Drive, Toledo, Ohio.

Signed and Sworn Statement.

Eyewitness.

NAME: Major Brest, M.C., U.S.A.

Fellow prisoner. Eyewitness

This officer cannot be located through A.G. locating cards.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

Captain John W. Haines, M.C., U.S.A., Serial O-346748 is deceased.

ACCUSED PERSONS:

- a) The correct name of "Wolf" is believed to be one of the following: Nakota; Dakota; Kyote; Kioke-san.
- b) Issimoto was an interpreter. Prior to the war, he was employed by Manila Electric Company in the Philippines.

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 96 J. *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p style="text-align: center;">name unknown,</p> <p>1) Japanese Commander/at Nichols Field, Pasay in Manila, Philippine Islands.</p> <p>2) Japanese Soldier, name unknown, nicknamed by prisoners <i>second</i> "Pick Handle Pete".</p> <p>3) Japanese Soldier, name unknown, nicknamed by prisoners <i>ward</i> "Wolf".</p> <p>All stationed at Nichols Field, Pasay in Manila, Philippine Islands, second week of June 1943.</p>
<p>Date and place of commission of alleged crime.</p>	<p>Second week of June 1943. Nichols Field, Pasay in Manila, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War. Murder.</p> <p>Breach of the Geneva Convention 1929, Article 2. Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

Beating and murdering of Prisoner of War.

Source: War Crimes Office, Washington. (Case No. 40-224).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

At time and place stated above, the victim sick with malaria, was required to do heavy manual labor. About noon he became so weak he sank to his feet. "Pick Handle Pete" beat him with a pick handle into semi-consciousness. The "Wolf" beat him into unconsciousness. The Victim died as a result of the beatings.

Victim: Unidentified Pfc., United States Prisoner of War.,
Caucasian about 20 years old.

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS:

Major Ralph B. Scheibley.

ADDRESS:

Wesley Drive, Toledo, Ohio.

Signed and Sworn Statement. Eyewitness to part of beating only.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Captain Haines, who is believed to have seen victim after death, is now deceased. His full name is Captain John W. Haines, M.C. U.S.A., Serial No. O-346748.

Re accused Persons:

"Wolf" The correct name of "Wolf" is believed to be one of the following: Nakota; Dakota; Kyote; Kioke-san.

P.102/US/J/68

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Date Submitted Decision of Committee I

19 DEC 1945

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P.102/US/J/68

(For the Use of the Secretariat)

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P.102/US/J/68

12 DEC 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No.101 J.....*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

Guard
1) Japanese Soldier, name unknown, nicknamed by prisoners "Duck Legs".

Guard
2) Japanese Soldier, name unknown, nicknamed by prisoners "Wolf". (The correct name of the "Wolf"

is believed to be one of the following: Nakota, Dakota, Kyote, Kioke-San).

Both stationed at Nichols Field, Manila, Philippine Islands, in October 1942.

Date and place of commission of alleged crime.

October 1942.

Nichols Field, Manila, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating of United States Prisoner of War.

Source: War Crimes Office, Washington. (Case No. 40-793).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

The victim, having reported to the wrong work detail, was returned to the camp. He was forced to stand at attention before all United States prisoners while the accused "DUCK LEGS" beat him with a hoe, four or five times across the small of the back. The victim extended his hand to avert one of the blows and his hand was struck. A civilian Japanese Civil Engineer interceded and stopped the beating. The victim was badly injured and suffered broken bones in his hand. During the said beating, the Japanese in charge of the work detail, the accused, the "WOLF", stood by without interfering.

Victim: An unidentified United States soldier.

PARTICULARS OF EVIDENCE IN SUPPORT

0993

WITNESS: Ira Melvin Pitts, Cpl., 6816373

ADDRESS: Rt. 1, Shawnee, Kansas.

Eyewitness.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority, or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

P.103/US/J/69

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9 DEC 1945

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P.103/US/J/69

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12 DEC 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CHARGE No. ~~XX XXX~~ 103J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

Guard
Japanese Soldier, name unknown, nicknamed by prisoners the "WOLF". (The correct name of Wolf is believed to be one of the following: Nakota; Dakota; Kyote; Kioke-San). Stationed at Nichols Field, Manila, Philippine Islands in June, 1943.

Date and place of commission of alleged crime.

June, 1943.
Nichols Field and Pasay, Manila, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating and Torture of United States Prisoner of War.

Source: War Crimes Office, Washington. (Case No. 40-858).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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(26924) W.P.1817 P.1139 5,000 344

PARTICULARS OF ALLEGED CRIME 0997

Working on a construction detail, the victim became exhausted and announced to the "Wolf" that he (the victim) wanted to be shot, whereupon the victim walked away for about 50 yards. The Japanese dragged him back to the work detail with a rope tied around his neck. The victim was tied to a post for the rest of the day and then returned to the Pasay Camp where he was tied up for five days without food or water. While tied up, he was brutally beaten in such a manner that he could not walk. At the expiration of five days, the victim was removed from the camp. Three days later, the United States Medical Officer, Major Bress was summoned to the construction area of Manila where he saw the body of the victim lying in a coffin. According to Major Bress, the victim had died from exposure and beating by the Japanese. Major Bress was asked to sign a death certificate stating the victim had died from beri-beri. When Major Bress refused to sign the certificate, he was beaten in the head and face by the Japanese, and suffered severe lacerations and two broken teeth.

Victim: An Unidentified United States Prisoner of War.

PARTICULARS OF EVIDENCE IN SUPPORT

0998

WITNESS: John E. Carville, Sgt., ASN 6262820.

ADDRESS: 301 Norton St., Corpus Christi, Texas.

Witness as to torture of unidentified soldier.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree ● responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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Date Submitted	Decision of Committee I		
10 JAN 1970	1, 2, 3 A 4 C.	B	

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3 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 106.J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Takasaki, Japanese Army, Commandant of the Camp
2. Major Iwanaka, Japanese Army, Commandant do.
3. Lt. Surieo, Japanese Army, (also known as Dr. Suerio).
4. Japanese soldier, name and rank unknown, tower guard at time of incident, said to be a Formosan.

All stationed at Cabanatuan No. 1. Prisoner of War Camp, Luzon, Philippine Islands, in August 1944.

Date and place of commission of alleged crime.

11 August 1944.

Cabanatuan No. 1. Prisoner of War Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

The victim was shot by Accused No. 4. without cause. Victim was left unattended by and pursuant to orders of Accused No. 3. As a result, victim died.

Source: War Crimes Office, Washington, (Case No. 40-49).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Lt. Huffcutt was working in his garden as was permitted by the rules of the camp. He was nowhere near the inner fence. A Japanese tower guard shouted at him and the victim failed to hear. The guard thereupon deliberately shot, wounding Lt. Huffcutt. When he rose to his knees and called for help the guard rested his rifle on the tower's railing, took deliberate aim and fired a second time, hitting Lt. Huffcutt. The Japanese Lieutenant who was officer of the day and the Japanese guards refused to let anyone (American POW personnel) approach the victim, so he expired and was buried the same day. So far as is known no punishment was meted out to the guard except to have him relieved of his post. Sometime later he was transferred from the camp.

Victim: 2nd Lt. Robert Huffcutt, Signal Corps.

PARTICULARS OF EVIDENCE IN SUPPORTWITNESSES AND EVIDENCE

1. Lt. Alma Salm, USNR, Oakland, California.
Newspaper Item. The statement is a direct quotation and was printed in the N.Y. Times of 2 March 1945.
2. Robert D. Johnston, Col., Inf, USA, O-18498, Columbus, Georgia.
Signed and Sworn Statement. Gives date as September 1944 and says sentry shot Lt. Huffcutt dead without provocation. Definitely states Major Tagasaki was C.O. of the camp when incident took place. This date obviously error in light of subsequent documents in the file.
3. Eugene Forquer, Capt., 53rd INF., O-362772
Signed and Sworn Statement. Diary entry made the date of the death of victim. Patently an eyewitness account and gives minute detail. Says victim went into his garden to pick okra for his supper - he was at least 12 feet from the inside fence of the compound. States that inner fence is incomplete and further describes the location of fences and landmarks. Says victim failed to hear tower guard 75 yards away yelling at him. States further that first shot entered victim's side above the hip. Victim dropped and called for help, then guard shot him for the second time. States either shot was fatal. The Japanese forbade anyone to approach victim for half an hour. Says the Japanese doctor, who was officer of the day, made no effort to assist victim, though he was one of the first on the scene. That afternoon at roll call a statement was read to the prisoners of war in which it was declared that Lt. Huffcutt was shot for being outside the area.
4. John E. Brinkmeyer, Lt. Col.
Signed and Sworn Statement. Corroborates document above. Says that when Japanese doctor saw victim's body "he just laughed".
5. Ralph Blythe, 1st Lt.
Photostatic copy of original diary entry of August 11, 1944, and photostatic copy of sketch of scene of murder. Great weight should be attached to these two documents as they were made by an eyewitness on the spot and on the day of the killing. While the details were fresh, states tower guard rested rifle for second shot on tower railing.
6. Albert N. Sarwold, Capt., USPHS, 5900 Steadman Ave., Dearborn, Michigan.
Signed Statement. Hearsay - This witness is a medical officer, and did however, view Lt. Huffcutt's body after it was brought into the morgue of Cabanatuan No.1.
7. Joseph B. C. Thibeault, T/Sgt., 11007723, 171 Oak St., Lawrence, Mass.
Signed and Sworn Statement. This witness is a surgical technician in the medical Department, U.S. Army. Can positively identify Lt. Huffcutt, knows who examined the body in the morgue at Cabanatuan, can describe the wound that caused death, and the actual cause of death. Hearsay as to facts leading up to victim's death. Was friendly with Huffcutt before his death and was told by Huffcutt that he had undergone interrogation at the hands of the Japanese about coded telegrams he was supposed to know about. Says nothing was ever done by the Japanese about victim's death.
8. John K. Borneman, Lt. Col. (ChC)
Signed and Sworn Statement. Eyewitness account of shooting. Was about 50 yards away. Brings out the fact that Lt. Huffcutt was slightly deaf as a result of taking quinine and did not hear the tower guard shout at him. Confirms the official reason for the shooting as given out that night by the Japanese, also that instructions about the fence were read for the first time.

Continued on Page 4.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

The facts clearly make out a prima facie case. In view of the roll call statement made after the shooting, the publications of orders about the fence the day after the killing, the failure to give medical attention, and the fact that the guard was permitted to perform his regular duties the next day, it must be concluded that the Accused No. 1. and 2. not only permitted these crimes to go unpunished, but actually knew they were being perpetrated and sanctioned them.

Continued from Page 3.

9. Jack A. Comstock, Major, M.C., O-400866, 1603 4th St., Boulder, Colorado.
Signed and Sworn Statement. This witness also a Medical Officer, confirms the fact that no help was allowed to victim by the Japanese - Hearsay as to facts but viewed the body after death. Says that the body had two bullet wounds in it.
10. William D. Gibson, 1st Lt., 0890565, Leonard St., Stamford, Conn.
Statement. Eyewitness says victim was shot twice - either shot would have been fatal. Says tower guard was under the Japanese sergeant nick-named "Big Speedo".
11. James A. Pittman, Cpl., 18038783, P.O. Box 322, Dublin, Tex.
Signed and Sworn Statement. Eyewitness says guard who shot Lt. Huffcutt was relieved of his post immediately following the killing, Says the orders about the fence (approaching within 3 meters) were published by Major Takasaki the day after the killing.
12. Gaylord R. Shores, T/4, 6865248, 827 S. Mill, Kansas City, Kansas.
Signed and Sworn Statement. Confirms the essential facts of the case - Believes the tower guard who shot Lt. Huffcutt to be a Formosan. Corroborates the fact that Major Takasaki was Camp C.O.
13. Joseph. R. Stanford, Sgt., 6976788, 124 Vernon Dr., Pittsburg, Pa.
Signed and Sworn Statement. Not a witness to the shooting - saw victim's body - says that as a result of this killing, those Ps. of W. who had gardens, were afraid to work or go into them afterwards, and as a result suffered from the lack of vegetables in their diet.
14. Fred W. Matthews, T/5, 6287045, 300 Blackwell Rd., Ranger, Texas.
Signed and Sworn Statement. A detailed description of the area in which victim's garden lay. Orders of Japanese not to approach nearer than one meter. Eyewitness to killing - can give a physical description of the tower guard who killed Lt. Huffcutt. Gives detailed description of behavior of victim prior to being shot. Says guard was given more ammunition by Japanese Corporal of the guard, after he arrived on the scene. The Japanese O.D. finally permitted the removal of the body. Gives description of Japanese O.D. and Japanese Prison Camp Commander.
15. Elton D. Winstead, Maj., O-354444, Rt. Box 21, Wilson, N.C.
Signed and Sworn Statement. Hearsay as to facts - Says Japanese guard bragged about killing an American.
16. Gus L. Davis, Cpl., 38031019, 3200 Govalle Ave., Austin, Texas.
Signed and Sworn Statement. This witness was a medical aid man, working in the Cabanatuan dental clinic. As such he was familiar with Japanese Medical personnel in the camp and therefore weight must be given to his testimony as to who the Japanese Camp Doctor was. This witness only saw the body of the victim being carried to the morgue, the rest of the facts of the case being hearsay. He names and describes the Camp Adjutant, describes the physical appearance of the major in command of the camp at this time, and the Japanese Camp Sergeant "ajor.
17. Seaton Foley, Capt., 0890077, 17 Hillcrest Dr., San Rafael, Calif.
Signed and Sworn Statement. Says the guard who shot Lt. Huffcutt performed his regular duties the next day. Eyewitness-confirms essential facts of the case.

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Date Submitted Decision of Committee I

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3 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 107 J *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<ol style="list-style-type: none"> 1. Commanding General of Japanese Forces in Philippine Islands in September 1942. 2. Lt. Colonel Mori, Japanese Army, Commandant of the Camp 3. Sgt. Manebe, Japanese Army. 4. Japanese Soldier, name and rank unknown, nicknamed by prisoners "Goldtooth". 5. Japanese soldier, name unknown, nicknamed by prisoners "Beetle Brain" or "Butle Brain". <p>Nos. 2, 3, 4 and 5 stationed at Cabanatuan No. 1, Prisoner of War Camp, Luzon, Philippine Islands, in September 1942.</p>
<p>Date and place of commission of alleged crime.</p>	<p>25 September 1942.</p> <p>Cabanatuan No. 1, Prisoner of War Camp, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>a. Murder</p> <p>b. Ill-treatment of Prisoners of War.</p> <p>Breach of the Laws and Customs of War.</p> <p>Breach of the Geneva Prisoner of War Convention 1929, Article 2, 46, 47, 50, 54.</p>

SHORT STATEMENT OF FACTS.

The victims attempted to escape from this camp. They were caught, beaten and tortured and then executed on orders of Accused No. 2. Accused No. 4 was in charge of the firing squad which executed two of the victims; the third victim was beheaded. Accused No. 5 was a member of firing squad. Accused No. 3 was in charge of the beatings of victims.

Source: War Crimes Office, Washington, (Case No. 40-4).

TRANSMITTED BY _____

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

On or about 20 September 1942, victims attempted to escape from Cabanatuan P.W. Camp No.1, and were caught. Immediately following their apprehension, the three men were "interviewed" by Lt. Col. Mori, the C.O. of the P.O.W. Camp. From this "interview, without any trial whatsoever, these victims were stripped of their outer clothing, tied to posts with their arms pulled over their heads until they were neither standing nor sitting. They remained in this position for two or three days without food or water, part of which time a severe typhoon was raging. All Japanese guards frequently and cruelly beat the helpless officers and every passing Filipino was forced to beat them thoroughly before the Japanese would allow them to pass on. At the end of this torture, Lt.Col. Biggs was beheaded and the other two officers were shot.

Victims: Lt. Col. Lloyd W. Biggs, CAC
Lt. Col. Howard Breitung, CAC
Lt. Roy Gilbert, USNR

PARTICULARS OF EVIDENCE IN SUPPORTWITNESSES AND EVIDENCE

1. Bert Schwarz, Capt. A.C., 69-111 65th Road, Forrest Hills, N.Y.
Sworn Statement. Saw victims tortured; did not see executions - knew victims by name.
2. Lewis A. Moore, T/5 6967765. Signed and Sworn Statement. Eyewitness to beating and to fact that they were then taken from the camp.
3. Collier's Magazine Article. Account written by Corey Ford and Alastair McBain. Value of this document lies in the description in detail of the method of torture of victims before execution.
4. Joint Army-Navy Press Release. Published Press release. Confirms magazine article above, and corroborates previous witnesses.
5. Stephen M. Mellnik, Lt. Col. CAC. Office AC of S, G-2, GHQ, SWPA, APO 500, c/o FM, San Francisco, Calif.
Statement. Eyewitness to torture and to fact that Japanese guards led victims away - Heard volley of firing squad. Was present when Japanese officially announced the executions -, Enumerates Japanese grave digging detail and also number of firing squad. Is exact and positive as to details.
6. William E. Dyess, Col. AC, Deceased. Signed and Sworn Statement. Summary of Dyess Report. Brief statement of the crime; witness deceased since making report.
7. Telegram of Sec'y of State Hull. Protesting treatment of American Nationals. Gives names of victims, offense, torture and execution.
8. John K. Borneman, Lt. Col.
Signed and Sworn Statement. Eyewitness account of events taking place from apprehension of victims in their escape attempt until questioned by Col. Mori; location and particulars of torture; length of torture; participation of Filipinos in torture of victims under duress by Japanese; Victims remained trussed to posts exposed to a typhoon; enumeration of injuries received by victims; time, place, date, and manner of execution; firing squad under orders of Col. Mori and "Goldtooth".
9. Alfred C. Oliver, Jr., Col.
Statement. Eyewitness to torture of victims. Was member of group punished because of these officers' (victims) attempt to escape solitary confinement of each of group for one month - Related offense.
10. William K. Smith, Jr. Cpl. 19020921. Box 337, Red Bay, Ala.
Signed and Sworn Statement. Witness was on burial detail for 3 Army officers; can identify Col. Mori and knows one of firing squad as "Butle Brain". This witness seems confused as to dates and victims.
11. William A. Berry, Ensign, USNR, 115388. Box 111, Stillwater, Okla.
Signed and Sworn Statement. Eyewitness to beatings and torture of victims; was in hearing distance during Col. Mori's "interview" with them; gives account of slappings and blows administered during interview; gives details of further torture by hearsay; Believes Col. Mori executed men with full approval of higher Japanese Officials.
12. Robert G. Burke, Capt. QMC, O-890099.
Statement. Identifies Japanese Soldier in charge of beatings as Sgt. Manebe.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

The Japanese were brazen enough to announce the executions of the victims in violation of Article 50 of the Geneva Prisoner of War Convention 1929, which provides punishment for an incomplete escape shall be only disciplinary. It is believed that approval for this execution was obtained from Manila Headquarters of the Japanese Army as indicated in Ensign Berry's sworn statement; therefore Accused No. 1 is presumed to have had knowledge of and sanctioned this abominable act.

P.106/45/7/72

1010

Date Submitted

Decision of Committee I

JAN 1945

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P.106/45/7/72

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P.106/US/J/72

3 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 108 J *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Lt. Colonel (or Colonel) Mori, Japanese Army, Commandant of the Camp. 2. Niimura (Nishimura), Japanese interpreter.</p> <p>Both stationed at Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands, between June through August of 1942.</p>
<p>Date and place of commission of alleged crime.</p>	<p>Between June through August of 1942. Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Murder. Ill-treatment of Prisoners of War. Breach of the Laws and Customs of War. Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 46 and 47.</p>

SHORT STATEMENT OF FACTS.

The victims were caught for bringing food into the camp. They were questioned, given a choice of torture or execution, tortured, and then executed without benefit of trial.

Source: War Crimes Office, Washington, (Case No.40-7).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Sometime during summer, June, July, or August 1942, five United States enlisted men, one of whom was named "Red Sisson" were apprehended in the act of receiving food from outside the P.O.W. Camp. The other parties to the transaction were two Filipinos. The seven were questioned at night, immediately after their apprehension by Niimura (Nishimura) the civilian interpreter at Cabanatuan; abused and beaten during their interrogation. The next day, they were seen to be trussed to fence posts along the road outside the camp, but in full view of the camp. Their bound hands were elevated to a height that their toes barely touched the ground, bare-headed in a tropical sun all day. The second day, the victims were marched to a field where graves had been previously prepared, and executed by a firing squad. There were several volleys fired before they were all dead. So far as known, no trial was held.

Since several executions took place at Cabanatuan about this time, some of the witnesses are hazy as to the details, number of victims, and the exact dates.

Victims: Pvt. Kenneth Sisson - Btry C. 60th CAC
Gastelun - An Army EM
Borglum - An Army EM
S/Sgt. or Sgt. Hunt - Medical Dept., USA
Grimes - EM
Two Filipino Civilians.

PARTICULARS OF EVIDENCE IN SUPPORT

1013

WITNESSES AND EVIDENCE

1. Bert Schwarz, Capt., AC
Signed and Sworn Statement. Saw 5 enlisted men and 2 Filipinos beaten and tortured because they obtained food through the fence- No further details given - Makes no reference to 2 separate groups.
2. Lewis A. Moore, T/5 6967765
Statement. Merely identifies "Red Sisson" as one of 5 Americans executed by Japanese. Says he "heard the shots" but did not see the actual execution.
3. Edwin A. Petry, S/Sgt. 39226323.
Signed and Sworn Statement. Places date as "middle of June 1942", gives number executed as 3 Americans, also tells of 2 Filipinos involved in case. NOT an eyewitness- merely knows above facts.
4. Homer J. Coleman, Maj.
Signed and Sworn Statement. Gives more details than preceding witnesses- Places incident as occurring in July 1942. Relates that 6 were involved; Japanese guard (unknown) took their bribe and then double crossed the victims. Victims were given choice of 72 hours continuous torture (i.e. tied to fence without food or water) or execution. All victims elected the former. Relates one victim slipped his bonds and ran; was caught and then all 6 victims were forced to dig their own graves and shot. Three volleys necessary to kill victims. Was eyewitness to execution of six victims. Identifies escape victim as a man named Sam - of Jewish faith.
5. Stephen M. Mellnik, Lt. Col. CAC. Office AC of S, G-2, GHQ, SWPA, APO 500
Signed and Sworn Statement. Gives date as "sometime in July (1942); goes more into detail concerning the practice of going AWOL from the camp to purchase food returning and selling food to P.O.W. Says one was caught and under questioning by Niumura (Nishimura). This witness heard him reveal the names of six more (4 Americans and 2 Filipinos). Says all American prisoners were put in their barracks before execution of the victims.
6. Memorandum of Edmund O'Hare, 2d Lt., JAGD.
In Re: Lt. Col. John K. Borneman, ChC 0266084. Lt. Col. Borneman's statement verified 26 April 1945.
Comment: Hearsay but supplies the following names:
Pvt. Kenneth Sisson - Btry C. 60th CAC
-- Gastelun - Army EM
-- Borglum - Army EM
Lt. Col. Borneman states that on hearsay there were six executed before he arrived at Cabanatuan including the above. He also lists eight others, not a part of this case.
7. William W. Duncan, Cpl.
Signed and Sworn Statement. Saw the torture of six men; the men being marched out of camp by guards carrying rifles and shovels - "heard the shots" but did not see actual execution. Says four executed in one group, two in another. Identifies Col. Mori as Camp C.O. at Cabanatuan.
8. George W. Kane, Capt. O-311602. 1200 Van Buren St. S.W., Atlanta, Ga.
Signed and Sworn Statement. Gives five as number executed. Says it happened in June 1942. Identifies Lt. Col. Mori as being present at actual execution. Eyewitness to apprehension and execution.
9. Lloyd A. Jackson, Cpl., 37055827.
Signed and Sworn Statement. Eyewitness to 36 hours of torture of 3 American Ps.O.W., including Sisson. Identifies Sisson as man who loosed his bonds and escaped. Was recaptured when he gave himself up and all three men shot on order of Japanese "camp officer".
10. Jack A. Comstock, Maj., O-400866. 1603 4th St., Boulder, Colorado.
Signed and Sworn Statement. Names S/Sgt. Hunt as one of the victims. States he saw 6 Americans and 3 Filipinos tied to posts prior to execution and that 6 Americans were executed. Says that he knows that Lt. Col. Mori personally issued orders for the execution.

Continued on Page 4

NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

Although the names of the Japanese who formed the firing squad are not known, there is positive evidence that Accused No.2 participated in the torture of the victims and that Accused No.1 was present at the execution and sanctioned it.

Continued from Page 3.

11. Wilson R. McNeil, Maj., MAC, O-225430. 1216 N.W. 22nd St., Oklahoma City, Okla. Signed and Sworn Statement. Places incident on or about 29 June 1942. Gives one of victims names as Grimes. However, says that seven Americans were executed. Eyewitness to execution - Hearsay as to reason for execution. Identifies Col. Mori as Commanding Officer of the Camp and says that execution "was done with his full knowledge and consent".
12. Joseph B.C. Thibeault, T/Sgt. 11007723. 171 Oak St., Lawrence, Mass. Signed and Sworn Statement. Believes seven Ps. of W. were executed. Eyewitness to execution of three; states incident occurred in August 1942. Eyewitness to preexecution torture. Says that the same date four more men were executed on the opposite side of camp from where this witness saw three being executed. Corroborates the escape of one of the victims. Identifies Major or Colonel Mori as the Japanese C.O. of the Camp. Gives information of Japanese policy by Maj. Mori as to escapes from the prison camp.

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1015

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3 JAN 1946

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES	CHARGES AGAINST	JAPANESE WAR CRIMINALS
CHARGES	AGAINST	WAR CRIMINALS

CASE No. 109 J *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Major (or Colonel) Mori, Japanese Army, Commander <i>of the Camp.</i> nicknamed by prisoners "Small Guy".</p> <p>2. Major Iwanaka, Japanese Army.</p> <p>Both stationed at Cabanatuan No. 1, Prisoner of War Camp, Luzon, Philippine Islands in February 1944.</p>
<p>Date and place of commission of alleged crime.</p>	<p>February 1944. Cabanatuan No. 1, Prisoner of War Camp, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>a. Murder.</p> <p>b. Ill-treatment of Prisoners of War.</p> <p>a. Breach of the Laws and Customs of War.</p> <p>b. Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 46, 47</p>

SHORT STATEMENT OF FACTS.

Victim was encouraged by an unknown Japanese guard to leave the camp enclosure. When the Japanese Officer of the Day came upon the scene, the guard claimed the victim was attempting an escape. The victim was tortured, beaten and then executed on the following day.

Source: War Crimes Office, Washington, (Case No. 40-8).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1017

Sometime in February 1944, exact date unknown, victim was trading his personal property to one of the Japanese guards outside the camp fence. Upon the appearance of the Japanese Officer of the Day, the Japanese guard, in order to cover up his own dereliction of duty, claimed the victim was attempting to escape by cutting the wire with pliers. The search of the victim and vicinity revealed no pliers. This fact was noted by several witnesses. After the search, the victim was tied up at approximately 2200 outside the guard house. He was beaten and mistreated by each relief of the guard, and on the following day, was carried outside the camp area and shot.

Victim: Pfc. Garcia (?) Trajillo of 200th Coast Artillery Corps.
Sometimes given as Trejello or Trujillo.

PARTICULARS OF EVIDENCE IN SUPPORT

1018

WITNESSES AND EVIDENCE.

1. Edwin A. Petry, S/Sgt. 39226313, 490 Santa Clara Ave., Venice, Calif.
Signed and Sworn Statement. Does not state whether or not he was an eyewitness. Says that the Mexican was trading his shirt for tobacco. See Brief Statement of Essential Facts.
2. Malcom R. Johns.
Signed and Sworn Statement. Says victim was a perimeter guard in the hospital who had crawled through the fence to the Japanese guard just outside the fence. The next day saw the victim with his hands tied behind him being marched down the road to the usual place of execution.
3. Jack A. Comstock, Maj., O-400866, 1603 4th St., Boulder, Colorado.
Signed and Sworn Statement. Hearsay - places date at approximately 14 April 1943. Says he was told that Japanese ordered victim into a restricted area, then arrested him, tied him up, and executed him the next morning. Says he saw the arrest and that the Japanese authorities announced the execution. The above testimony should be disregarded in all of the hearsay phases and treated only a corroborative of the actual arrest and of the announcement by the Japanese of the execution.
4. John K. Borneman, Lt. Col.
Signed and Sworn Statement. Says victim was member of 200th CAC New Mexico National Guard. Eye witness to torture (beating) to being marched out of camp, and heard shots fired. Saw Japanese who marched him out return without victim. Says Maj. Iwanaka issued death certificate of execution by shooting. Knows the general contents of official investigation made which confirms essential facts.
5. Darnell W. Kadolph, Sgt.
Signed and Sworn Statement. Says victim was executed by a squad of eight Japanese. Eye witness to execution - Says victim squirmed so much until he was tied to a tree before the execution squad could shoot him. Says firing squad composed of recruits and were very nervous. Hearsay as to reason for execution.
6. Elton D. Winstead, Maj., O-354444, Rt. 1, Box 21, Wilson, N.C.
Signed and Sworn Statement. Hearsay - However, facts tally with eyewitness accounts. Also confirms the fact that Manila Headquarters ordered that the victim not be shot after the execution had already taken place.
7. Howard W. Odom, T/4.
Signed and Sworn Statement. Corroborates the essential facts. Says victim was forced to dig his own grave. Confirms that Manila countermanded the execution order. Says victim was on duty in camp as a Medical Corpsman. Says that after Manila ordered the victim to be allowed to live, he was disinterred from the execution spot and re-interred in the camp cemetery.
8. Frank N. Curtis, M/Sgt., R-592080, 426 Wharton Ave., San Antonio, Tex.
Signed and Sworn Statement. Witness was Sergeant of United States guard detail February 1944. Victim was on witnesses' guard detail and posted on Post No. 4, which was located in the rear of the hospital area. This tour lasted from 0300 to 0500. On learning that victim was removed from his post by the Japanese, witness proceeded immediately to Japanese guard house where he was officially informed that the victim was trying to escape through the fence and was caught. Witness thereupon went to a point where he could see the victim. Trajillo's face was covered with blood; his blood-stained club was lying beside him. Witness requested permission to speak to victim but was refused. Says victim was tied at Japanese guardhouse the next morning until approximately 0900 when he was marched under guard up the main road leading to Bongabong. Witness heard the execution volley. Saw squad returning to camp without Trajillo. Witness never saw Trajillo again. Knows Trajillo was executed. Says Col. Mori was Camp Commander at this time.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

There is sufficient evidence to connect both accused to this crime, since both had knowledge of and permitted the execution to take place, and this evidently in violation of orders issued at Manila not to execute the victim.

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Date Submitted
9 JAN 1975

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3 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 110 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Colonel (or Lt. Colonel) Mori, Japanese Army, Commandant of the Camp.
Stationed at Cabanatuan No.1, Prisoner of War Camp,
Luzon, Philippine Islands in August 1942.

Date and place of commission of alleged crime.

August 1942.
Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoner of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929,
Articles 2, 46, 50 and 54.

SHORT STATEMENT OF FACTS.

The victim was captured after an attempted escape. He was beaten and tortured in an uncivilized fashion.

Source: War Crimes Office, Washington, (Case No.40-9).

TRANSMITTED BY

*Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1022

Sometime in August 1942 an unknown United States EM was recaptured after an attempted escape. He was staked to a post near the main gate of the camp, and beaten with sticks until his features were unrecognizable. A Japanese soldier then placed the burning end of a cigarette to the victim's nose, and another Japanese slit both nostrils of the victim with his bayonet.

Victim: Unknown United States enlisted man - P.O.W.

PARTICULARS OF EVIDENCE IN SUPPORT

1023

WITNESS AND EVIDENCE

1. Capt. Morris L. Shoss, CAC, O-22973
Signed and Sworn Statement. Only facts known in this case at present time is testimony of this witness. This evidently is an eyewitness account.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Although the name of the victim and the names of the Japanese soldiers who perpetrated these crimes are unknown, the facts must have been known to the accused since the victim was tied to a post near the main gate of the camp. Accused is presumed to have condoned crimes of this nature.

P.109/US/T/75

1025

Date Submitted

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1026

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 111 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Japanese Farm Supervisor of Cabanatuan Prisoner of War Camp No.1, Luzon, Philippine Islands on 5 July 1943. (Name, and status unknown at present time).

Date and place of commission of alleged crime.

5 July 1943.
Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 46, and 59.

SHORT STATEMENT OF FACTS.

Victim received from the accused an order which he could not understand. He made a remark to another prisoner of war indicating his failure to understand the order. The accused took offense at this remark (which was not directed to him) and beat and kicked the victim unmercifully, causing severe injuries to victim.

Source: War Crimes Office, Washington (Case No. 40-132).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Victim was carrying fertilizer out to the camp farm. He received an order from either the guard or the supervisor which he did not understand. The victim remarked to another officer that he would be a "son of a bitch" if he knew what he was supposed to do. The guard heard him and asked another guard what the term meant. The guard thought that he (the guard) was the one referred to. The supervisor (or guard) was a large man, about 6 feet tall and well built. Lt. Debrere was short, thin, underweight and had been ill at this time. The guard or supervisor hit his victim on the right jaw, knocking him into a ditch about ten feet away. In all, the victim arose and was knocked down seven times. Finally when the victim was unable to arise, he was kicked by his assailant in the ribs, testicles, and face. He was denied medical aid for some time after the beating. The victim's injuries were severe lacerations, three fractured ribs, and loss of one tooth.

Victim: Lt. Debrere, Air Corps.

PARTICULARS OF EVIDENCE IN SUPPORT

1028

WITNESSES AND EVIDENCE

1. Eugene Forquer, Capt., O-362772
Diary entry, dated 16 July 1943. Original in own handwriting. Diary entry evidently made from evidence of Debrere and others. Confirms other witness to facts.
2. John K. Borneman, Lt. Col. (CAC)
Signed and Sworn Statement. Eyewitness account as set forth in Particulars on Page 2 hereof.

NOTES ON THE CASE

1029

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

While the name of the accused is not known, he is sufficiently identified by title, description, and date of offense.

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9 JAN 1948

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3 JAN 1946

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST

CHARGES AGAINST

JAPANESE WAR CRIMINALS

WAR CRIMINALS

CASE No. 112 J *

Name of accused, his rank and unit, or official position. (Not to be translated.)	1. Colonel Mori, Japanese Army, Commander. 2. Major Iwanaka (Iwanoka), Japanese Army, Commander. 3. Japanese Soldier, name and rank unknown, nicknamed by prisoners "Big Speedo". 4. Japanese Soldier, name and rank unknown, nicknamed by prisoners "Beetle Brain". All stationed at Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands, in November 1943.
Date and place of commission of alleged crime.	1 November 1943. Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.
Number and description of crime in war crimes list.	a. Murder. b. Ill-treatment of Prisoners of War.
References to relevant provisions of national law.	a. Breach of the Laws and Customs of War. b. Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 50, 54, and 61.

SHORT STATEMENT OF FACTS.

Victim, an insane patient at the hospital of this camp, escaped. He was recaptured and summarily executed.

Source: War Crimes Office, Washington (Case No. 40-164).

TRANSMITTED BY _____

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

1032

Victim, an insane prisoner at Cabanatuan who was a patient in the camp hospital, escaped. He was later found by the Japanese hidden under a pile of straw near the camp and was returned to the camp on a litter, 1 November 1943. Shortly thereafter he was taken out of the camp on a litter to the camp graveyard, where he was shot in the head and buried.

Victim: A United States marine named McCord (First name unknown)

PARTICULARS OF EVIDENCE IN SUPPORT

1033

WITNESSES AND EVIDENCE.

1. John E. Brinkmeyer Lt. Col.
Statement Signed and Sworn. Eyewitness to a summary court martial held by Japanese after victim was recaptured. Apparently did not witness the execution. Does not know name of victim.
2. John H. Borneman, Lt. Col.
Signed and Sworn Statement. Saw victim carried into camp on a litter and later carried out of camp toward cemetery. Says burial detail in charge of "Big Speedo". Places date as 1 November 1943. Did not witness execution.
3. William K. Smith, Cpl., ASN 19020921. Box 337, Red Bay, Alabama.
Signed and Sworn Statement. Witness to execution. Says victim executed by firing squad of about 12 Japanese soldiers. Does not know name of victim. Names "Beetle Brain" as one of those responsible for the execution.
4. John J. Manley, Sgt. ASN 18048988. 1503¹/₂ Dunlavy, Houston, Texas.
Signed and Sworn Statement. Gives date as Oct. 1943. States victim was bayoneted and shot in the camp before being taken out by burial detail. Does not know name of victim.
5. Fred C. Gaston, WOJG, W-2139683. 1129 West Summitt Ave., San Antonio, Texas.
Signed and Sworn Statement. States victim received no trial whatsoever. Does not name the victim.
6. Robert Beardsworth Lewis, Major.
Signed and Sworn Statement. Contains hearsay evidence for the most part. Names "Big Speedo" as the executioner.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offense committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

In this case an insane prisoner was not only charged with responsibility for an attempted escape, but actually executed, in violation of the laws of war and the Geneva Prisoners of War Convention of 1929. Accused Nos 3 and 4 have been named as the executioners and accused Nos. 1 and 2 were in command of the camp at the time of this crime.

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Date Submitted

Decision of Committee I

9 JAN 1946

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 113 J *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Lt. Colonel (or Major) Mori, Japanese Army, Commander. 2. Major Iwanaka, Japanese Army, Commander. 3. Chin, Japanese Soldier, balance of name and rank unknown, known to be a judo expert.</p> <p>All stationed at Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands, in July 1943.</p>
<p>Date and place of commission of alleged crime.</p>	<p>4. July 1943. Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>a. Murder. b. Ill-treatment of Prisoners of War.</p> <p>a. Breach of the Laws and Customs of War. b. Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 46, 47, 50, 54.</p>

SHORT STATEMENT OF FACTS.

Victim, a member of a farm work detail, was missing at the end of a work day. After a search, he was found by the Japanese, beaten, tortured, and killed by several Japanese guards, among whom was accused No.3. The beating lasted an hour and victim's body was horribly mutilated.

Source: War Crimes Office, Washington (Case No.40-203).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1037

On or about 4 July 1943, victim was a member of a farm work detail and was missing when the time came for the detail to return to the Camp. The Japanese searched for him and he was found in a nearby barrio southwest of the camp that same day. He was beaten, tortured and killed. Around midnight of 4 July 1943, his body was brought back to the camp and placed in the hospital morgue. On July 5th, the entire United States staff of the hospital and the camp were required to view the body under orders of the Japanese so that everyone would know what would happen to any prisoner who escaped from the camp. Connelly had compound fractures of left arm and leg; fractured skull; many bayonet wounds of abdomen and back; a bullet wound of his chest; and one eye was gouged out. The victim was buried on 5 July 1943.

Victim: Pvt. "Mac" Connelly - United States soldier.

PARTICULARS OF EVIDENCE IN SUPPORT

1038

WITNESSES AND EVIDENCE.

1. Jack A. Comstock, Maj., O-400866. 1603 4th St., Boulder, Colo. Signed and Sworn Statement. Viewed the body of the victim. Says bullet wound in victim's back near the spine. Confirms other injuries in particulars on Page 2 hereof. As this man was a medical officer, weight must be given to his enumeration and extent of injuries of the victim.
2. John K. Borneman, Lt. Col. Signed and Sworn Statement. Particulars on Page 2 hereof.
3. Howard Damon, 1st Sgt., 6130291. 72 Nichols St., Lewiston, Maine. Signed and Sworn Statement. Witness was in the hospital at the time and was one who viewed victim's body. Says the victim's teeth were knocked out in addition to other injuries as are set forth in the essential facts of this case. Does say that man was dead from shooting before mutilation of the body took place:
4. Ralph E. Ellis, CWO, W-2101191. 114 Broadbent St., San Antonio, Tex. Signed and Sworn Statement. Says the senior medical officer of the camp who viewed victim's body believed he was beaten with either rifle butt, a pick handle, an iron pipe, or a shovel.
5. William F. Matthews, T/5, 6287045. 300 Blackwell Rd., Ranger, Tex. Signed and Sworn Statement. Eyewitness to the extent of injuries inflicted on the body of the victim. Says it was stated "semi-officially" by the Japanese that the victim was missing from a work detail at the prison farm at the end of the working day. That a search was instituted for him, and that he was recaptured in flight. That summary punishment was administered on the spot, without trial or investigation.
6. Elton D. Winstead, Maj., O-354444. Rt. 1, Box 21, Wilson, N.C. Signed and Sworn Statement. Confirms Japanese policy of requiring Ps of W. personnel to view body as an example of what could be expected if caught in an escape attempt. Corroborates extent of injuries. Gives name of victim as O'Connel instead of Connelly. Says Maj. Mori was Camp C.O.
7. Fred C. Gaston, WOJG, W2139683. 1129 W. Summit Ave., San Antonio, Tex. Signed and Sworn Statement. Says victim tried to escape and did get away from the camp. He was found by the Japanese sitting on a bridge and made no attempt to evade capture. Was killed and body was returned to camp. Confirms extent of injuries and Japanese policy of having prisoner personnel view the body. Says camp C.O. at this time was Major Iwanaka.
8. Paul H. Murray, Sgt., 6451516. Signed and Sworn Statement. Confirms the homicide and mutilation. Says victim had no trial.
9. William Carleton, Ramne, Capt., O-890257. 1447 Chestnut St., Terre Haute, Ind. Signed and Sworn Statement. Says United States P. of W. caught escaping in a field near the Corral of Cabanatuan. Says victim whose name witness does not know, was beaten to death by several of the Japanese guards, one whose name was Chin, at the point of capture. The beating lasted an hour.
10. Homer J. Martin, Capt., O-890227. 2528 16th St., Denver, Colo. Signed and Sworn Statement. Was acquainted with the victim and was of the opinion Connelly was "mentally unbalanced". Is of the firm opinion victim strayed away from his detail and did not have enough mentality to return unaided.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

Accused Nos. 1 and 2, as Commanders of this Camp, must certainly have been put on notice by the mutilated conditions of this victim's body that he had been beaten and tortured. In addition, by forcing the other prisoners of war to view the victim's remains, they violated the most basic concepts of humane and civilized conduct.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Accused Nos. 1 and 2, as Commanders of this Camp, must certainly have been put on notice by the mutilated conditions of this victim's body that he had been beaten and tortured. In addition, by forcing the other prisoners of war to view the victim's remains, they violated the most basic concepts of humane and civilized conduct.

P.112/US/J/78

1040

Date Submitted

Decision of Committee I

9 JAN 1948

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3 JAN 1946

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 114 J *

Name of accused, his rank and unit, or official position. (Not to be translated.)	1. Japanese soldier, name and rank unknown, nicknamed by prisoners "Porky the Pig", stationed at Cabanatuan No. 1, Prisoner of War Camp, Luzon, Philippine Islands, in August, 1943.
Date and place of commission of alleged crime.	Last Sunday of August, 1943. Cabanatuan No. 1, Prisoner of War Camp, Luzon, Philippine Islands.
Number and description of crime in war crimes list. References to relevant provisions of national law.	Ill-treatment of Prisoners of War. Breach of the Geneva Prisoners of War Convention 1929, Articles 2 and 46.

SHORT STATEMENT OF FACTS.

Accused struck the victim with his fists and beat him with a bamboo club for five minutes, without cause or justification.

Source: War Crimes Office, Washington, (Case No.40-212).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.
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PARTICULARS OF ALLEGED CRIME

Victim was in charge of 100 man detail which was returning to camp at 1130 hrs. on the date above-mentioned. Victim lined his men up to be counted by Japanese guard. The guard miscounted and blamed Col. Barr for having one man too many. Thereupon, the accused hit Col. Barr in the face twice with his fists, knocked him (victim) in a ditch, and beat him with a bamboo club for about five minutes. Victim was hospitalized because of this mistreatment and bore the "markings" thereof for three months.

Victim: Lt. Col. Edwin L. Barr, 60th C.A. (AA).

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. John K. Borneman, Lt. Col. (ChC).
Signed and Sworn Statement. (Details and facts outlined on Page 2 hereof).^s

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

A prima facie case of unlawful beating has been made out.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

A prima facie case of unlawful beating has been made out.

P.113/US/J/79

1045

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1046

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 115 J *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Colonel Mori, Japanese Army, Commander of Cabanatuan No. 1, Prisoner of War Camp, Luzon, Philippine Islands in November, 1942.</p>
<p>Date and place of commission of alleged crime.</p>	<p>11 November 1942. Cabanatuan No. 1, Prisoner of War Camp, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>a. Murder.</p> <p>b. Ill-treatment of Prisoners of War.</p> <p>a. Breach of the Laws and Customs of War.</p> <p>b. Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 46, 47 and 61.</p>

SHORT STATEMENT OF FACTS.

Victim had left the camp to purchase canned goods and tobacco. On his return, he was accused of robbing a store, and was then beaten, tortured and killed by Japanese guards.

Source: War Crimes Office, Washington. (Case No. 40-215).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1047

On or about 11 November, 1943,, the victim was tied up and beaten by Japanese guards. He was marched out of the camp into the camp cemetery where he was shot and bayoneted to death. Victim was accused of robbing a store, although in fact, he had merely left the camp in order to purchase some canned goods and tobacco, and had paid for these articles. A notice of the Victim's execution was issued by the Japanese Commander of the camp.

Victim: Pvt. Donald Baker, 31st Inf. Reg't.

PARTICULARS OF EVIDENCE IN SUPPORT

1048

WITNESS AND EVIDENCE

1. John K. Borneman, Lt. Col., 6387 Overbrook Ave., Philadelphia, Pa.
Statement. An eyewitness to the beating. Did not see the execution. Saw victim marched out of camp toward cemetery. Had a copy of notice issued by Japanese concerning the execution. This notice buried with other records of witness at Cabanatuan.

NOTES ON THE CASE

1049

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

This is a clear case of unlawful beating and murder. Even though the names of the Japanese guards are unknown, the accused, by issuing a notice of execution must be presumed to have had knowledge of and condoned the treatment accorded this victim.

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1050

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 116 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Lt. Okomoto (also known as Locomoto) Japanese Army, Commander of work detail at Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands in 1942.

Date and place of commission of alleged crime.

1942 (exact date unknown)
Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Articles 2 and 46.

SHORT STATEMENT OF FACTS.

Victims, members of a work detail, were forced by unknown Japanese guards to slap each other repeatedly. One victim was forced to stand at attention facing the sun for two hours.

Source: War Crimes Office, Washington, (Case No. 40-222).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1052

A work detail was paired off and the Ps. of W. were forced to beat each other about the face and head with their open hands for no apparent reason. Capt. Conrad was the odd man of the detail and so was ordered to stand facing the sun, at attention, for a period of about two hours.

Victims: Capt. Conrad of the 31st Infantry, and
Other unknown members of a work detail.

PARTICULARS OF EVIDENCE IN SUPPORT

1053

WITNESS AND EVIDENCE

1. Lloyd A. Jackson, Cpl., 37055827.
Signed and Sworn Statement. Eyewitness Account as set forth
on Page 2 hereof.

NOTES ON THE CASE

1054

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Although the names of the Japanese guards are unknown, the responsibility for their behavior rests with accused, their superior officer. This case goes even beyond the realm of "collective punishment" since "punishment" implies an offense or act committed by those punished; but here there was no reason for the "punishment".

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 117 J *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Japanese soldier, name and rank unknown, nicknamed by prisoners "Beetle Brain". 2. Oshanaga (Oshnaka), Two Star Private, Japanese Army, nicknamed by prisoners "Donald Duck". 3. Japanese superior private, name and rank unknown, nicknamed by prisoners "Little Speedo". All stationed at Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands in early 1944.</p>
<p>Date and place of commission of alleged crime.</p>	<p>Early 1944. Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War. Breach of the Geneva Prisoners of War Convention 1929, Articles 2 and 46.</p>

SHORT STATEMENT OF FACTS.

Victim was transferred by Accused No.1 to a different work detail, than the one to which assigned. When victim returned to camp, the United States Sergeant in charge of the regular work detail was being beaten because of victim's absence. Victim identified himself as the "missing" man and was beaten and knocked down by the accused with bamboo clubs.

Source: War Crimes Office, Washington (Case No. 40-424).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1057

While preparing to go out on a regular work detail, victim was taken out of his regular work detail and assigned to a different crew by direct order of "Beetle Brain". Some three hours later when the victim returned to camp from this special detail, his regular crew had been waiting the entire time because they were missing one man. At the time of victim's return, the Japanese guards were beating the United States Sergeant in charge of the crew. Victim volunteered the information that he was the missing one of the crew, the three accused thereupon began to beat him, the victim with bamboo clubs, knocking him down and beating him. Victim was beaten so severely that he bled internally for two months.

Victim: Cpl. William K. Smith, Jr.
United States Sergeant name unknown.

PARTICULARS OF EVIDENCE IN SUPPORT

1058

WITNESS AND EVIDENCE.

1. William K. Smith, Jr., Cpl., 19020921. Box 337, Red Bay, Alabama. Signed and Sworn Statement. Eyewitness and Victim - Says "Beetle Brain" was killed by the United States Rangers when Camp No.1 was liberated.

NOTES ON THE CASE

1059

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

This is a clear case of unlawful beating.

P.116/US/J/82

1060

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1061

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 118 J *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Oshanaga (Oshanaka) two star private, Japanese Army, nicknamed by prisoners "Donald Duck".</p> <p>Stationed at Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands, exact date unknown.</p>
<p>Date and place of commission of alleged crime.</p>	<p>Exact date unknown.</p> <p>Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War.</p> <p>Breach of the Geneva Prisoners of War Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

Accused directed a number of Japanese guards to beat the victim with clubs and rifle butts. The beating lasted for fifteen minutes.

Source: War Crimes Office, Washington (Case No. 40-536).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1062

One day, at roll call, before the noonday meal, the victim was missing from the formation and later was found to be lying down at one of the camp dispensaries. The victim was brought out into the field where the formation was held and ten to fifteen Japanese guards beat the victim with clubs and rifle butts under the accused's direction. The sentries also used their feet on the victim. When the victim would be beaten down, he was forced to rise. The beating lasted some fifteen minutes and then the victim was carried into the dispensary. The victim later recovered and sometime afterwards he was taken to Japan.

Victim: Pvt. Slaughterback of the 31st Infantry Regt.

PARTICULARS OF EVIDENCE IN SUPPORT

1063

WITNESS AND EVIDENCE

1. Matt P. Dobrinic, Maj. Inf., O-339314. Taybou Springs, Ill.
Signed and Sworn Statement. While the document does not state so positively, it can be reasonably inferred that this is an eyewitness account.

PARTICULARS OF EVIDENCE IN SUPPORT

1063

WITNESS AND EVIDENCE

1. Matt P. Dobrinic, Maj. Inf., O-339314, Taybou Springs, Ill.
Signed and Sworn Statement. While the document does not state so positively, it can be reasonably inferred that this is an eyewitness account.

NOTES ON THE CASE

1064

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Accused gave the order to beat the victim and is directly responsible for this atrocious crime.

NOTES ON THE CASE

1064

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Accused gave the order to beat the victim and is directly responsible for this atrocious crime.

P.117/US/J/83

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 119 J.....*

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Osenaga, Superior Private, Japanese Army. Stationed at Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands, in Fall of 1944.</p>
<p>Date and place of commission of alleged crime.</p>	<p>Fall of 1944. Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War. Breach of the Geneva Prisoners of War Convention 1929, Articles 2 and 46.</p>

SHORT STATEMENT OF FACTS.

Victims were given permission by the Japanese sergeant in charge of this detail to rest. Accused found them resting and beat them with a club.

Source: War Crimes Office, Washington, (Case No.40-354).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

Victims were transporting cucumbers from the field where they were gathered by other Ps. of W. The Japanese sergeant in charge of this work gave his detail a fifteen minute rest period and allowed them to eat what cucumbers they desired. At this particular time the victims were not in the field but had gone with a load of cucumbers. When they returned, the rest of the detail had resumed work, but the four men were told that they also could rest for a fifteen minute period and eat what cucumbers they desired. The Japanese sergeant then went to some other part of the farm. The accused, a regular guard, saw these men resting and he beat all four with a hard wood stick approximately three or four feet long carved in the shape of a saber. Finally, accused struck the victim, Barber, in the face with a cucumber which was rotten. Then he forced Barber to eat a portion of this rotten cucumber, which made Barber violently ill. Cucumbers in the islands grow to the size and shape of a baseball bat.

Victims: Three United States prisoners of War.
Sgt. George K. Barber, 5th Sussex Regt.

PARTICULARS OF EVIDENCE IN SUPPORT

1068

WITNESS AND EVIDENCE.

1. Joseph R. Stanford, Sgt., 6976788. 124 Vernon Dr., Pittsburg, Penna.
Signed and Sworn Statement. Eyewitness account.

NOTES ON THE CASE

1069

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

This offense probably originated with accused on his own initiative; however there can be no question but that he was also carrying out a system of brutality approved by authority at the camp.

P.118/US/J/84

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 120 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Tagasaki, Japanese Army, Commander.
2. Okabo, Sergeant, Japanese Army, nicknamed by prisoners "Gunso"
3. Ita, Sergeant, Japanese Army, nicknamed by prisoners "Guneo" and "Horse-face".

All stationed at Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands in November 1944.

Date and place of commission of alleged crime.

November 1944.
Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Torture of Civilians

References to relevant provisions of national law.

Breach of the Laws and customs of War.
Assault and Battery.

SHORT STATEMENT OF FACTS.

Accused Nos.2 and 3 ordered a detail to assault and torture the victims by administering the "water treatment" and the "heat treatment" without any justification.

Source: War Crimes Office, Washington, (Case No. 40-769).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

A detail of Japanese soldiers under the command of the accused, took the two victims to an out-door oven in the rear of the guard house. After talking to each one separately, each victim in turn was held for a time very close to the fire under this oven. Again, the guards held some conversation with their victims, then threw each of them to the ground and forced a water hose down their throats. When enough water had been forced down their throats, the Japanese turned the Filipinos over on their stomachs and proceeded to jump up and down on their backs. This treatment went on every day for a week and then the victims were never seen again. Sgt. Okabo bragged to witness that he and Sgt. Ita were in charge of the torture of the two Filipinos and that they were tortured because one of them had failed to salute a Japanese guard and had refused to get down on his knees and beg forgiveness.

Victims: Two unknown Filipino Civilians.

PARTICULARS OF EVIDENCE IN SUPPORT

1073

WITNESS AND EVIDENCE

1. Lewis V. Taylor, S/Sgt., 6281738. 1302 Florida St., Silver City,
New Mexico.
Signed and Sworn Statement. Eyewitness account. This witness was
well acquainted with both the accused and his identification of the
accused can be relied on.

NOTES ON THE CASE

1074

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Accused No.1 was the Commander of this camp and sanctioned a system of cruelty, torture and unlawful killing of any unfortunates who came in contact with said accused's subordinates.

P.119/US/J/85

1075

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UNITED NATIONS WAR CRIMES COMMISSION

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CHARGES AGAINST

Japanese
~~UNITED STATES WAR CRIMINALS~~
WAR CRIMINALS

CHARGES AGAINST

CASE No. **121 J** *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Lt. General Masaharu Homma, Japanese Army.

2. Maj. General Ichiro Morimoto, Japanese Army.

3. Col. Akira Nagahama, Japanese Army.

Date and place of commission of alleged crime.

26 December 1942.

Cabanatuan No. 1, Prisoner of War Camp, Luzon, Philippine Islands,

Number and description of crime in war crimes list.

a. Murder.

b. Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

a. Breach of the Laws and Customs of War.

b. Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 11 and 14.

SHORT STATEMENT OF FACTS.

The victim, a United States Prisoner of War, died as a result of starvation and lack of medical care at this camp.

Source: War Crimes Office, Washington, (Case No. 40-812).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

This victim slowly wasted away and died from pellagra and other complicating diseases as a result of starvation and lack of proper nutrition. When disease had ravaged his body, medical care was not administered. The only medicine furnished by the authorities in this camp was a pitifully small amount of quinine which could almost be said to have itself been nonexistent.

Victim: Pfc. William P. Butler.

PARTICULARS OF EVIDENCE IN SUPPORT

1078

WITNESS AND EVIDENCE.

1. Robert L. Guice, S/Sgt, 6383850. Heflin, Louisiana.
Signed and Sworn Statement. Eyewitness account.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

The chief cause of death in this camp was starvation. The death rate ranged from 30 United States Prisoners of War a day in June 1942 to an average of 18 a day in October, tapering off only because at the latter date most of the weaker men were already dead. Although the Japanese maintained there was no food available, there is ample evidence that there was an abundance of food available in the Philippines at this time. High Japanese officers regularly inspected this camp and knew of the conditions which existed there but deliberately ignored them. Accused No. 1 was the Commanding General of Japanese forces in the Philippine Islands at this time; Accused No. 2 was the officer in charge of all Prisoner of War Camps in the Philippines at this time, and Accused No. 3 was another high authority in Prisoner of War administration at the time. Consequently, all three must be charged with responsibility for the conditions at this camp which resulted in the death of this and countless other victims.

P.120/US/J/86

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
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JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 122 J

*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Lt. Gen. Masaharu Homma, Japanese Army.
2. Maj. Gen. Ichiro Morimoto, Japanese Army.
3. Col. Akira Nagahama, Japanese Army.
4. Lt. Col. Mori, Japanese Army, Commander.
5. Capt. N. Nogi, Japanese Army.
6. 2nd Lt. Konichi, Japanese Army.

Nos. 4, 5, and 6 stationed at Cabanatuan No. 1, Prisoner of War Camp, Luzon, Philippine Islands, in July 1942.

Date and place of commission of alleged crime.

21 July 1942.
Cabanatuan No. 1, Prisoner of War Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

- a. Murder.
- b. Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

- a. Breach of the Laws and Customs of War.
- b. Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 11, and 14.

SHORT STATEMENT OF FACTS.

The victim, a United States Prisoner of War, died as a result of starvation and lack of medical care at this camp.

Source: War Crimes Office, Washington, (Case No. 40-815).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1082

This victim suffered from lack of proper nutrition and became so weakened that he contracted diptheria. No diptheria serum or other medicines were administered to him by the Japanese with the result that he died. Accused No.4 was the Commander of this camp and Accused Nos 5 and 6 were responsible officers at the camp at the time of this offense.

Victim: Pfc. Alman E. Jackson.

PARTICULARS OF EVIDENCE IN SUPPORT

1083

WITNESS AND EVIDENCE

1. Robert L. Guice, S/Sgt., 6383850. Heflin, Louisiana.
Signed and Sworn Statement. Eyewitness account.

NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offense committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

The chief cause of death in this camp was starvation. The death rate ranged from 30 United States Prisoners of War a day in June 1942 to an average of 18 a day in October, tapering off only because at the latter date most of the weaker men were already dead. Although the Japanese maintained there was no food available, there is ample evidence that there was an abundance of food available in the Philippines at this time. High Japanese officers regularly inspected this camp and knew of the conditions which existed there but deliberately ignored them. Accused No.1 was the Commanding General in the Philippine Islands at this time; Accused No.2 was the officer in charge of all Prisoner of War Camps in the Philippines at this time, and Accused No.3 was another high authority at the time. All three must be charged with responsibility for the conditions at this camp which resulted in the death of this and countless other victims.

P.121/US/J/87

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No 123 J. *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Major Y. Iwanaka, Japanese Army, Commander. 2. Japanese soldier, name and rank unknown, nicknamed by prisoners "Beetle Brain". (about 5'9" tall, slim, gold teeth, about 25 years of age). 3. Naihara, Three Star Private, Japanese Army, nicknamed by prisoners "Air Raid". 4. Tanaka (or Taneka) Japanese Army, rank unknown, nicknamed by prisoners "Caribou".</p> <p>All stationed at Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands in July 1943.</p>
<p>Date and place of commission of alleged crime.</p>	<p>Early part of July 1943. Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Ill-treatment of prisoners of War. Breach of the Geneva Prisoners of War Convention 1929, Articles 2 and 46.</p>

SHORT STATEMENT OF FACTS.

Victim, a United States army Major, was in charge of a work detail at this camp. Because victim tried to stop a guard from beating some of the prisoners of war, the guard turned upon the victim. When the victim offered to defend himself, this guard rounded up accused Nos.2, 3 and 4 and all four then beat the victim unmercifully.

Source: War Crimes Office, Washington, (Case No.40-882).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1087

Victim, as a member of a working party on the Camp Farm, was engaged in turning over some dirt with shovels as well as being in charge of the working party. Each of the three accused, Nos. 2, 3 and 4 in turn gave instructions to the victim as to how the work was to be done. Each time the victim followed instructions and changed the work in accordance with instructions given. Finally a fourth guard came along and told the victim to turn the dirt over still another way. Losing patience, the victim told this fourth guard, whose name is unknown, that he wished they would make up their damned minds as to how they wanted the dirt turned over. However, the victim instructed his men for the fourth time as the guard had said. The working party was too slow in carrying out this last order and the guard took a club and struck some six of the men. The victim told the guard to stop beating the men as they were doing the best they could. Thereupon the guard advanced on the victim as if to strike him and the victim said, "You little bastard, you hit me with that stick and I'll punch you in the nose". The guard became afraid and went off rounded up the three accused Nos. 2, 3 and 4 and all four returned and proceeded to beat their victim with hoe-handle clubs. After they had beaten their victim to the ground, they stomped and kicked him in the head, ribs, and testicles. The victim was unconscious when carried to the hospital. He was forced to work the next day.

Victim: A United States Major - Name unknown.

PARTICULARS OF EVIDENCE IN SUPPORT

1088

WITNESS AND EVIDENCE.

1. Arthur S. Roberts, Col., 6289318. P.O. Box 188, Manor, Texas.
Signed and Sworn Statement, Eyewitness account.

NOTES ON THE CASE

1089


(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

Brutalities were tolerated at this camp by its commanding officers.
Accused No. 1 as commanding officer must be held responsible in this case.

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Date Submitted Decision of Committee I

Date Submitted	Decision of Committee I		
9 JAN 1948	A		

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3 JAN 1946

1091

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 124 J

*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Iwanaka, Japanese Army, Commander of Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands in December 1944.

Date and place of commission of alleged crime.

15 December 1944. Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Torture of Civilians.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Victim, a Filipino woman, was tied up by guards at this camp and left lying the entire day in the sun in the prison camp yard near the guard house.

Source: War Crimes Office, Washington, (Case No.40-903).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

Early in the morning of 15 December 1944 a group of prisoners at Cabanatuan, going out of camp on a work detail, saw the victim tied up and lying in the sun in the yard near the guard house. When the detail returned to camp in the evening of that same day, the victim was still lying in the yard. It was rumored that the victim was picked up by the Japanese at Cabu Barrio and she was accused of refusing to give information concerning guerrilla activity in that area. It is not known what later became of the victim.

Victim: An unknown Filipino woman about 50 or 60 years of age.

PARTICULARS OF EVIDENCE IN SUPPORT

1093

WITNESS AND EVIDENCE.

1. Geo. V. Parrott, Cpl., ASN 15017283. 625 So. Beech St. Bryan, Ohio.
Signed and Sworn Statement. Saw victim as he left camp with work detail and again as he returned to camp.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

Although the names of the guards are unknown, there can be no question of the responsibility of the accused for this foul deed. As Commander of this camp, he must be presumed to have had knowledge of this act which took place within the camp enclosure.

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3 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 125 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Y. Iwanaka, Japanese Army, Commander.
2. Japanese Guard, rank & name unknown, ~~XXXXXXXXXX~~
~~XXXXXXXXXX~~
(possibly a Formosan 3 bar private, short stocky about 5'2" tall, black haired, about 30 years of age)

Both stationed at Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands in January 1944.

Date and place of commission of alleged crime.

January 1944.
Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929,
Article 2.

SHORT STATEMENT OF FACTS.

Accused No.2 beat the victims, United States prisoners of war, with a bamboo stick. The beating lasted for five minutes and was without justification.

Source: War Crimes Office, Washington, (Case No.40-909).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

Victims were members of the farm detail engaged in picking weeds along one of the farm roads. They were talking and joking, when Accused No.2, a Japanese guard who at the time was talking with the officer in charge of the detail, heard them. Accused No.2 walked up to the two victims and shouted at them to stand up. He then proceeded to beat each of the victims in turn with a flat bamboo stick which he had procured as he approached the two victims. He confined his blows with this stick to both sides of the face. Approximately a five minute beating of the face was administered to each man by this accused. Each victim suffered lacerations of both cheeks and multiple contusions.

Victims: Two unknown United States **Prisoners** of War.

PARTICULARS OF EVIDENCE IN SUPPORT

1098

WITNESS AND EVIDENCE.

1. George McHale, Cpl., 6938967. 1752 N. 23rd St., East St. Louis, Ill. Signed and Sworn Statement. Eyewitness account. Witness states that the incident was witnessed by a Lt. Morgan who afterwards went to Japan and a Cpl. Norman J. Lev of 4430 N. Magnolia Ave., Chicago, Ill.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offense committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Accused No.1 was the Commander of this camp and charged with responsibility.

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3 JAN 1946

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 126 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Y. Iwanaka, Japanese Army, Commander.

2. Tanaka, Japanese Soldier, rank unknown, nicknamed by prisoners "Caribou".

Both stationed at Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands, in April and May 1944.

Date and place of commission of alleged crime.

April or May 1944.

Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Accused No.2 beat and kicked the victim for no reason.

Source: War Crimes Office, Washington, (Case No.40-910).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1102

Victim was a member of a work detail engaged in leveling a field. Accused No.2 shouted an order apparently at the whole detail in Japanese. Since no one understood, the detail kept on working. This accused then pointed at the victim and beckoned him to step out from the rest of the detail. When this was done, he took a pick axe from the hands of his victim and ordered the said victim to kneel. Accused No.2 thereupon reversed the pick axe in his hands, and holding on to the head of the pick axe, shoved his victim over backwards. When the victim sat up straight again, the accused proceeded to kick him in the chest and stomach and then beat the victim some six or seven blows over the head with the pick axe handle. Victim complained of headache two or three days after the beating.

Victim: Cpl. Norman F. Lev, 4430 N. Magnolia Ave., Chicago, Ill.

PARTICULARS OF EVIDENCE IN SUPPORT

1103

WITNESS AND EVIDENCE.

1. George McHale, Cpl., 6938967. 1752 N. 23rd St., East St. Louis, Ill.
Signed and Sworn Statement. Eyewitness account.

NOTES ON THE CASE

1104

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Accused No.1 was the Commander of this camp and responsible for this crime.

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Date Submitted

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Date Submitted Decision of Committee I

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3 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 127.J . . . *

Name of accused, his rank and unit, or official position. (Not to be translated.)	1. Major Tagasaki, Japanese Army, Commander. 2. Japanese Guard, name and rank unknown, nicknamed by prisoners "Laughing Boy". (Probably a native of Taiwan, about 20 years old, 5'4" tall, weight about 130 pounds). Both stationed at Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands in August 1944.
Date and place of commission of alleged crime.	August 1944 Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.
Number and description of crime in war crimes list. References to relevant provisions of national law.	Ill-treatment of Prisoners of War. Breach of the Geneva Prisoners of War Convention 1929, Article 2 .

SHORT STATEMENT OF FACTS.

Accused No.2 beat the victim over the head with a club for no reason.

Source: War Crimes Office, Washington, (Case No.40-913).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252 4 5,000 5/45 A. & E., W.Ltd. Gp.685
(30449) Wt.P.1183,17 5,000 10/45

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3 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 127.J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Tagasaki, Japanese Army, Commander.
 2. Japanese Guard, name and rank unknown, nicknamed by prisoners "Laughing Boy".
(Probably a native of Taiwan, about 20 years old, 5'4" tall, weight about 130 pounds).
- Both stationed at Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands in August 1944.

Date and place of commission of alleged crime.

August 1944
Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Accused No.2 beat the victim over the head with a club for no reason.

Source: War Crimes Office, Washington, (Case No.40-913).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) W.P.2524 5,000 5/45 A.& E., W.Ltd. Gp.685
(30449) W.P.1183,17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

REPORT NO. 8

Victim was a member of a working detail engaged in pitchforking compost from a pile in the field to be used for fertilizer. Accused No.2 was on the compost pile beside his victim. As usual, he carried a club fashioned from a pick handle, lashed to his wrist with a leather thong. For no apparent reason, the accused started beating his victim over the head, with his club until the said victim rolled off the compost pile unconscious. No prisoner or anyone else was allowed to help the victim and after fifteen or twenty minutes the victim revived and went back to work. Victim complained of being ill for several days.

Victim: 1st Lt. Gentry - a United States Officer.

PARTICULARS OF EVIDENCE IN SUPPORT

1108

WITNESS AND EVIDENCE.

1. Eugene Gibson, Pfc., 20932240. 2006 McKee St., Houston, Texas.
Signed and Sworn Statement. Eyewitness account.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

Accused No. 1 was the Commander of this camp and sanctioned beatings of prisoners of war by the guards; consequently, he must be charged with responsibility.

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3 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No: 128 J

Name of accused, his rank and unit, or official position. (Not to be translated.)	<ol style="list-style-type: none">1. Lt. General Masaharu Homma, Japanese Army.2. Maj. Gen. Ichiro Morimoto, Japanese Army.3. Col. Akira Nagahama, Japanese Army,4. Colonel Mori, Japanese Army, Commander.5. Captain N. Nogi, Japanese Army.6. 2nd Lt. S. Konichi, Japanese Army. <p>Accused Nos. 4, 5 and 6 were stationed at Cabanatuan No. 1, Prisoner of War Camp, Luzon, Philippine Islands.</p>
Date and place of commission of alleged crime.	Unknown date between July 1942 and February 1945. Cabanatuan No. 1, Prisoner of War Camp, Luzon, Philippine Islands.
Number and description of crime in war crimes list.	<ol style="list-style-type: none">a. Murder.b. Ill-treatment of Prisoners of War.
References to relevant provisions of national law.	<ol style="list-style-type: none">a. Breach of the Laws and Customs of War.b. Breach of the Geneva Prisoners of War Convention 1929, Articles 2 and 11.

SHORT STATEMENT OF FACTS.

The victim, a United States Prisoner of War, died as a result of starvation.

Source: War Crimes Office, Washington, (Case No. 40-914).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29855) W.P. 252/4 5,000 5/45 A. & E. W. Ltd. Gp. 685
(30449) W.P. 11-3, 17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

Victim given a starvation diet of one-half canteen cup full of rice three times per day. Very occasionally victim was given a few sweet potatoes, and occasionally what beef was taken over after the Japanese had taken what they wanted. Victim's weight dropped from 240 pounds to 93 pounds on this diet before he died of starvation.

Victim: Sgt. Robert Dunn, U.S.A.
home address: Cohocton, New York.

Accused No.4 was Commander of this camp and Accused Nos.5 and 6 were responsible officers at the camp at the time of the offense.

PARTICULARS OF EVIDENCE IN SUPPORT

1113

WITNESS AND EVIDENCE:

1. Harold W. Memmler, Cpl., 36633964. 1523 N. Long St. Chicago, Illinois.
Signed and Sworn Statement. Eyewitness account.

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The chief cause of death in this camp was starvation. The death rate ranged from 30 United States Prisoners of War a day in June 1942 to an average of 18 a day in October, tapering off only because at the latter date most of the weaker men were already dead. Although the Japanese maintained there was no food available, there is ample evidence that there was an abundance of food available in the Philippines at this time. High Japanese officers regularly inspected this camp and knew of the conditions which existed there but deliberately ignored them. Accused No.1 was the Commanding General of Japanese forces in the Philippine Islands at this time; Accused No.2 was the officer in charge of all Prisoner of War Camps in the Philippines at this time, and Accused No.3 was another high authority in Prisoner of War administration at the time. Consequently, all three must be charged with responsibility for the conditions at this camp which resulted in the death of this and countless other victims.

P.127/US/J/93

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Date Submitted

Decision of Committee I

19 JAN 1944

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3 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 129 J

*

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Commanding Officer of 14th Japanese Army Military Police, Cabanatuan Unit, Luzon, Philippine Islands, on 5 October 1942.</p>
<p>Date and place of commission of alleged crime.</p>	<p>5 October 1942. Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War.</p> <p>Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 46, 47, and 54.</p> <p>Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

The victim escaped and was recaptured. He was then tortured and beaten during a "grilling" which lasted for three hours.

Source: War Crimes Office, Washington, (Case No.40-928).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) WLP.252/4 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) Wt.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

Victim escaped, was recaptured and turned over to the accused for interrogation. Accused wished to know who had helped the victim from the time of his escape until recapture. During the period of interrogation which lasted about three hours the interrogators slapped, kicked victim in the shins and stomach, and threatened to cut off his arm. He was given no food or water and not allowed to smoke.

Victim: Christian F. Klett.

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Christian F. Klett. 123 East Lincoln Hwy. Coatesville, Penna.
Signed and Sworn Statement. Eyewitness account of the victim.

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Christian F. Klett. 123 East Lincoln Hwy. Coatesville, Penna.
Signed and Sworn Statement. Eyewitness account of the victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

Although the exact name of accused is unknown, he is sufficiently designated by function of office as of a particular date so that he can be identified if apprehended.

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Date Submitted

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JAN 1994

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3 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 130 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Tagasaki, Japanese Army, Commander, of Cabanatuan No.1 Prisoner of War Camp, Luzon, Philippine Islands in 1944.

Date and place of commission of alleged crime.

September or October 1944.
Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Torture of Civilians.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

The victims, Filipino civilians, were brought into this camp, beaten and tortured in an uncivilized fashion.

Source: War Crimes Office, Washington, (Case No.40-935).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) Wt.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

The five victims were brought into camp and were bound and tortured. They were beaten brutally, live coals of fire were placed on the bare flesh of their abdomens and it is believed that they were finally executed. It was rumored that they were caught digging vegetables on the Camp Farm. The Commander of the camp was aware of the treatment to these natives.

Victims: Five Filipino Civilians.

PARTICULARS OF EVIDENCE IN SUPPORT

1123

WITNESS AND EVIDENCE.

1. Ben. E. King, Maj. O-275671. 3210 Fairfax Walk, Austin, Texas. Signed and Sworn Statement. Eyewitness account. Says that Major Tagasaki was aware of this occurrence.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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3 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 131 J *

Name of accused, his rank and unit, or official position. (Not to be translated.)	1. Lt. Gen. Masaharu Homma, Japanese Army. 2. Maj. Gen. Ichiro Morimoto, Japanese Army. 3. Colonel Akira Nagahama, Japanese Army. 4. Lt. Col. S. Mori, Japanese Army, Commander. 5. 2nd Lt. S. Konichi, Japanese Army. 6. Capt. N. Nogi, Japanese Army. Accused Nos. 4, 5 and 6 stationed at Cabanatuan No. 1, Prisoner of War Camp, Luzon, Philippine Islands at time of offenses.
Date and place of commission of alleged crime.	Between May and December 1942. Cabanatuan No. 1, Prisoner of War Camp, Luzon, Philippine Islands.
Number and description of crime in war crimes list.	a. Ill-treatment of Prisoners of War. b. Murder.
References to relevant provisions of national law.	a. Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 11, and 14. b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Victim, weakened from malnutrition was forced to go on a march. He had to be helped along and later died from beri-beri at this camp.

Source: War Crimes Office, Washington, (Case No. 40-948).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A. & E. W. Ltd. Gp. 685
(30449) Wt.P.1153/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

The victim was placed upon a starvation diet but was nevertheless forced to work . On a march from Cabanatuan City to Cabanatuan No.3, he was so weak that he had to be carried by the witness for about 2 km until he revived. He developed beri-beri as the result of malnutrition and died from this disease at Cabanatuan Camp No.1.

Victim: Earl Johnson, United States Army.

Accused No.4 was Commander of this camp and Accused Nos.5 and 6 were responsible officers at the camp at the time of the offense.

PARTICULARS OF EVIDENCE IN SUPPORT

1128

WITNESS AND EVIDENCE.

1. Jerome J. Roth, Sgt. 6658258. 1247 Schiller Ave., Louisville, Ky. Signed and Sworn Statement. This witness carried the victim on his back because the victim fainted during the march from Cabanatuan City to Cabanatuan No.3. He evidently was a personal friend of the deceased and knows of his death and the cause of death. Corroboration, if any needed as to fact of death, can come from official records of hospital at Cabanatuan or from AGO.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The chief cause of death in this camp was starvation. The death rate ranged from 30 United States Prisoners of War a day in June 1942 to an average of 18 a day in October, tapering off only because at the latter date most of the weaker men were already dead. Although the Japanese maintained there was no food available, there is ample evidence that there was an abundance of food available in the Philippines at this time. High Japanese officers regularly inspected this camp and knew of the conditions which existed there but deliberately ignored them. Accused No.1 was the Commanding General of Japanese forces in the Philippine Islands at this time; Accused No.2 was the officer in charge of all Prisoner of War Camps in the Philippines at this time, and Accused No.3 was another high authority in Prisoner of war administration at the time. Consequently, all three must be charged with responsibility for the conditions at this camp which resulted in the death of this and countless other victims.

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JAN 1946

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3 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 132 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Y. Iwanaka, Japanese Army, Commander.
2. Oshanaga, Two Star Private, Japanese Army, nicknamed by prisoners "Donald Duck".

Both stationed at Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands in June 1944.

Date and place of commission of alleged crime.

June 1944.
Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Articles 2 and 29.

SHORT STATEMENT OF FACTS.

Victim was forced to work although ill with dysentery. While he was returning to his groups, Accused No.2 beat him with a rifle butt because victim was away from his group.

Source; War Crimes Office, Washington, (Case No. 40-959).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) Wt.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

Victim was a member of a work detail, known as Group 6, on the day in question, engaged in working at the airport in the vicinity of Cabanatuan No.1. Victim was ill with dysentery at the time, and fell out of the column temporarily, so as to relieve himself. He was running past the three work groups that had passed him when he stopped, and Accused No.2 caught him away from his group. Victim was struck by the accused three times across the back with a rifle butt and knocked down. While on the ground the victim was struck in the mouth with the rifle butt by the accused and had two of his teeth knocked out.

Victim: Sgt. Norman L. Miller, ASN 6580743.

WITNESS AND EVIDENCE.

1. Norman L. Miller, Sgt. 6580743. 24-5th Woodlawn Beach, Buffalo, N.Y.
Signed and Sworn Statement. Account of the victim.

NOTES ON THE CASE

1134

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

Accused No.1 was the Commander of this camp and condoned brutality on the part of his guards.

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Date Submitted	Decision of Committee I	
10 JAN 1997	A.	B

P.131/US/J/97

(For the Use of the Secretariat)

1136

Registered Number.

Date of receipt in Secretariat.

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3 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 133 J *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Colonel Mori, Japanese Army, Commander. 2. Japanese Soldier, superior private, name unknown, nicknamed by prisoners "Little Speedo" (about 4'2" tall, very yellow complexion, scar below right ear). Both stationed at Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands, in November 1942.</p>
<p>Date and place of commission of alleged crime.</p>	<p>November 1942. Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War. Breach of the Geneva Prisoners of War Convention 1929, Articles 2 and 46.</p>

SHORT STATEMENT OF FACTS.

Accused No.2 beat the victim without justification.

Source: War Crimes Office, Washington, (Case No.40-964).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(20655) Wt.P.252/4 5,000 5/45 A.& E.W.Ltd. Gp.685
(30449) Wt.P.1183.17 5,000 10/45

(For the Use of the Secretariat)

1136

Registered Number.

Date of receipt in Secretariat.

P.131/US/J/97

3 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 133 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Colonel Mori, Japanese Army, Commander.
2. Japanese Soldier, superior private, name unknown, nicknamed by prisoners "Little Speedo" (about 4'2" tall, very yellow complexion, scar below right ear).

Both stationed at Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands, in November 1942.

Date and place of commission of alleged crime.

November 1942.
Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Articles 2 and 46.

SHORT STATEMENT OF FACTS.

Accused No.2 beat the victim without justification.

Source: War Crimes Office, Washington, (Case No.40-964).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Victim was a member of an irrigation detail, engaged in digging a ditch. He was ordered to mark a line and dig the ditch along the line. Because of faulty eyesight victim dug the ditch along a crooked line. Accused No.2, when he saw what the victim had done, beat the victim seven or eight hard blows on the legs and back. The force of the blows finally knocked the victim down. Victim was not allowed to stop work and was not allowed to have medical treatment.

Victim: Sgt. Carl N. Nickols, ASN 20645287.

PARTICULARS OF EVIDENCE IN SUPPORT

1138

WITNESS AND EVIDENCE.

1. Carl N. Nickols, Sgt., 20645287. 462 N. Washington St.,
Janesville, Wis.
Signed and Sworn Statement. Eyewitness account of the victim.
Description of Japanese torture and punishment method.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Accused No.1 was Commander of this camp and, because he condoned brutality on the part of his guards, is chargeable with responsibility.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Accused No.1 was Commander of this camp and, because he condoned brutality on the part of his guards, is chargeable with responsibility.

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1140

Date Submitted Decision of Committee I

JAN 1998

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(For the Use of the Secretariat)

1141

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3 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 134 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Lt. Gen. Masaharu Homma, Japanese Army.
2. Maj. Gen. Ichiro Morimoto, Japanese Army.
3. Colonel Akira Nagahama, Japanese Army.
4. Colonel Mori, Japanese Army, Commander.
5. Captain N. Nogi, Japanese Army.
6. 2nd Lt. S. Konichi, Japanese Army.

Accused Nos. 4, 5 and 6 stationed at Cabanatuan No. 1, Prisoner of War Camp, Luzon, Philippine Islands in 1942.

Date and place of commission of alleged crime.

Between 29 October 1942 and 9 November 1942.
Cabanatuan No. 1, Prisoner of War Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

- a. Ill-treatment of Prisoners of War.
- b. Murder.

References to relevant provisions of national law.

- a. Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 11 and 14.
- b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Victim was subjected to a starvation diet and developed dysentery. No medical care was administered to him with the result that he died.

Source: War Crimes Office, Washington, (Case No. 40-978).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Victim died of starvation, dysentery, lack of medical care. Received a handful of dry rice each meal and water. Twice a week would be fed green leaves and three ounces of meat three times weekly. Accused No. 4 was Commander of this Camp and Accused Nos. 5 and 6 were responsible officers at the camp at the time of the offense.

Victim:

Pvt. Wayne Evans, G Battery, 59th CAÇ.

PARTICULARS OF EVIDENCE IN SUPPORT

1143

WITNESS AND EVIDENCE

1. Andrew T. Durmis, Cpl., 7025706
Signed and Sworn Statement. States that the Japanese were well fed and that no one ever received any Red Cross packages.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

The chief cause of death in this camp was starvation. The death rate ranged from 30 United States Prisoners of War a day in June 1942 to an average of 18 a day in October, tapering off only because at the latter date most of the weaker men were already dead. Although the Japanese maintained there was no food available, there is ample evidence that there was an abundance of food available in the Philippines at this time. High Japanese officers regularly inspected this camp and knew of the conditions which existed there but deliberately ignored them. Accused No. 1 was the Commanding General of Japanese forces in the Philippine Islands at this time; Accused No. 2 was the officer in charge of all Prisoner of War Camps in the Philippines at this time, and Accused No. 3 was another high authority in Prisoner of War administration at the time. Consequently, all three must be charged with responsibility for the conditions at this camp which resulted in the death of this and countless other victims.

P.133/US/J/99

1145

Date Submitted

Decision of Committee I

9 JAN 1946

A.

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P.133/US/J/99

(For the Use of the Secretariat)

1146

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Date of receipt in Secretariat.

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3 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 135 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Lt. Gen. Masaharu Homma, Japanese Army.
2. Maj. Gen. Ichiro Morimoto, Japanese Army.
3. Colonel Akira Nagahama, Japanese Army.
4. Colonel Mori, Japanese Army, Commander.
5. Captain N. Nogi, Japanese Army.
6. 2nd Lt. S. Konichi, Japanese Army.

Accused Nos. 4, 5 and 6 stationed at Cabanatuan No. 1, Prisoner of War Camp, Luzon, Philippine Islands in 1942.

Date and place of commission of alleged crime.

Between 29 October 1942 and 9 November 1942.
Cabanatuan No. 1, Prisoner of War Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

- a. Ill-treatment of Prisoners of War.
 - b. Murder.
- a. Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 11 and 14.
 - b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Victim was subjected to a starvation diet and developed dysentery. No medical care was administered to him with the result that he died.

Source: War Crimes Office, Washington, (Case No. 40-979).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Victim died of starvation, dysentery, lack of medical care. Received a handful of dry rice each meal and water. Twice a week would be fed green leaves and three ounces of meat three times weekly. Accused No.4 was Commander of this Camp and Accused Nos. 5 and 6 were responsible officers at the camp at the time of the offense.

Victim: Pvt. Gress Close, G Battery, 59th CAC.

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE

1. Andrew T. Durmis, Cpl., 7025706
Signed and Sworn Statement.
States that the Japanese were well fed and that no one ever received any Red Cross packages.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

The chief cause of death in this camp was starvation. The death rate ranged from 30 United States Prisoners of War a day in June 1942 to an average of 18 a day in October, tapering off only because at the latter date most of the weaker men were already dead. Although the Japanese maintained there was no food available, there is ample evidence that there was an abundance of food available in the Philippines at this time. High Japanese officers regularly inspected this camp and knew of the conditions which existed there but deliberately ignored them. Accused No. 1 was the Commanding General of Japanese forces in the Philippine Islands at this time; Accused No. 2 was the officer in charge of all Prisoner of War Camps in the Philippines at this time, and Accused No. 3 was another high authority in Prisoner of War administration at the time. Consequently, all three must be charged with responsibility for the conditions at this camp which resulted in the death of this and countless other victims.

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1150

НОМНА, Masaharu, # 2-6

Date Submitted

Decision of Committee I

17 JAN 1946

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CARDS CHECKED

P.134/US/J/100

See letter of

1151

SHORT STATEMENT OF FACTS

Statement prepared by [illegible] and [illegible]
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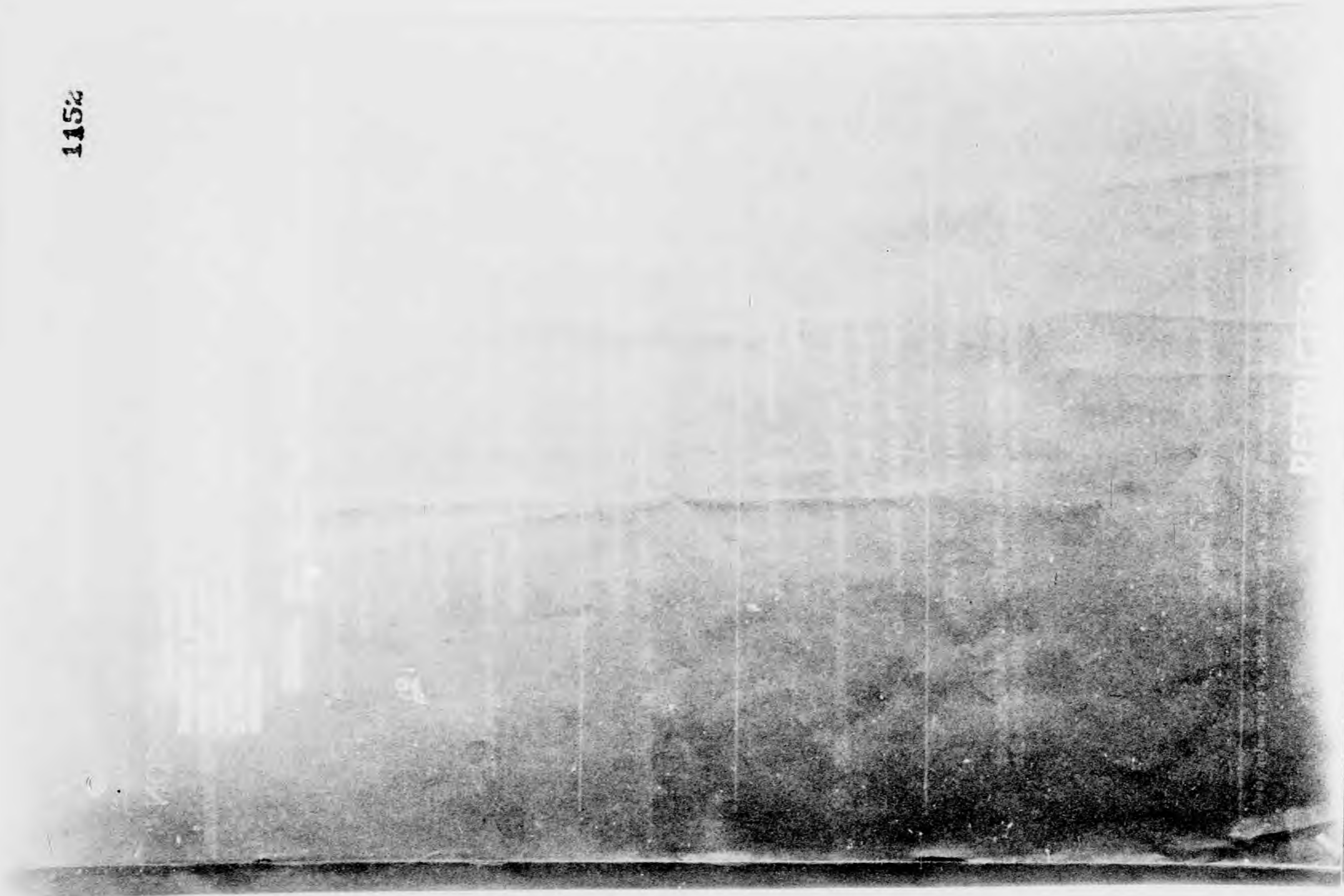
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(For the Use of the Secretariat)

SECRET

1155

Registered Number.

Date of receipt in Secretariat.

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11 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 136 J *

<p>Name of accused, his rank and unit, or official position. <i>(Not to be translated.)</i></p>	<ol style="list-style-type: none"> 1. Lt.Gen. Masaharu Homma, Japanese Army. 2. Major General Ichiro Morimoto, Japanese Army. 3. Colonel Akira Nagahama, Japanese Army. 4. Lt. Col. Mori, Japanese Army. 5. Captain N. Nogi, Japanese Army. 6. 2nd Lt. S. Konichi, Japanese Army. <p>Accused Nos. 4, 5, and 6 stationed at Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands in 1942.</p>
<p>Date and place of commission of alleged crime.</p>	<p>Between 29 October 1942 and 9 November 1942. Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<ol style="list-style-type: none"> a. Ill-treatment of Prisoners of War. b. Murder. <ol style="list-style-type: none"> a. Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 11 and 14. b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Victim was subjected to a starvation diet and developed dysentery. No medical care was administered to him with the result that he died.

Source: War Crimes Office, Washington, (Case No.40-980).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Victim died of starvation, dysentery, lack of medical care. Received a handful of dry rice each meal and water. Twice a week would be fed green leaves and three ounces of meat three times weekly. Accused No.4 was Commander of this camp and Accused Nos. 5 and 6 were responsible officers at the camp at the time of the offense.

Victim: Cpl. Paul Blaho, Signal Corps, Nichols Field
Home Address: Box 4 Highland Avenue, Westmoreland City, Penn.

PARTICULARS OF EVIDENCE IN SUPPORT

1157

WITNESS AND EVIDENCE.

1. Andrew T. Durmis, Cpl, 7025706.
Signed and Sworn Statement. States that the Japanese were well fed and that no one ever received any Red Cross packages.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

The chief cause of death in this camp was starvation. The death rate ranged from 30 United States Prisoners of War a day in June 1942 to an average of 18 a day in October, tapering off only because at the latter date most of the weaker men were already dead. Although the Japanese maintained there was no food available, there is ample evidence that there was an abundance of food available in the Philippines at this time. High Japanese officers regularly inspected this camp and knew of the conditions which existed there but deliberately ignored them. Accused No. 1 was the Commanding General of Japanese forces in the Philippine Islands at this time; Accused No. 2 was the officer in charge of all Prisoner of War Camps in the Philippines at this time, and Accused No. 3 was another high authority in Prisoner of War administration at the time. Consequently, all three must be charged with responsibility for the conditions at this camp which resulted in the death of this and countless other victims.

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HOMMA Masaharu, + 2.-6.

Date Submitted Decision of Committee I

17 JAN 1946

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CARDS CHECKED

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RESTRICTED

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(For the Use of the Secretariat)

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1164

Registered Number.

Date of receipt in Secretariat.

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11 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 137 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. Lt. Gen. Masaharu Homma, Japanese Army.
- 2. Major General Ichiro Morimoto, Japanese Army.
- 3. Colonel Akira Nagahama, Japanese Army.
- 4. Lt. Col. Mori, Japanese Army.
- 5. Captain N. Nogi, Japanese Army.
- 6. 2nd Lt. S. Konichi, Japanese Army.

Accused Nos. 4,5 and 6 stationed at Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands in July 1942.

Date and place of commission of alleged crime.

July 1942.
Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

- a. Ill-treatment of Prisoners of War.
- b. Murder.

References to relevant provisions of national law.

- a. Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 11 and 14.
- b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Although victim was afflicted with beri-beri, proper medical care and treatment was not given to him with the result that he died.

Source: War Crimes Office, Washington, (Case No. 40-987).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) Wt.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

THE VICTIM

Victim contracted beri-beri which grew progressively worse. He was never taken to the hospital and received very superficial treatment at the Camp Dispensary. He was given light duty around the barracks when he was first affected with the disease and continued to perform these duties until the day of his death.

Victim: Sgt. John A. Mills - 27th Bomber Sq., AAF.

PARTICULARS OF EVIDENCE IN SUPPORT

1166

WITNESS AND EVIDENCE.

1. Charles E. Buchanan, Cpl., 7008835, 2426 Washington St., Vicksburg, Miss.
Signed and Sworn Statement.
Personal friend of deceased and a member of victim's burial detail.
Shared the same platform bed with deceased. Was told by deceased and
by a POW Doctor that deceased had beri - beri. The doctor told witness
that beri - beri was the cause of deceased's death.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Medical evidence will corroborate symptoms of beri-beri and the fact that if not treated and allowed to progress, it will ultimately cause death. Lack of proper nutrition and starvation diets were notorious at this camp. The chief cause of death in this camp was starvation. The death rate ranged from 30 United States Prisoners of War a day in June 1942 to an average of 18 a day in October, tapering off only because at the latter date most of the weaker men were already dead. Although the Japanese maintained there was no food available, there is ample evidence that there was an abundance of food available in the Philippines at this time. High Japanese officers regularly inspected this camp and knew of the conditions which existed there but deliberately ignored them. Accused No. 1 was the Commanding General of Japanese forces in the Philippine Islands at this time; Accused No. 2 was the officer in charge of all Prisoner of War Camps in the Philippines at this time, and Accused No. 3 was another high authority in the Prisoner of War administration at the time. Consequently, all three must be charged with responsibility for the conditions at this camp which resulted in the death of this and countless other victims.

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IWANAKA, Y. & NOGI, N.

Date Submitted	Decision of Committee I	B	CARDS CHECKED
7 JAN 1946	Both A		

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See letter of 16 August 1946 - File 3.21 US

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<p>Name of person or organization</p>	
<p>Date and place of commission of crime</p>	
<p>Number and description of crimes in the above list</p>	
<p>Reference to relevant provisions of national law</p>	

BRIEF STATEMENT OF FACTS.

TRANSMITTED BY _____

*Insert serial number under which this report is filed in the National Office of the receiving State.

FORM NO. 100 (REV. 1-25-46)

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(For the Use of the Secretariat)

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1173

Registered Number.

Date of receipt in Secretariat.

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11 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 138.J *

Name of accused, his rank and unit, or official position.

1. Major Y. Iwanaka, Japanese Army, Commander.

2. Captain N. Nogi, Japanese Army.

(Not to be translated.)

Both stationed at Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands, in February 1943.

Date and place of commission of alleged crime.

February 1943.

Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Victim and others were used as "guinea pigs" for medical experiments conducted by accused No.2.

Source: War Crimes Office, Washington, (Case No.40-1017).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) Wt.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

Victim and a number of unknown Ps. of W. were taken to the hospital where accused used them as "guinea pigs" in experimenting for a cure for beri-beri. Victim and others were subjected to numerous spinal taps and blood tests. Each victim was given a different medicine. Victim received injections of Vitamin B-1, which were of some help; others whose injections failed to benefit them were given no medical treatment at all after the experiment ended some six months later.

Victim: T/Sgt. Euclid A. Johnson, ASN - 15044803

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Euclid A. Johnson, T/Sgt., 15044803. 915 Clay St., Paducah, Ky.
Signed and Sworn Statement. Eyewitness account of victim. Witness
does not know any names of his fellow victims of this experiment.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Subjecting prisoners of war to medical experimentation constitutes a degree of ill-treatment which cannot be tolerated in a civilized world.

P.137/US/7/103

1177

IWANAKA Y. Soldier

Date Submitted

Decision of Committee I

17 JAN 1946

Both A

B

CARDS CHECKED

P.137/US/7/103

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SHORT STATEMENT OF FACTS

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(For the Use of the Secretariat)

SECRET

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Registered Number.

Date of receipt in Secretariat.

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1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 139 J

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Y. Iwanaka, Japanese Army, Commander.

2. Japanese Soldier, name and rank unknown, nicknamed by prisoners "Porky".

Both stationed at Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands, in April 1944.

Date and place of commission of alleged crime.

April 1944.
Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Accused No.2 beat and kicked the victim without justification.

Source: War Crimes Office, Washington, (Case No.40-1023).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A. & E., W.Ltd. Gp.685
(30440) Wt.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

Victim knew some Japanese and acted as interpreter. One evening, after he had been ordered around and otherwise confused, he unintentionally walked by a Japanese clerk (accused No.2) from the Japanese Headquarters without saluting. The accused immediately began beating victim with his fists and kicking him. Victim's face was badly lacerated and bruised, and he was otherwise injured.

Victim: Lt. Comdr. Jordan, USN.

PARTICULARS OF EVIDENCE IN SUPPORT

1184

WITNESS AND EVIDENCE.

1. Ross B. Smith, Lt. Col. O-7366. 624 Terrell Rd., San Antonio, Tex. Signed and Sworn Statement. Evidence was related to the witness by the victim. Witness did see the injuries suffered by the victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Accused No.1 was the Commander of this camp at the time of the offence. He notoriously condoned brutality on the part of camp personnel.

P.138/US/J/104

1186

HOMMA Masaharu, + 2-6

Date Submitted Decision of Committee I

7 JAN 1946

ALL A

B

CARDS CHECKED

P.138/US/J/104

See letter of 10/10/44

RESTRICTED

Case No. _____ Date of receipt in Secretariat _____

1187

UNITED NATIONS WAR CRIMES COMMISSION

WAR CRIMINALS

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____

Insert Nos. 4, 5 and 6 over statement of education No. 2, member of the Army, _____, _____, at the _____ of _____.

Date and place of commission of alleged crime.

From 20 May 1942 to 25 October 1942, _____, member of the Army, _____, _____, _____.

Number and description of crime in war crimes list.

_____ of _____ of _____.

References to relevant provisions of national law.

_____ of the _____ of the _____, _____, _____ and _____.

SHORT STATEMENT OF FACTS.

Victim's weight failed progressively from time to time with a reduction of vision, finally resulting in blindness in his left eye and near blindness in his right eye. Lack of proper nutrition and subsequent lack of medical care were the cause of victim's condition.

17

Source: War Crimes Office, Washington, (Case No. 40-204)

TRANSMITTED BY _____

* Insert serial number under which the case _____ National Office of the receiving State.

RESTRICTED

FORM W.P. 1001 1-44 USE FOR A.S.P. W.P. 1001-1-44

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811

RESTRICTED

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RESTRICTED

(For the Use of the Secretariat)

1191

Registered Number.

Date of receipt in Secretariat.

P.138/US/J/104

11 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 140.J.*

Name of accused, his rank and unit, or official position. (Not to be translated.)	1. Lt.Gen. Masaharu Homma, Japanese Army. 2. Major General Ichiro Morimoto, Japanese Army. 3. Colonel Akira Nagahama, Japanese Army. 4. Lt.Col. Mori, Japanese Army. 5. Captain N. Nogi, Japanese Army. 6. 2nd Lt. S. Konichi, Japanese Army. Accused Nos. 4, 5 and 6 were stationed at Cabanatuan No. 1, Prisoner of War Camp, Luzon, Philippine Islands, at time of offence.
Date and place of commission of alleged crime.	From 29 May 1942 to 23 October 1942. Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.
Number and description of crime in war crimes list.	Ill-treatment of Prisoners of War.
References to relevant provisions of national law.	Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 11 and 14.

SHORT STATEMENT OF FACTS.

Victim's eyesight failed progressively from time he was made a prisoner of war, finally resulting in blindness in his left eye and near blindness in his right eye. Lack of proper nutrition and subsequent lack of medical care were the causes of victim's condition.

Source: War Crimes Office, Washington, (Case No. 40-1044).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A. & E., W.Ltd. Gp.685
(30449) Wt.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

1192

From the time the victim was made a prisoner of war, his eyesight began to fail. This condition grew progressively worse until the beginning of 1944 when he lost the sight of his left eye completely. The sight of his right eye is greatly affected even now. The second lieutenant medical officer at the camp examined victim's eyes, but did not treat him. The only treatment afforded victim was five (5) injections of vitamin B-1 administered by United States medical Ps. of W. who told victim that the cause of his blindness was malnutrition. Accused No.4 was Commander of this camp and accused Nos. 5 and 6 were responsible officers at the camp at the time of offence.

Victim: T/Sgt. Cecil C. Moore, ASN R-1289624.

PARTICULARS OF EVIDENCE IN SUPPORT

1193

WITNESS AND EVIDENCE .

1. Cecil C. Moore, T/Sgt, R-1289624., 2507 Fairview Ave., Lynchburg, Va.
Signed and Sworn Statement. Eyewitness account of victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The chief cause of complaint in this camp was starvation and malnutrition. The death rate ranged from 30 United States Prisoners of War a day in June 1942 to an average of 18 a day in October, tapering off only because at the latter date most of the weaker men were already dead. Although the Japanese maintained there was no food or medicine available, there is ample evidence that there was an abundance of food available in the Philippines at this time, and that Red Cross medicine packages were not distributed for the benefit of the prisoners. High Japanese officers regularly inspected this camp and knew of the conditions which existed there but deliberately ignored them. Accused No. 1 was the Commanding General of Japanese forces in the Philippine Islands at this time; Accused No. 2 was the officer in charge of all Prisoner of War Camps in the Philippines at this time, and Accused No. 3 was another high authority in Prisoner of War Administration at the time. Consequently, all three must be charged with responsibility for the conditions at this camp which resulted in the condition of this and countless other victims.

P.139/US/J/105

1195

IWANAKA Y. + Guard

Date Submitted

Decision of Committee I

17 JAN 1946

Both A

B

CARDS CHECKED

P.139/US/J/105

See letter 16 August 1946 File 3.21 US

1196

UNITED STATES COMMISSION

REPORT ON THE PROCEEDINGS OF THE COMMISSION

Name of person or
entity, and
official position
(If a corporation)

Date and place of
commission of al-
leged crime.

Number and descrip-
tion of crime in war
crimes list.

References to rele-
vant provisions of
national law.

SHORT STATEMENT OF FACTS.

Accused No. 2 took victim with a club, knocked him down and
killed him, all without justification.

21

Report of the United States Commission, Washington, (Case No. 100-1000).
TRANSMITTED BY _____

*Insert serial number under which the case is recorded in the National Office of the receiving State.
RESTRICTED

1187

SECTION

22

Give and place of
residence of
lead witness

Give and place of
residence of
witness
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SHORT STATEMENT OF FACTS

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(For the Use of the Secretariat)

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1200

Registered Number.

Date of receipt in Secretariat.

P.139/US/J/105

1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST CHARGES AGAINST

JAPANESE WAR CRIMINALS WAR CRIMINALS

CASE No. 141 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. Major Y. Iwanaka, Japanese Army, Commander.
- 2. Japanese Guard, name and rank unknown, nicknamed by prisoners "Smiley".

Both stationed at Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands, June 1944.

Date and place of commission of alleged crime.

June 1944. Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 46 and 54.

SHORT STATEMENT OF FACTS.

Accused No.2 beat victim with a club, knocked him down and kicked him, all without justification.

Source: War Crimes Office, Washington, (Case No.40-1084).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 6/45 A. & E. W.Ltd. Gp.685 (30449) Wt.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

0021 MAL I F

Victim was seen leaving the tool shed smoking a cigaret which was against the orders of the Japanese. Accused ran after the victim and started beating him with a hoe handle. He struck his victim three or four times across the arms and shoulders until the victim fell. While he was on the ground, the accused kicked him with his hobnailed boots. Two of victim's ribs were believed to have been broken as a result of this treatment.

WITNESS AND EVIDENCE.

1. Ralph G. Goldbach, Col., 13038215. 621 Brownsville Rd., Pittsburg, Penna.
Signed and Sworn Statement. Eyewitness account.

8031

NOTES ON THE CASE

1203

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Accused No.1 was Commander of the camp at the time of the offence and is responsible for cruelty on the part of his guards.

P.140/US/J/106

1204

IWANAKA Y. & Guard

Date Submitted

Decision of Committee I

I 7 JAN 1946

Both A

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CARDS CHECKED

P.140/US/J/106

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STATEMENT OF FACTS

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TRANSMITTED BY

NOTION

1207

RESTRICTED

(For the Use of the Secretariat)

SECRET

1209

Registered Number.

Date of receipt in Secretariat.

P.140/us/5/106

11 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 142.J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. Major Y. Iwanaka, Japanese Army, Commander.
- 2. Japanese Guard, name and rank unknown, nicknamed by prisoners "Caribou".

Both stationed at Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands, in April 1944.

Date and place of commission of alleged crime.

April 1944.
Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Accused No.2 punched victim repeatedly, knocked him down and kicked him, all without provocation or justification.

Source: War Crimes Office, Washington, (Case No.40-1086).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1210

At about 10 o'clock one morning in March 1944 a group of prisoners were working on a watering detail. The prisoners in this group were organized in a line carrying buckets of water from the creek to water the vegetables. Work was halted for about ten minutes and as the prisoners were reforming to resume work, the victim knelt momentarily to adjust his shoe. The Japanese guard in charge, known as "Caribou" saw the prisoner and immediately went over and struck the victim in the face and abdomen with his fist. The victim got to his feet, stood at attention whereupon "Caribou" knocked him down and kicked him. This was repeated three or four times. As a result the victim's face became swollen and discolored. He had a black eye, a lump on his jaw and multiple bruises. He later stated that no bones were broken.

~~SIX~~ PARTICULARS OF EVIDENCE IN SUPPORT

1211

WITNESS AND EVIDENCE.

1. Harry Hill T/5 ASN 38007334. Route 2, Arvada, Colorado.
Signed and Sworn Statement. Eyewitness account.

1131

NOTES ON THE CASE

1212

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Accused No.1 was Commander of the camp at the time of offence and is responsible for cruelty on the part of his guards.

P.141/US/J/107

1213

IWANAKA Y. + Private

Date Submitted Decision of Committee I

7 JAN 1946

Both A.

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CARDS CHECKED

P.141/US/J/107

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(For the Use of the Secretariat)

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1218

Registered Number.

Date of receipt in Secretariat.

P.141/US/J/107

1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 145 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Y. Iwanaka, Japanese Army, Commander.

2. Japanese Superior Private, name unknown, nicknamed by prisoners "Beetle Brain".

(about 27 years old, 6 feet tall, weight about 150 lbs.)

Both stationed at Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands, in April 1944.

Date and place of commission of alleged crime.

April 1944.

Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Accused No.2 beat the victim and subjected him to torture without justification.

Source: War Crimes Office, Washington (Case No.40-1103).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(20655) Wt.P.252/4 5,000 5/45 A. & E., W.Ltd. Gp.685
(30449) Wt.P.1183/17 5,000 10/45

8123

PARTICULARS OF ALLEGED CRIME

1219

08/21/41

Victim was a member of a work detail engaged in gathering cucumbers, and was caught eating one. Victim was beaten several times by accused No.2 with his fists, and then forced victim to kneel on crushed rock, in the sun, without a hat for two to three hours until the work detail completed work for the day.

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Harry Hill, T/5, 38007534. Dever, Colorado.
Signed and Sworn Statement. Eyewitness account.

END

0551

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Accused No.1 was Commander of the camp at the time of the offence and condoned brutality on the part of his guards.

P.142/US/J/108

1222

TAGASAKI + J-3

Date Submitted

Decision of Committee I

I 7 JAN 1946

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CARDS CHECKED

P.142/US/J/108

NOTES

MINUTES

34

Date and place of meeting of the committee...

Members and their titles...
Officers...
Resolutions...
Reports...

SHORT STATEMENT OF FACTS

RESTRICTED

1225

RESTRICTED

(For the Use of the Secretariat)

SECRET

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Registered Number.

Date of receipt in Secretariat.

P142/US/J/108

1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 144 J *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Major Tagasaki, Japanese Army. 2. Japanese Guard, name and rank unknown, thought to be "Ogowa" or "Neo Sun" or "Neo Bun", 3. Japanese Guard, name and rank unknown, thought to be "Minnie Minnie" (phonetic). All stationed at Cabanatuan No.1. Prisoner of War Camp, Luzon, Philippine Islands, in 1942.</p>
<p>Date and place of commission of alleged crime.</p>	<p>Between 27 May 1942 and 23 October 1942. Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War. Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 46, and 54.</p>

SHORT STATEMENT OF FACTS.

Each of the accused beat victim without justification.

Source: War Crimes Office, Washington, (Case No.40-1104).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1227

Victim was beaten at different times by each of the accused while at Cabanatuan. He was beaten for smoking, not working fast enough and sometimes for no apparent reason. Maj. Tagasaki beat victim several times for no apparent reason.

Victim: Cpl. William J. Lash - ASN 15017281.

WITNESS AND EVIDENCE.

1. William J. Lash, Cpl. 15017281. 163 East, 337th St., Willough Bay, Chic.
Signed and Sworn Statement. Eyewitness account of victim.

8321

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P.143/US/J/109

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Date Submitted

Decision of Committee I

17 JAN 1948

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CARDS CHECKED

P.143/US/J/109

See letter 16 August 1946, File 3, 21 W3

(For the Use of the Secretariat)

Registered Number:

Date of receipt in Secretariat.

RESTRICTED

1231

UNITED NATIONS WAR CRIMES COMMISSION

CHARGE

CASE No. 40-78

Name of accused, his rank and unit, or official position.

(Not to be translated.)

a. Col. Paul, Japanese Army, Commander of Detachment No. 1, Prisoner of War Camp, Iloilo, Philippines Islands.

b. Captain Paul, Japanese Army, Assistant Commander of Detachment No. 1, Prisoner of War Camp, Iloilo, Philippines Islands.

c. Captain Paul, was and was known, nicknamed by prisoners "Carpenter", attached to Detachment No. 1, Prisoner of War Camp, Iloilo, Philippines Islands.

Date and place of commission of alleged crime.

In May 1945.
 Detachment No. 1, Prisoner of War Camp, Iloilo, Philippines Islands.

Number and description of crime in war crimes list.

a. [redacted] of War.

b. Murder.

References to relevant provisions of national law.

a. Branch of the Geneva Prisoners of War Convention 1929, Articles 2, 16, 17, 21 and 23.

b. Branch of the Law and Customs of War.

SHORT STATEMENT OF FACTS.

Victims attempted to escape and were recaptured. They were then tortured, beaten, and summarily executed.

Source: War Crimes Office, Washington, (Case No. 40-78).

36

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

FORM 10-1946 USE PREVIOUS EDITIONS. G.P.O. WASHINGTON, D.C.

RESTRICTED

40-78

See letter 16 August 1946 File S. 21 W 3

(For the Use of the Secretariat)

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Registered Number: [REDACTED]

Date of: [REDACTED]

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4 January 1946

1231

UNITED NATIONS

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No. 2077

accused, his official position.

- 1. Mr. [REDACTED], [REDACTED] of [REDACTED] No. 1, [REDACTED] of [REDACTED] Camp, [REDACTED] Islands.
- 2. [REDACTED], [REDACTED] of [REDACTED] of [REDACTED] No. 1, [REDACTED].
- 3. [REDACTED], [REDACTED] and [REDACTED] witnesses, [REDACTED] by [REDACTED] [REDACTED] of [REDACTED] of [REDACTED] Camp, [REDACTED] Islands.

in c

20 May 1946.
[REDACTED] No. 1, [REDACTED] of [REDACTED] Camp, [REDACTED] Islands.

General Principles of War Convention 1929,
Articles 2, 16, 17, 21 and 23.

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36

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person to be
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Reference to
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SHORT STATEMENT OF FACTS

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Transmitting office, when the case is reported in the case of the [redacted]

(For the Use of the Secretariat)

SECRET

1235

Registered Number.

Date of receipt in Secretariat.

P.143/US/J/109

11 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS

WAR CRIMINALS

CASE No. 145 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Col. Mori, Japanese Army, Commander of Cabanatuan No.1, Prisoner of War Camp, Luzon, Philippine Islands.
2. Captain Motoki, Japanese Army, Assistant Commander of Cabanatuan No.3, Prisoner of War Camp, Luzon, Philippine Islands.
3. Japanese Guard, name and rank unknown, nicknamed by prisoners "Crosseyes", stationed at Cabanatuan No.3, Prisoner of War Camp, Luzon, Philippine Islands.

Date and place of commission of alleged crime.

30 May 1942.
Cabanatuan No.3, Prisoner of War Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

- a. Ill-treatment of Prisoners of War.
- b. Murder.

References to relevant provisions of national law.

- a. Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 46, 47, 51, 54.
- b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Victims attempted to escape and were recaptured. They were then tortured, beaten, and summarily executed.

Source: War Crimes Office, Washington, (Case No.40-78).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1236

The four victims attempted an escape from Cabanatuan No. 3 on or about 28 May 1942. They were recaptured and returned to Camp No. 3 by a Japanese patrol, on 29 May 1942. As punishment, they were trussed up in a sitting or squatting position with a pole or a 2 x 4 timber under their knees and tied to posts. They were beaten continuously and kept in the hot sun without hats, and with no food or water. On 30 May they were untied and led to graves, which some witnesses said they had to dig themselves. They were then shot to death. The witness Pittmann says Colonel Mori led execution squad and himself gave mercy shot to victims. Pittman may be confused on this point in view of statements of Captain Foley and Cpl. Durmis, who identify by description the Japanese Lieutenant who actually carried out the execution.

Victims: Pfc. Benson, formerly of Los Angeles, California
Pfc. Jordan, formerly of Fort Worth, Texas.
Pfc. Lee, formerly of Texas
Pfc. Hugh Wellman, formerly of Virginia or W. Virginia.

463 PARTICULARS OF EVIDENCE IN SUPPORT

1237

WITNESSES AND EVIDENCE.

1. D.J. Olinger, t/5, 19056665.
Signed and Sworn Statement. Witness personally acquainted with all four victims as members of his battery for approximately a year. Knows that victims had planned escape and tried to discourage them. Says they were tortured 24 hours and then shot. Places date of occurrence on 30 May 1942. This is definitely an eye-witness account of what transpired and after giving details of torture, says all four were forced to dig their own graves. Says a Japanese NCO or officer was in charge of the execution squad. A mercy shot was given each man as he lay in his grave. Considerable weight should be given to this testimony.
2. James B. Mc Carthy, Chief Yeoman.
True copy of news item from NY Times. Corroborates Olinger in essential detail.
3. Malcom R. Johns.
Signed and Sworn Statement. Eyewitness to torture and execution. Says firing squad composed of regular Army (Japanese) personnel. Says Captain Motoki interrogated victims. Further states victims were picked up in a village about 25 Kilometers away.
4. Volnie S. Burke, S/Sgt. 6259972. 1201 First St., Graham, Texas.
Signed and Sworn Statement. Eyewitness to torture. Says Col. Mori called Lt. Col. Boodrow, U.S. Army and told him that victims would be given mild punishment, but instead they were executed.
5. Fern J. Barta, RM 1/cUSN. 312 So. 4th East St., Salt Lake City, Utah.
Signed and Sworn Statement. Eyewitness to torture and heard reports of rifles of execution squad, Merely corroborative.
6. James A. Pittmann, Cpl., 18038783. P.O. Box 322, Dublin, Texas.
Signed and Sworn Statement. Eyewitness to execution. Says Colonel Mori participated in the execution by giving the orders and by firing the mercy shot. Says Japanese gave the reason for execution as attempted escape. Says the four victims were outside the camp in search of food and when they were marching down the road and met a detail of returning United States prisoners of war, they surrendered immediately to the Japanese guards of the detail.
7. Darnell W. Kadolph, Sgt.
Signed and Sworn Statement. Eyewitness to torture and execution. Says torture lasted about 36 hours.
8. Seaton Foley, Capt., O-890077. 17 Hillcrest Dr. San Rafael, Calif.
Signed and Sworn Statement. Knows details of escape and recapture. Eyewitness to torture which he says lasted about 25½ hours. Says no water or food given prisoners. Says that when one of victims would lapse into unconsciousness he would be revived by slapping and a little water. Watched torture from his barracks throughout the night. Barracks about 35 ft. from point where victims were bound. Says Japanese platoon comprised the execution squad. Believes Mori was with execution squad. Says a Japanese Lieutenant was in command of the squad. Confirms the fact that there was some sort of trial but says victims were not allowed to put up any defense.
9. Andrew T. Durais Cpl. 7026706. Box 101, Walnut Street, Westmoreland City, Pennsylvania.
Signed and Sworn Statement. Eyewitness to torture. Gives detailed account of beating of victims and the manner in which they were tied up. Names "Cross Eyes" as Japanese guard who actually tied the victims up and gives good physical characteristics of the Japanese Lieutenant in charge of firing squad and who administered the mercy shot.

NOTES ON THE CASE

1238

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

This is a clear case of unlawful beating, torture, and killing. All three accused have been identified with these crimes and carried out a system repeatedly approved by higher Japanese authority.

P.144/US/5/110

1239

Mark

Date Submitted

Decision of Committee I

17 JAN 1946

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CARD'S CHECKED

P.144/US/5/110

P.144/US/5/110

1239

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Date Submitted

Decision of Committee I

17 JAN 1946

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CARDS CHECKED

P.144/US/5/110

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1240

Registered Number.

Date of receipt in Secretariat.

P.144/US/J/110

1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 146 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Colonel Mori, Japanese Army, Commander of Cabanatuan No. 3 Prisoner of War Camp, Luzon, Philippine Islands in May 1942.

Date and place of commission of alleged crime.

29 May 1942.
Cabanatuan No. 3, Prisoner of War Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

a. Ill-treatment of Prisoners of War.
b. Murder.

References to relevant provisions of national law.

a. Breach of the Geneva Prisoners of War Convention 1929, Article 2, 46, 47, and 51.
b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Victims escaped and were recaptured. They were beaten, tortured and finally executed. The accused was the Commander of this camp and permitted these flagrant crimes to be committed by his subordinates.

Source: War Crimes Office, Washington, (Case No. 40-425).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1241

The five victims were tied up with a piece of wood behind the knee joint, their arms brought back and up and tied to their upper arms with baling wire. They were trussed in this manner for at least a day and night. No food or water was given them and they were beaten by the Japanese guards. These guards would drink water in front of them and pour what they did not want on the ground. The victims were beaten about the face and body with bamboo sticks. After undergoing this torture all five were taken to a place inside the camp where a large five-man grave had been dug. They were made to stand in this grave and were executed by a firing squad of twelve Japanese soldiers. All men were not killed after the first volley, and some were shot again as they attempted to crawl out of their grave.

Victims: Pvt. Bilhart of Btry. E., 59th CA
Two unknown Ps. of War of the 31st Infantry Regt.
One unknown Ps. of War of the 24th Pursuit Sq.
One unknown Ps. of War.

PARTICULARS OF EVIDENCE IN SUPPORT

1242

WITNESSES AND EVIDENCE.

1. William K. Smith, Jr., Cpl. 19020921. Box 337, Red Bay, Alabama. Signed and Sworn Statement. Eyewitness account. Says the reason why these men were tortured and executed was that they had stolen arms and ammunition and had hidden them. That while on a working detail, they had escaped and were gone about three days before they were recaptured. Saw the execution and was on the detail to help cover over the grave.
2. John E. Carville, Sgt., 6262820. 301 Norton St., Corpus Christi, Texas. Signed and Sworn Statement. Eyewitness account as to torture and execution. Says men were tied to a shed inside of the camp. This could have been the Japanese Headquarters referred to. Says he saw men forced to remain in a kneeling position with the wood block on the calves of their legs, so that when they sat because of fatigue, they cut off all circulation. Says that all testimony as to reason for execution was told to him. This version is slightly different from the witness Smith's but not inconsistent with it.

NOTES ON THE CASE

1243

3/21

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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P.145/US/J/III

1244

MORI + "Smiley"

Date Submitted Decision of Committee I

17 JAN 1946

Both A

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CARDS CHECKED

P.145/US/J/III

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1245

Registered Number.

Date of receipt in Secretariat.

P.145/US/J/III

11 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 147 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Colonel Mori, Japanese Army, Commander of Cabanatuan No.3, Prisoner of War Camp, Luzon, Philippine Islands, November 1942.
2. Japanese Guard, name and rank unknown, nicknamed by prisoners "Smiley", stationed at Cabanatuan No.3, Prisoner of War Camp, Luzon, Philippine Islands, in November 1942.

Date and place of commission of alleged crime.

November 1942.
Cabanatuan No.3, Prisoner of War Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2 and 46.

SHORT STATEMENT OF FACTS.

Accused No.2 beat and slapped victim and subjected him to slappings by fellow prisoners, all without justification.

Source: War Crimes Office, Washington, (Case No.40-741).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A.& E. W.Ltd. Gp.685
(30449) Wt.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

1246

Victim was a member of a work detail on the camp Prison Farm. About noon the bell rang for the details to come to the main gate to be counted. As this was victim's first time on this detail or on this type of work, and as the group was strange to him, he became confused and got in the wrong group. When he found out his error he went immediately to the right group, arriving some two minutes late. The situation was explained to Accused No.2 by a United States Officer who spoke Japanese. This failed to satisfy the Japanese guard who struck the victim twice across the back with a stick. Then the accused ordered a United States Major (POW) to slap the victim's face three times. Finally the accused ordered 25 POW, members of the same detail to slap the victim. When the Japanese guard thought certain of the POWs did not slap the victim hard enough, he demonstrated on the victim how he wanted it done. The victim received approximately fifty slaps on the left side of his face and suffered a swollen jaw for two days as a result.

Victim: S/Sgt. James C. Kent - ASN 6967008.

6131
PARTICULARS OF EVIDENCE IN SUPPORT

1247

WITNESS AND EVIDENCE.

1. James C. Kent, S/Sgt. 6967008. 110 Hamlett St., Henderson, Tenn.
Signed and Sworn Statement. Eyewitness account of the victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Accused No.1 as a matter of practice condoned brutality on the part of his subordinates.

P.146/US/J/112

1249

NAKASUMA, + 2-3.

Date Submitted	Decision of Committee I		
17 JAN 1948	All A	B	CARDS CHECKS

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(For the Use of the Secretariat)

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Registered Number.

Date of receipt in Secretariat.

P.146/US/J/112

1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 148 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Captain Nakasuma, Japanese Army, Commander of Cabanatuan No.3, Prisoner of War Camp, Luzon, Philippine Islands, in April 1943.
2. Dr. Nagota (or Nogi), second in Command of Cabanatuan No.3, Prisoner of War Camp, Luzon, Philippine Islands, in April 1943.
3. Sergeant Kumaguami, Sergeant-Major of Cabanatuan No.3, Prisoner of War Camp, Luzon, Philippine Islands, in April 1943.

Date and place of commission of alleged crime.

Late April 1943.
Cabanatuan No.3, Prisoner of War Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Victims, who escaped and were recaptured, were beheaded upon the orders of accused No.1. These orders were concurred in by Accused Nos.2 and 3.

Source: War Crimes Office, Washington, (Case No.40-953).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29055) Wt.P.252/4 5,000 5/45 A.& E. W.Ltd. Gp.685
(30449) Wt.P.1183/17 5,000 10/45

(623)

PARTICULARS OF ALLEGED CRIME 1251

NOT VALID

Victims were led before a large group of Filipino POWs. It is believed that the offense for which these victims were executed was escape from the camp. Victims were beheaded. While the actual perpetrator of the murder is unknown, the order given by Captain Nakasuma for the execution is sufficient to connect him as a principal. The other two accused by their position in the camp at Cabanatuan No. 3, are accessories to the fact by reason of their concurrence in the order of their superior.

Victims: Three Filipinos.

PARTICULARS OF EVIDENCE IN SUPPORT

1252

WITNESS AND EVIDENCE.

1. George C. Humphrey, Sgt. 19054916, Higbee, Missouri.
Signed and Sworn Statement. Eyewitness to actual beheading of one victim. Saw severed heads and bodies of other two after execution. Saw the preparation of victims for execution. States that the Japanese officer who did the beheading was a strange officer, not one of the officers at Cabanatuan No. 3.

2751

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P.147/US/J/113

1254

CRBOTT

Date Submitted

Decision of Committee I

17 JAN 1946

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CARDS CHECKED

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Registered Number.

Date of receipt in Secretariat.

P.147/US/J/113

11 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 149 J *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Cabota, Japanese Civilian in charge of the Naga Provincial Jail, Luzon, Philippine Islands, December 1941 to March 1942.</p>
<p>Date and place of commission of alleged crime.</p>	<p>December 1941 to March 1942. Naga Provincial Jail, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>a. Internment of Civilians under inhuman conditions. b. Ill-treatment of internees (by analogy).</p> <p>a. Breach of the Laws and Customs of War. b. Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 10 and 13.</p>

SHORT STATEMENT OF FACTS.

Victims, internees, were confined in this jail under abominable and unsanitary conditions, in violation of Laws and Customs of War as well as the Geneva Prisoners of War Convention of 1929, which the Japanese government agreed to apply to civilian internees. The Accused was in charge of this jail at the time.

Source: War Crimes Office, Washington, (Case No. 41-45).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29650) W.L.P.252/4 5,000 5/45 A. & E., W.Ltd. Gp.685
(30449) W.L.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

At the Naga Provincial Jail Mc Sorley and seven other internees were confined in inadequate and cramped quarters, barely large enough to accomodate the cots on which they slept. The doors of the quarters were locked most of the time during a sixty day period. The cell was directly over a cess pool; the cots were vermin-infested, and the toilet facilities were inadequate.

Victims: Richard T. Mc Sorley and other internees.

PARTICULARS OF EVIDENCE IN SUPPORT

1257

WITNESS AND EVIDENCE.

1. Richard R. Mc Sorely. Woodstock College. Md.
Signed and Sworn Statement. Eyewitness and victim.

NOTES ON THE CASE

1258

8751
(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P.148/US/J/114

1259

CABOTA

Date Submitted

Decision of Committee I

17 JAN 1946

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CARDS CHECKED

P.148/US/J/114

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1260

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P148/US/J/114

11 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 150 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Cabota, Japanese Civilian in charge of the Naga Provincial Jail, Luzon, Philippine Islands in December 1941 and January 1942.

Date and place of commission of alleged crime.

December 1941 or January 1942.
Naga Provincial Jail, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

a. Torture of Civilians.
b. Ill-treatment of internees (by analogy).
a. Breach of the Laws and Customs of War.
b. Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Victim was kicked and beaten by the accused without justification.

Source: War Crimes Office, Washington, (Case No. 41-46).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1261

Father Burns was kicked and beaten about the head and body by the Japanese civilian in charge of the jail for talking to a Filipino inmate.

Victim: Father Francis D. Burns.

1262

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Richard T. Mc Sorley. Woodstock College, Woodstock, Md.
Signed and Sworn Statement. Eyewitness.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P.149/US/J/115

1264

NISHIMURA

Date Submitted Decision of Committee I

17 JAN 1946

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CARD CHECKED

P.149/US/J/115

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1264

NISHIMURA

Date Submitted Decision of Committee I

17 JAN 1948

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CARD'S CHECKED

P.149/US/J/115

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1265

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Date of receipt in Secretariat.

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71 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 151 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

L. Nishimura, Interpreter at Davao Penal Colony, Mindanao, Philippine Islands, in October 1942.

Date and place of commission of alleged crime.

October 1942
Davao Penal Colony, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929,
Article 2.

SHORT STATEMENT OF FACTS.

In October 1942, when the prisoners arrived at Davao from Malaybalay victim was horsewhipped by Nishimura for no apparent reason.

Victim: Lt. Kelso.

Source: War Crimes Office, Washington (Case No. 46-60).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) W.P.258/4 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) W.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORTWITNESSES AND EVIDENCE

1. T/3 Otis E. Radcliff
2. T/4 William T. Fredrick
3. T/3 Donald I. Mc Pherson.

Joint Statement. Signed and Sworn.

8781

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

5731

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P.150/US/5/116

1269

Private

Date Submitted Decision of Committee I

17 JAN 1946

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CARDS CHECKED

P.150/US/5/116

(For the Use of the Secretariat)

1270

Registered Number.

Date of receipt in Secretariat.

P.152/US/J/116

11 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 152 J *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Superior Private, Japanese Army, Name unknown, nicknamed... by prisoners "Fishface", stationed at Davao Penal Colony, Mindanao, Philippine Islands, February 1943.</p>
<p>Date and place of commission of alleged crime.</p>	<p>February 1943. Davao Penal Colony, Mindanao, Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War. Breach of the Geneva Prisoners of War Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

Accused struck victim in the back of the knee, with a hoe, cutting a deep gash in victim's leg. Victim was hospitalized for four months as a result of this assault.

Victim: Private Budrosian, U.S.A.

Source: War Crimes Office, Washington, (Case No.46-74).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(20855) Wt.P.252/4 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) Wt.P.1183/17 5,000 10/45

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PARTICULARS OF ALLEGED CRIME

1271

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PARTICULARS OF EVIDENCE IN SUPPORT

1272

WITNESS AND EVIDENCE.

1. Willard E. Hall. 1115 SW Columbia Avenue, Portland, Oregon.
Signed and Sworn Statement.

NOTES ON THE CASE

8791

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P.151/US/J/117

1274

Private

Date Submitted

Decision of Committee I

7 JAN 1946

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CARDS CHECKER

P.151/US/J/117

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1275

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Date of receipt in Secretariat.

P151/05/J/117

1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 153 J. *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Superior Private, Japanese Army, name unknown, nicknamed by prisoners "Fishface", stationed at Davao Penal Colony, Mindanao, Philippine Islands, in August 1943.</p>
<p>Date and place of commission of alleged crime.</p>	<p>August 1943. Davao Penal Colony, Mindanao, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War.</p> <p>Breach of the Geneva Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

Mistreatment of a United States prisoner of war.

Source: War Crimes Office, Washington. (Case No. 46-75).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(For the Use of the Secretariat)

1275

Registered Number.

Date of receipt in Secretariat.

P151/05/J/117

1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS

CHARGES AGAINST WAR CRIMINALS

CASE No. 153 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Superior Private, Japanese Army, name unknown, nicknamed by prisoners "Fishface", stationed at Davao Penal Colony, Mindanao, Philippine Islands, in August 1943.

Date and place of commission of alleged crime.

August 1943.
Davao Penal Colony, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Mistreatment of a United States prisoner of war.

Source: War Crimes Office, Washington. (Case No. 46-75).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1276

Corporal Hall, while working on a bridge detail, was hit on the bare foot with a staple, cutting a gash in his foot about 4 inches long.

Victim: Corporal Willard E. Hall.

PARTICULARS OF EVIDENCE IN SUPPORT

1277

WITNESS: Corporal Willard E. Hall.

ADDRESS: 1115 SW Columbia Ave., Portland, Oregon.

Signed and Sworn Statement.
8

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P.152/US/3/118

1279

1. HASHIMOTO
2. NISHIMURA

Date Submitted Decision of Committee I

17 JAN 1946 PSH A

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CARDS CHECKED

P.152/US/3/118

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1280

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Date of receipt in Secretariat.

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11 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 154 J *

Name of accused, his rank and unit, or official position.

1. Lt. Hashimoto, Japanese Army.
2. Mr. Nishimura, Interpreter.

(Not to be translated.)

Both stationed at Davao Penal Colony, Mindanao, Philippine Islands late 1942.

Date and place of commission of alleged crime.

August 1942 and October 1942.
Cabanatuan No. 1 Prisoner of War Camp, Luzon, Philippine Islands and Davao Penal Colony, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Accused No. 2 beat the victim with a riding crop on two occasions, the second time at the instance of Accused No. 1.

Source: War Crimes Office, Washington (Case No. 46-78).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.
(29655) Wt.P.258/4 5,000 5/45 A. & E., W.Ltd. Gp.685
(30449) Wt.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

1281

Nishimura beat Colonel Cain with a riding crop at Cabanatuan No. 1, Prisoner of War Camp, Luzon, Philippine Islands, causing severe headaches and partial paralysis. At Davao the victim's condition, still poor, was aggravated by another beating by Nishimura, at the instance of Lt. Hashimoto.

Victim: Colonel Memory H. Cain.

PARTICULARS OF EVIDENCE IN SUPPORT

1282

WITNESSES AND EVIDENCE.

1. S.M. Mellnik.
in
Original statement/another file. Names Nishimura as accused.
2. Alfred C. Oliver, Jr.
Original statement in another file. States that Cain was
knocked unconscious and suffered severe headaches thereafter.
3. Charles H. Wyatt.
Original statement in another file. Names Hashimoto as responsible
for the beating and states that either a riding crop or an axe
handle was used.
4. Copy of text of State Department protest to the Japanese
Government in regard to this incident.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P.153/US/J/119

1284

1. TAGASAKI
2. OKUBO

Date Submitted Decision of Committee I

7 JAN 1948 Both A

B

CARDS CHECKED

P.153/US/J/119

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1284

- 1. TAGASAKI
- 2. OKUBO

Date Submitted	Decision of Committee I	B	CARDS CHECKED
7 JAN 1948	Both A	B	

P.153/US/J/119

(For the Use of the Secretariat)

1285

Registered Number.

Date of receipt in Secretariat.

P.153/US/J/119

11 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 155 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Tagasaki, Japanese Army, Commandant of this Camp.
2. Sergeant Okubo, Japanese Army.

Both stationed at Davao Penal Colony, Mindanao, Philippine Islands in April and May 1944.

Date and place of commission of alleged crime.

April or May 1944.
Davao Penal Colony, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

- a. Murder.
- b. Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

- a. Breach of the Laws and Customs of War.
- b. Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 46, 47, 50, and 54.

SHORT STATEMENT OF FACTS.

Victim attempted to escape and was recaptured. He was tortured and beaten to death by Japanese guards, among whom was Accused No.2.

Source: War Crimes Office, Washington (Case No.46-83).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(20655) Wt.P.222/4 5,000 5/45 A.& E. W.Ltd. Gp.635
(30449) Wt.P.11-8,17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

1286

While working on a rope detail, Major Harrison attempted to escape. He grabbed the guard's rifle. The rifle was not loaded and Harrison was seized and taken to the guardhouse where he was beaten. His screams were heard throughout the night. The following day the Japanese commandant stated that Harrison died as a result of wounds received while struggling with the guards during his recapture. Witnesses state that Harrison was not seriously injured when apprehended.

Victim: Major Charles F. Harrison.

WITNESSES AND EVIDENCE.

1. Robert D. Johnston, Columbus, Georgia.
Signed and Sworn Statement. States that Harrison was tied and beaten when first recaptured; later heard him screaming in the guardhouse.
2. Geogre W. Greene.
States that the guards commenced beating Harrison immediately after his apprehension. Heard screams from the guardhouse during the rest of the day and night. Says the Japanese commandant, stated next evening that Harrison died as a result of the wounds received in the scuffle when he was first recaptured.
3. Raymond H. Knapp, 259 Geneseo Rd., San Antonio, Texas.
Signed and Sworn Statement. Says the incident occurred in March 1944. Says Harrison was uninjured when first recaptured and that Major Tagasaki, Japanese Commandant, a week later informed them that Harrison died of wounds received in being recaptured.
4. Frank L. Schaf, Jr., 809 Harrison St., Shelbyville, Indiana.
Signed and Sworn Statement. Gives date as 21 May 1944.
Names Sgt. Okubo as a principal.
5. Charles E. Mc Kewen, 118 Hudson St., Ithaca, N.Y.
Signed and Sworn Statement. Says that there was no one other than Harrison in the guardhouse and that he heard the screams coming from the guardhouse.
6. George M. Roper, 406 Bailey Ave., San Antonio, Texas.
Signed and Sworn Statement. Identifies victim as Major Harrison and Japanese commandant as Tagasaki. Places the time as "early 1944".

WITNESSES AND EVIDENCE.

1. Robert D. Johnston, Columbus, Georgia.
Signed and Sworn Statement. States that Harrison was tied and beaten when first recaptured; later heard him screaming in the guardhouse.
2. Geogre W. Greene.
States that the guards commenced beating Harrison immediately after his apprehension. Heard screams from the guardhouse during the rest of the day and night. Says the Japanese commandant, stated next evening that Harrison died as a result of the wounds received in the scuffle when he was first recaptured.
3. Raymond H. Knapp, 259 Geneseo Rd., San Antonio, Texas.
Signed and Sworn Statement. Says the incident occurred in March 1944. Says Harrison was uninjured when first recaptured and that Major Tagasaki, Japanese Commandant, a week later informed them that Harrison died of wounds received in being recaptured.
4. Frank L. Schaf, Jr., 809 Harrison St., Shelbyville, Indiana.
Signed and Sworn Statement. Gives date as 21 May 1944.
Names Sgt. Okubo as a principal.
5. Charles E. Mc Kewen, 118 Hudson St., Ithaca, N.Y.
Signed and Sworn Statement. Says that there was no one other than Harrison in the guardhouse and that he heard the screams coming from the guardhouse.
6. George M. Roper, 406 Bailey Ave., San Antonio, Texas.
Signed and Sworn Statement. Identifies victim as Major Harrison and Japanese commandant as Tagasaki. Places the time as "early 1944".

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

All the available evidence indicates that Major Harrison died as a result of beating and torture after his apprehension and that he was not fatally injured during his capture by the guards, as contended by Accused No. 1, the camp commandant.

P.154/US/J/120

1289

MAIDA

Date Submitted

Decision of Committee I

7 JAN 1945 A

B

CARD CHECKER

P.154/US/J/120

(For the Use of the Secretariat)

1290

Registered Number.

Date of receipt in Secretariat.

P.154/US/J/120

11 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CASE No. 156 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Maida, Japanese Army, Camp Commandant at time of offense.

Date and place of commission of alleged crime.

March 1943
Davao Penal Colony, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Victim was tied to a stake and severely beaten. Accused was Commandant of the camp and is charged with condoning this brutality.

Source: War Crimes Office, Washington (Case No. 46-91).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(20655) WLP.252/4 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) WLP.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

Col. Van Nostrand, who had charge of a **sugar**-cutting detail, brought some cut sugar cane into the camp with the intentions of taking it to the hospital for the patients. This was against the Japanese rules. Col. Van Nostrand was tied to a stake for 24 hours and severely beaten.

Victim: Lt. Col. Van Nostrand.

PARTICULARS OF EVIDENCE IN SUPPORT

1292

WITNESS AND EVIDENCE.

1. Major S.M. Mellnik.

Extract. Original statement in another file.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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P.155/US/7/121

1294

1. MAIDA
2. Soldier.

Date Submitted Decision of Committee I

Date Submitted	Decision of Committee I		
17 JAN 1948	1-A 2-C	B	CARDS CHECKED

P.155/US/7/121

(For the Use of the Secretariat)

1295

Registered Number.

Date of receipt in Secretariat.

P.155/US/J/121

1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 157 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Maeda, Japanese Army, Camp Commandant at time of offense.
2. Japanese Soldier, Name and rank unknown.

Date and place of commission of alleged crime.

September 1945.
Davao Penal Colony, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Captain Bovee was working in a rice paddy and did not work fast enough to suit the Japanese guard. The guard, Accused No.2, struck him several times with a bamboo stick about four feet long. As Captain Bovee raised his arms to protect himself, the force of the blow fractured his left forearm. Accused No.1 condoned brutality on the part of his guards.

Victim: Captain Frank M. Bovee.

Source: War Crimes Office, Washington (Case No.46-96).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.
(29655) Wt.P.252.4 5,000 5/45 A.& E., W.Ltd. Gp.685
(30449) Wt.P.1153.17 5,000 10/45

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PARTICULARS OF ALLEGED CRIME

RECORD 10

PARTICULARS OF EVIDENCE IN SUPPORT

1297

WITNESS AND EVIDENCE.

1. George W. Kane, Jr., 1200 Van Buren St., Atlanta, Georgia.
Signed and Sworn Statement.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P.156/US/J/122

1299

1. MAIDA
2. Soldee

Date Submitted	Decision of Committee		
17 JAN 1946	1-A 2-C	B	CARDS CHECKED

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(For the Use of the Secretariat)

1300

Registered Number.

Date of receipt in Secretariat.

P.156/US/J/122

1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 158 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Saida, Japanese Army, Camp Commandant at time of offense.
2. Japanese Soldier, name and rank unknown.

Date and place of commission of alleged crime.

October 1942 to March 1944.
Davao Penal Colony, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929,
Article 2.

SHORT STATEMENT OF FACTS.

Lt. Minogue was working in a rice paddy and the Japanese guard, Accused No. 2, was giving him some instructions. Minogue muttered something under his breath and the guard took a staff and beat him two or three times. In doing so the guard hit him on the wrist and broke his arm. Accused No. 1 condoned brutality on the part of his guards.

Victim: Lt. Minogue.

Source: War Crimes Office, Washington (Case No. 46-99).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

1902

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PARTICULARS OF ALLEGED CRIME

1301

PARTICULARS OF EVIDENCE IN SUPPORT

1302

WITNESS AND EVIDENCE

1. Robert B. Blakeslee.

Extract. Original in another file.

500-1

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P.157/US/J/123

1304

I. MAIDA
D. Sordani

Date Submitted

Decision of Committee I

17 JAN 1948

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CARDS CHECKED

P.157/US/J/123

(For the Use of the Secretariat)

1305

Registered Number.

Date of receipt in Secretariat.

P.157/US/J/123

1 JAN 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 159.J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Maida, Japanese Army, Camp Commandant at time of offense.
2. Japanese Soldier, Name and rank unknown.

Date and place of commission of alleged crime.

October 1942 to March 1944.
Davao Penal Colony, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Several men suffering severely from beri-beri and malaria were sent to work on a cold and rainy day in the rice fields. They were unable to work because of their condition and were required to stand at attention in the rain all day. Major Jackson explained to the guard, Accused No. 2, that the men were in no condition to work and should not be required to stand in the rain. This infuriated the guard, and he proceeded to slap Major Jackson "around a bit". Accused No. 1 condoned brutality on the part of his guards.

Victim: Major Jackson, MC, US Army.

Source: War Crimes Office, Washington (Case No. 46-104).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. George M. Kane, Jr.,
Extract. Original in another file.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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1309

I. MAIDA

243

Date Submitted

Decision of Committee I

17 JAN 1948

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CARDS CHECKED

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(For the Use of the Secretariat)

1310

Registered Number.

Date of receipt in Secretariat.

P.158/US/J/124

11 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS

WAR CRIMINALS

CASE No. 160 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Maide, Japanese Army, Camp Commandant at time of offense.
2. Lt. (or Captain) Hosune, Japanese Army, (probably Lt. Yoshimasie Hozunie, Staff Member of Philippine Island Internment Camps).
3. Mr. Nishimura, Civilian Interpreter.

Date and place of commission of alleged crime.

July 1943.
Davao Penal Colony, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

For no apparent reason, the victim was struck and knocked down by Nishimura, and his arm broken by a blow with a sabre as he fell to the ground. The victim suffered a compound fracture and was confined in the hospital for three months. Accused No.1 was camp commandant and condoned brutality on the part of his subordinates. Accused No.2 was a liaison officer for higher headquarters, knew of these conditions but failed to remedy them.

Victim: An unidentified United States Prisoner of War.

Source: War Crimes Office, Washington (Case No. 46-106).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(20655) Wt.P.252/4 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) Wt.P.1183.17 5,000 10/45

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PARTICULARS OF ALLEGED CRIME

NO. 1

PARTICULARS OF EVIDENCE IN SUPPORT

1312

WITNESS AND EVIDENCE.

1. Joseph R. Stanford. 124 Vernon Drive, Pittsburg, Pa.
Was told about the incident by the victim, whose name he
does not remember,
Signed and Sworn Statement.

8161

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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1314

1. MAIDA

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Date Submitted

Decision of Committee I

17 JAN 1946

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CARDS CHECKED

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(For the Use of the Secretariat)

1315

Registered Number.

Date of receipt in Secretariat.

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11 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 161 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Maida, Japanese Army, Camp Commander at time of offense.
2. Lt. (or Captain) Hosume, Japanese Army, (probably Lt. Yoshimasio Hozumie, Staff Member of Philippine Island Internment Camps).
3. Mr. Nishimura, Civilian Interpreter.

Date and place of commission of alleged crime.

June 1943
Davao Penal Colony, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929,
Article 2.

SHORT STATEMENT OF FACTS.

For no apparent reason, Nishimura struck Sergeant Stanford across the face with a leather covered iron pipe, breaking his jaw. Accused No. 1 condoned brutality on the part of his subordinates. Accused No. 2 was liaison officer for higher headquarters, knew of the conditions, and failed to remedy them.

Victim: Sergeant Joseph R. Stanford.

Source: War Crimes Office, Washington (Case No. 46-109).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(20655) W.P.259/4 5,000 5/45 A. & E. W.Ltd. Gp.685
(30419) W.P.1183/17 5,000 10/45

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PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

1317

WITNESS AND EVIDENCE

1. Joseph R. Stanford. 124 Vernon Drive, Pittsburg, Pa.

Signed and Sworn Statement of victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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1319

1. MAIDA
2. Soldier

Date Submitted Decision of Committee I

17 JAN 1946

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B

CARDS CHECKED

P.160/US/J/126

(For the Use of the Secretariat)

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Registered Number.

Date of receipt in Secretariat.

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11 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 162 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Maida, Japanese Army, Camp Commander at time of offense.

2. Japanese Soldier, Name and rank unknown, nicknamed by

prisoners "Fishface", stationed at Davao Penal Colony,

Mindanao, Philippine Islands, at time of offense.

Date and place of commission of alleged crime.

June 1943.

Davao Penal Colony, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929,

Article 2.

SHORT STATEMENT OF FACTS.

Victim was working in the kitchen when the guard called "Fishface" entered and asked for some tea. Victim told him that there was none, but the guard found some tea and thereupon beat Victim about the head, shoulders, back, and legs with a piece of firewood and knocked him down several times. Victim was then taken to the guardhouse where he was beaten with rifle butts and kicked by other guards. Accused No.1 condoned brutality on the part of his personnel.

Victim: Teller, U.S. Army enlisted man.

Source: War Crimes Office, Washington (Case No.46-136).
TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

1322

WITNESSES AND EVIDENCE.

1. Jack M. Donohoe. 779 W. 5th St., Reno, Nevada.
Signed and Sworn Statement. An Eyewitness. Does not remember
the name of the victim.
2. Hugh F. Kennedy.
Identifies the victim as Teller. Places the time as being between
15 May and 15 June 1943. Eyewitness.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P.161/US/J/127

1324

1. MAIDA

2. Soldier

Date Submitted

Decision of Committee I

17 JAN 1948

Both A

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CARDS CHECKED

P.161/US/J/127

(For the Use of the Secretariat)

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Registered Number.

Date of receipt in Secretariat.

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11 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 163 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Maida, Japanese Army, Camp Commandant at time of offense.
2. Japanese soldier, name and rank unknown, nicknamed by prisoners "Skeleton Face", stationed at Davao Penal Colony, Mindanao, Philippine Islands, at time of offense.

Date and place of commission of alleged crime.

Between November 1942 and February 1944.
Davao Penal Colony, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 3 and 21.

SHORT STATEMENT OF FACTS.

While working in a rice paddy one day, Lt. Schoss was called to the dike by the guard known as "Skeleton Face". "Skeleton Face" then deliberately threw mud in his face. Accused No. 1 condoned this kind of treatment on the part of his guards.

Victim: Lt. Schoss.

Source: War Crimes Office, Washington (Case No. 46-146).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

1327

WITNESS AND EVIDENCE.

1. William P. Cain, Capt. 343 Monroe St, Columbia, S.C.

Signed and Sworn Statement. Eyewitness. Captain Cain states that he believes that "Skeleton Face" is now posing as a Japanese civilian in the vicinity of Davao city.

PARTICULARS OF EVIDENCE IN SUPPORT

1327

WITNESS AND EVIDENCE.

1. William P. Cain, Capt. 343 Monroe St, Columbia, S.C.

Signed and Sworn Statement. Eyewitness. Captain Cain states that he believes that "Skeleton Face" is now posing as a Japanese civilian in the vicinity of Davao city.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P.162/US/J/128

1329

1. HAIDA
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Date Submitted

Decision of Committee I

17 JAN 1946

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CARDS CHECKED

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Registered Number.

Date of receipt in Secretariat.

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11 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 164 J *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Major Maida, Japanese Army, Camp Commandant, at time of offense. 2. Lt. Saboda (or Shibota), Japanese Army. 3. Japanese Soldier, name and rank unknown, nicknamed by prisoners "Bat".</p> <p>All stationed at Davao Penal Colony, Mindanao, Philippine Islands in 1943.</p>
<p>Date and place of commission of alleged crime.</p>	<p>Early 1943. Davao Penal Colony, Mindanao, Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War. Breach of the Geneva Prisoners of War Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

The victim was working in a rice paddy, carrying baskets of rice from the paddy to the railroad. Apparently because he thought the victim was not working hard enough, the guard known as "Bat" struck him on the right forearm with the butt of his rifle, fracturing the arm. Accused No. 2 was in charge of this detail and accused No. 1 was Camp Commandant. Brutality on the part of guards was condoned by the officers.

Victim: United States Lieutenant.

Source: War Crimes Office, Washington (Case No. 46-120).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(For the Use of the Secretariat)

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Registered Number.

Date of receipt in Secretariat.

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1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 164 J. *

Name of accused, his rank and unit, or official position. (Not to be translated.)	1. Major Maide, Japanese Army, Camp Commandant, at time of offense. 2. Lt. Saboda (or Shibota), Japanese Army. 3. Japanese Soldier, name and rank unknown, nicknamed by prisoners "Bat". All stationed at Davao Penal Colony, Mindanao, Philippine Islands in 1943.
Date and place of commission of alleged crime.	Early 1943. Davao Penal Colony, Mindanao, Philippine Islands.
Number and description of crime in war crimes list.	Ill-treatment of Prisoners of War.
References to relevant provisions of national law.	Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

The victim was working in a rice paddy, carrying baskets of rice from the paddy to the railroad. Apparently because he thought the victim was not working hard enough, the guard known as "Bat" struck him on the right forearm with the butt of his rifle, fracturing the arm. Accused No. 2 was in charge of this detail and accused No. 1 was Camp Commandant. Brutality on the part of guards was condoned by the officers.

Victim: United States Lieutenant.

Source: War Crimes Office, Washington (Case No. 46-120).

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PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

1332

WITNESS AND EVIDENCE.

1. Marcus W. Simkins. 298 East Central, San Bernardino, Calif.
Signed and Sworn Statement. Eyewitness.

2001

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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1. TAKADA
2. OKETA

Date Submitted Decision of Committee I

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1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 165 J

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Lt. Takada, Japanese Navy
2. L. Oketa, Japanese Civilian, nicknamed by prisoners "Blubber".

Both stationed at Japanese Navy Labor Camp, Davao, Mindanao, Philippine Islands at time of offense.

Date and place of commission of alleged crime.

July 1944.
Japanese Navy Labor Camp, Davao, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Victims were beaten by both accused No.1 and No.2 as well as by other unidentified Japanese civilians, all without justification.

Source: War Crimes Office, Washington (Case No.46-117).

TRANSMITTED BY

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(30449) Wt.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

Captain Finnigan protested that the loaded baskets being carried by the prisoners on a work detail were too heavy. He and the enlisted men who were carrying the baskets were thereupon beaten with clubs, Earp receiving a blow in the stomach and one which cut his ear and lacerated his scalp. Titwell received blows on the body, back and legs. Captain Finnigan was beaten with a rifle butt.

Victims: Captain Charles Finnigan
Private First Class Lloyd Titwell.
Private Thomas Earp.

PARTICULARS OF EVIDENCE IN SUPPORT

1337

WITNESS AND EVIDENCE.

1. Marcus N. Simkins . 298 E. Central, San Bernardino, Calif.
Signed and Sworn Statement. Eyewitness.

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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I. HOSIDE (HOSHIDA)

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11 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 166.J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Lt. Hoshida (or Hoshida), Japanese Army, Immediate C.O. of Camp.
2. Lt. Hashimoto, Japanese Army, 2d in Command of Camp.
3. Japanese soldier, name and rank unknown.

Date and place of commission of alleged crime.

July 1944.
Lasang Airfield, Mindanao, Philippine Islands,

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Victim was caught by a guard, Accused No.3, while smoking in ranks. The guard hit him over the head with a club, knocking him senseless. The blow left a deep gash in victim's head, and he had bad headaches for the balance of the time he was at Lasang. Accused Nos. 1 and 2 not only knew of beatings by their guards but actually participated in most of them.

Victim: Private Harry Day.

Source: War Crimes Office, Washington (Case No. 46-9).

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PARTICULARS OF ALLEGED CRIME



PARTICULARS OF EVIDENCE IN SUPPORT

WITNESSES AND EVIDENCE

1. Victor L. Mapes.
Signed and Sworn Statement.
States that Day was caught smoking in the ranks and that the guard struck him with a club, knocking him senseless.
2. Willard C. Hall.
Signed and Sworn Statement. The blow on the head cut a deep gash and Day suffered severe headaches thereafter.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 167 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Mr. Nishimura ("Simon Legree"), civilian interpreter.

Date and place of commission of alleged crime.

April 1944.

Lasang Airfield, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

Ill-treatment of Prisoners of War.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Lt. Lyda was singing while at work. For this, he was clubbed by Nishimura. The clubbing rendered Lt. Lyda unconscious and resulted in concussion. He was in a state of coma for 3 or 4 days and hospitalized for 3 weeks, never completely regaining sanity.

Victim: Lt. Ladd Lyda.

Source: War Crimes Office, Washington (Case No. 46-11).

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PARTICULARS OF ALLEGED CRIME

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WITNESSES AND EVIDENCE.

1. Bert Schwarz
Signed and Sworn Statement.
States that the beating occurred because Lyda was singing, that he suffered a concussion and never completely regained his sanity.
2. Robert B. Blakeslee.
States that Lyda was struck with a heavy cane or walking stick.
3. Felix C. Sharp, Jr.
Signed and Sworn Statement.
States that the beating was unnecessary and severe; that Lyda did nothing to warrant it. Lyda was out of his head for several days as a result of the clubbing, and never completely recovered.
4. James D. Donlon, Jr.
States that Lyda suffered a concussion and was unconscious for about 8 hours and that he never fully recovered from the effect of the beating.

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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HOSIDE (HOSHIDA)

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1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 168 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Lt. Hoside (Hoshida) Japanese Army, Immediate Commander of this camp.

Date and place of commission of alleged crime.

June 1944.
Lasang Airfield, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2, 3 and 21.

SHORT STATEMENT OF FACTS.

The accused ordered all United States officers, who were prisoners at the camp to each wash three pieces of clothing of the United States enlisted men. He issued this order for the purpose of humiliating and degrading the officers and, in the twisted Japanese sense of humor, for the amusement of the Japanese who were spectators.

Source: War Crimes Office, Washington, (Case No. 46-32).

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

1352

WITNESSES AND EVIDENCE.

1. T/Sgt Cecil H. Mc Clure, 6288045
2. T/4 William S. Horabin, 20842353
3. T/3 Ray E. Billick, 6913614
4. T/5 Lewis A. Moore, 6967765
5. T/3 James R. Greene, 19045769
6. T/4 Bill R. Lorton, 6574554
7. T/5 Isaac B. Hagins, 7022245

Joint signed and sworn Statement.

8. T/3 Otis E. Radcliff, 6897340
9. T/4 John Stymelski, 6832358
10. William T. Fredrick, 19056741
11. T/3 Donald J. Mc. Pherson, 6932512
12. T/3 Jesse Bier, 11017163
13. T/4 Calvin B. Latham, 19013454
14. T/5 Cletis O. Overton, 17010094
15. John J. Morrett, Capt., FA.

Joint signed and sworn Statement.

NOTES ON THE CASE

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HASHIMOTO (HOSUMUTO)

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 169 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Lt. Hashimoto (Hosomoto), Japanese Army, stationed at Lasang Airfield, Mindanao, Philippine Islands in February 1944.

Date and place of commission of alleged crime.

February 1944.
Lasang Airfield, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Accused threw axe at a group of prisoners of war, merely for the purpose of amusing himself.

Source: War Crimes Office, Washington. (Case No. 46-71).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

A group of prisoners of war were cutting wood and Hashimoto got out of his car, took an axe and threw it at a group which was working about 30 feet away. No one was hit or injured.

Victims: S/Sgt Joseph E. Lamkin and a group of United States Prisoners of War.

PARTICULARS OF EVIDENCE IN SUPPORT

1357

WITNESS: S/Sgt Joseph E. Lanekin.

ADDRESS: 3548 N. Trenton Ave., Portland, Oregon.

Signed and sworn Statement.

Was a member of the detail at which the axe was thrown.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

Supplemented at the meeting held on 17th January 1946 (Minutes No. 45)

"The accused acted in complete and reckless disregard of the safety of the prisoners at whom he threw an axe and he thereby intended to do them bodily harm."

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1. HOSIDE (HOSHIDA)

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Date Submitted Decision of Committee I

17 JAN 1946 A U A

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UNITED NATIONS WAR CRIMES COMMISSION

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CHARGES AGAINST

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CHARGES AGAINST

WAR CRIMINALS

CASE No. 170 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Lt. Hoside (or Hoshida), Japanese Army, Immediate C.O. of Camp.
2. Lt. Hashimoto, Japanese Army, 2d in Command of Camp.
3. Mr. Nishimura, civilian interpreter.

Date and place of commission of alleged crime.

March 15, 1944.
Lasang Airfield, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

An unidentified United States lieutenant was struck by Nishimura with a heavy walking stick, rendering the victim unconscious for about three hours. It was later learned that he suffered a fractured skull as a result of the blow. Nishimura claimed that the lieutenant was not working hard enough. Accused Nos.1 and 2 not only knew of beatings by their subordinates but actually participated in most of them.

Source: War Crimes Office, Washington, (Case No.46-115).

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

1362

WITNESS AND EVIDENCE.

1. Donald J. Granz. 270 Howard St., Fresno, Calif.
Signed and Sworn Statement. States facts as given on page 1, hereof.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 171 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major Mori, Japanese Army, Commanding Officer of this camp at time of offense.

Date and place of commission of alleged crime.

August 1942.
Malaybalay Prisoner of War Camp, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

a. Murder.
b. Ill-treatment of Prisoners of War.
b. Breach of the Laws and Customs of War.
b. Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 46, 47, 50 and 54.

SHORT STATEMENT OF FACTS.

The two victims escaped from the Malaybalay Prisoner of War Camp and were recaptured. They were tied within view of the Filipino section of the camp for a period of time, then executed by a firing squad while standing in front of open graves. Accused was Commanding Officer of the camp and the crime took place with his full sanction.

Victims: Sergeant Siascio and one unidentified Filipino, both members of the 101st Infantry Division, Philippine Army.

Source: War Crimes Office, Washington, (Case No.46-4).

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PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESSES AND EVIDENCE.

1. Donald I. Mc Pherson.
Signed and Sworn Statement. States the execution occurred between August and October 1942.
2. Richard L. Cook. 153 Granville Ave., Los Angeles, Calif.
Signed and Sworn Statement. Eyewitness. Gives date as about July 1942. States that the victims were tied for several days in view of the Filipino camp. Says that the Japanese squad fired at least three rounds each and that it appeared there was a deliberate purpose to delay the death of the victims.
3. Hugh P. Kennedy.
Gives date as 15 August 1942. Was told by others who witnessed the execution that the two men appeared to have been badly beaten prior to the execution. Names Major Mori as C.O., reported to be the nephew of Col. Mori of Cabanatuan.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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OSAWA

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

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CASE No. 172 J *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Captain Osawa, Japanese Army.</p>
<p>Date and place of commission of alleged crime.</p>	<p>About 3 July 1942. Camp Keithley, Mindanao, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>a. Murder. b. Ill-treatment of Prisoners of War.</p> <p>a. Breach of the Laws and Customs of War. b. Breach of the Geneva Prisoners of War Convention 1929, Articles 2, and 46,</p>

SHORT STATEMENT OF FACTS.

Four enlisted men, prisoners of war, escaped from Camp Keithley. The Japanese executed the three victims, who were in command over the escapees, in reprisal for the escape. The victims were first tied to posts and used for bayonet practice by the Japanese. Accused was in command of the Japanese who perpetrated this atrocious crime.

Victims: Lieutenant Colonel Robert H. Vesey.
Captain J. Price.
First Sergeant John Chandler.

Source: War Crimes Office, Washington (Case No. 46-17).

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PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

1372

WITNESSES AND EVIDENCE.

1. Charles H. Wyatt, Major.
Saw the victims being led away; did not see the actual execution; was told by natives and Japanese guards that the men were tied to posts and bayoneted; later saw the posts and the graves. Names Captain Osawa as responsible.
2. Donald G. Hanning, 30 Highland Ave., Watertown, Conn.
Saw the victims led to a place 500 yards away and tied to posts which the Japanese used during bayonet practice. Did not see the actual execution because of the crowd of Japanese at the scene.
3. Mrs. Helen A. Lane, 3223 N. 4th St., Minneapolis, Minn.
Signed and Sworn Statement. Saw the victims being led away and shortly afterwards heard the yelling and shouting which usually preceded the standard Japanese bayonet practice. Later heard that the men had been blindfolded and bayoneted.
4. Ada Clarke, 462 Washington St., Forrestville, Conn.
Signed and Sworn Statement. Was less than 100 yards away from the scene. Saw the victims being led away blindfolded. Japanese soldiers obstructed the view, but heard the characteristic Japanese bayonet-drill scream at the moment of the executions.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 173 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Captain Kinata, Japanese Army.

Date and place of commission of alleged crime.

1943.
Unspecified location between Cagayan and Tagaloan, Mindanao, Philippine Islands.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

a. Murder.
b. Torture of civilians.
a. Breach of the Laws and Customs of War.
b. Breach of the Geneva Prisoners of War Convention 1929, Article 2 (by analogy)

SHORT STATEMENT OF FACTS.

In 1943 United States Civilian was captured between Cagayan and Tagaloan. At the instance of Accused, the victim's chest was cut open, the flesh pulled apart and salt was poured into the open wound. He was later killed by bayoneting.

Victim: Unidentified United States Civilian.

Source: War Crimes Office, Washington, (Case No.46-37).

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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WITNESS AND EVIDENCE.

1. Alfred Fernandez. 302 Madison Street, San Antonio, Texas.
Signed and Sworn Statement. Gives facts as stated on page 1 hereof.
Eyewitness to the torture. Did not witness the execution, but understands that the victim was later executed by bayoneting.

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

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1. MORIMOTO
2. Officers & crew

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UNITED NATIONS WAR CRIMES COMMISSION

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CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 175 J. *

<p>Name of accused, his rank and unit, or official position. <i>(Not to be translated.)</i></p>	<ol style="list-style-type: none"> 1. General Morimoto, Japanese Army, Commanding Officer of Internment Camps in the Philippines. 2. Officers and crew of Japanese transport, names unknown at present time.
<p>Date and place of commission of alleged crime.</p>	<p>23 to 28 August 1942. On board ship enroute from Impalutan, Mindanao, to Davao, Mindanao, Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<ol style="list-style-type: none"> a. Internment of civilians under inhuman conditions. b. Ill-treatment of internees (by analogy). <ol style="list-style-type: none"> a. Breach of the Laws and Customs of War. b. Breach of the Geneva Prisoners of War Convention 1929, Articles 2 and 13.

SHORT STATEMENT OF FACTS.

Victims, internees, were crowded into a vessel under abominable and unsanitary conditions and were kept on a starvation diet during the trip from one camp to another. Such treatment constitutes a violation of the Laws and Customs of War as well as of the Geneva Prisoners of War Convention 1929, which the Japanese government agreed to apply to civilian internees. Accused No. 1 was in charge of all prisoner of war and internment camps in the Philippine Islands and knew of the treatment being accorded internees and the conditions under which they were forced to exist.

Source: War Crimes Office, Washington (Case No. 67-47).

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PARTICULARS OF ALLEGED CRIME

Victims were forced to sleep shoulder to shoulder on open unprotected deck without bedding. The ship was very filthy, not having been cleaned for some time. Small amount of rice was furnished each day (internees themselves had to furnish the rest of their food). Small amount of water, not over a cup a day was permitted the victims. There was one toilet for both men and women and no toilet paper. Japanese refused to designate ship as carrying internees, under Red Cross regulations, as protection against enemy attack.

Victims: 117 United States civilian internees.

WITNESS AND EVIDENCE.

1. Helen Katherine Brooks, Bugo, Misamis Oriental, Philippine Islands.

Deposition setting forth facts outlined on Pages 1 and 2 of this charge sheet.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

P.176/US/J/140

1384

1. Guard, + 2-5

Date Submitted

Decision of Committee I

8 C JAN 1945 1-5. A CARDS CHECKED **B**

P.176/US/J/140

(For the Use of the Secretariat)

1385

Registered Number.

Date of receipt in Secretariat.

P.176/US/ST/140

22 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 176 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Japanese Guard, name unknown, nicknamed by prisoners "Cherry Blossom".
2. Japanese Guard, name believed to be Etomacha, nicknamed by prisoners "Wilbur".
3. Japanese Guard, name and rank unknown, nicknamed by prisoners "Pick Handle Pete".
4. Japanese Guard, name and rank unknown, nicknamed by prisoners "Wolf" (name believed to be Nakota; Dakota; Kyote; Kioke-an).
5. Mr. Issimoto, interpreter.

Date and place of commission of alleged crime.

June 1943
Military Prison Camp No. 4, Nichols Field - Pasay Detail,
Luzon, Philippine Islands.

Number and description of crime in war crimes list.

- a. Murder
- b. Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

- a. Breach of the Laws and Customs of War.
- b. Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

In June 1943, at Nichols Field, Manila, P.I., victim was exhausted from illness, overwork, and beatings, and was unable to work. The accused named above beat the victim, forced water into his body and mistreated him, ultimately causing his death.

Victim: United States Prisoner of War, 60th Coast Artillery.

Source: War Crimes Office, Washington, (Case No. 40-221).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

1211

Page 2

1386

PARTICULARS OF ALLEGED CRIME

1952

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Major Ralph B. Scheibley, Wellesly Drive, Toledo, Ohio. •
Signed and Sworn Statement. Eye witness to beatings but not
a witness as to death of victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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141

P.178/US/J/142

1389

MATSUMURA, + 2-5

Date Submitted Decision of Committee I

30 JAN 1946 1-5. A CARDS CHECKED B

P.178/US/J/142

(For the Use of the Secretariat)

1390

Registered Number.

Date of receipt in Secretariat.

P.178/US/1/142

22 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 178 J

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Matsumura, Japanese Guard in charge, nicknamed by prisoners "Cherry Blossom".
2. Japanese Guard, Name believed to be Etomacha, nicknamed by prisoners "Wilbur".
3. Ekogami, Japanese Guard.
4. Japanese Guard, Name and rank unknown, nicknamed by prisoners "Duck Legs".
5. Japanese Guard, Name and rank unknown, nicknamed by prisoners "Wolf" (name believed to be Nakota; Dakota; Kyote, Kioko-San)

Date and place of commission of alleged crime.

April 1943.
Military Prison Camp No.4, Nichols Field - Pasay Detail,
Luzon, Philippine Islands.

Number and description of crime in war crimes list.

- a. Murder.
- b. Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

- a. Breach of the Laws and Customs of War.
- b. Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Accused No.2 tied victim to a post and then all the accused beat victim with bamboo clubs. The beatings lasted from 10 o'clock in the morning until 6 o'clock at night. He was left tied to another post over night and shortly thereafter died as a result of these beatings and treatment.

Source: War Crimes Office, Washington (Case No.40-280).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

The victim, despite the refusal of permission, went to the latrine at Nichols Field and was caught there by the accused guard, "Wilbur". "Wilbur" tied victim to a post, whereupon each of the accused persons proceeded to beat the victim with bamboo clubs. The beatings were intermittent, about every half hour from approximately 10 a.m. until 6 p.m. During this time, no food or water was given to the victim. At approximately 6 p.m. the victim, who was unconscious, was returned to Camp No.4, and again tied to a post in a standing position where he remained all night. The next morning he appeared "nearly dead". He did not join the work detail and he was last seen unconscious, tied to a post as aforesaid. A Major Bress, a United States prisoner, stated several days later that "Cherry Blossom" had forced him to sign a death certificate stating that Hinkle had died of beri-beri.

Victim: Pvt. Hinkle.

8463

PARTICULARS OF EVIDENCE IN SUPPORT

1392

WITNESS AND EVIDENCE.

1. S/Sgt Earl F. Walk, Marinette, Wis. .
Statement as outlined on Page 2 hereof.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1

P.179/US/J/143

1394

1. MATSUMURA
2. Guard

Date Submitted . Decision of Committee I

30 JAN 1946

Both A CARDS CHECKED B

P.179/US/J/143

(For the Use of the Secretariat)

1395

Registered Number.

Date of receipt in Secretariat.

P.179/US/J/143

22 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 179 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. MATSUMURA, Japanese Guard in Charge, nicknamed by prisoners "Cherry Blossom".
2. Japanese Guard, name and rank unknown, nicknamed by prisoners "Wolf" (name believed to be Nakota; Dakota; Kyote; Kioke-San).

Date and place of commission of alleged crime.

November 1943.
Military Prison Camp No.4, Nichols Field - Pasay Detail,
Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Victim, who was suffering from dysentery, collapsed in a latrine. At the instance of both accused, he was taken by unidentified guards to a nearby field and shot to death.

Victim: Selvigeo, United States Prisoner of War.

Source: War Crimes Office, Washington, (Case No. 40 - 314).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.259/4 5,000 5/45 A.&E.W.Ltd. Gp.685
(30449) Wt.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

1396 ●

DET. MAL. S. S.

PARTICULARS OF EVIDENCE IN SUPPORT

1397

WITNESS AND EVIDENCE.

1. August Battiste, Cpl 15010495, 2817 Dearborn St., Youngstown, Ohio.
Eye witness to details. Heard shot.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P.180/us/5/144

1399

3 Guards

Date Submitted Decision of Committee I

8 0 JAN 1945 1-3. A CARDS CHECKED **B**

P.180/us/5/144

(For the Use of the Secretariat)

1400

Registered Number.

Date of receipt in Secretariat.

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22 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST JAPANESE WAR CRIMINALS

CASE No. 180 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Japanese Guard, Name and rank unknown, nicknamed by prisoners "Pick Handle Pete".
2. "Miseroson" (phonetic), Japanese Guard.
3. "Okidusoh" (phonetic), Japanese Guard.

Date and place of commission of alleged crime.

October or November 1944.
Military Prison Camp No.4, Nichols Field - Pasay Detail,
Luzon, Philippine Islands.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

- a. Murder.
- b. Ill-treatment of Prisoners of War.
- a. Breach of the Laws and Customs of War.
- b. Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

All of the accused beat and tortured the victim without provocation. Victim died as a result of the beatings.

Source: War Crimes Office, Washington, (Case No.40-341).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

When the regular work detail at Nichols Field returned for dinner, they observed the victim tied to a post near the mess shack, and were advised that he had been too weak to work and had been brought there for disposal. The prisoners were told they could not have their lunch until the "show" was over. A Japanese civilian, the accused "Miseroson", untied the semi-conscious victim who fell to the ground. All of the accused persons beat the victim with bamboo sticks and rifle butts for about one half hour. They administered the Japanese water treatments by putting the hose in the unconscious victim's mouth and forcing water into his stomach. The victim was again beaten. The following night the body of the victim was brought out on a stretcher and laid in a room at the Passy School. A Major Brest, United States Army Medical Corps, examined him and pronounced him dead and stated the cause of death to be the beating of the day before.

Victim: Unidentified United States Prisoner of War.

PARTICULARS OF EVIDENCE IN SUPPORT

1402

WITNESS AND EVIDENCE.

1. Cpl. Batiste, A.S.N. 15010495. 2817 Dearborn Street,
Youngstown, Ohio.
Statement as outlined on Page 2 hereof.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

P.181/US/J/145

1404

2 Guards

Date Submitted Decision of Committee I

30 JAN 1948

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A CARDS CHECKED

B

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(For the Use of the Secretariat)

Registered Number.

Date of receipt in Secretariat.

22 JAN 1946

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 181 J

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Japanese Guard, name and rank unknown, nicknamed by prisoners "Wolf", (name believed to be Nakota; Dakota; Kyote; Kioke-San).
2. Japanese Guard, name and rank unknown, nicknamed by prisoners "Pistol Pete".

Date and place of commission of alleged crime.

March 1943.
 Military Prison Camp No.4, Nichols Field - Pasay Detail,
 Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929,
 Articles 2,46, 50 and 54.

SHORT STATEMENT OF FACTS.

Victim attempted to escape and was recaptured. Both accused thereupon beat and kicked him without justification.

Source: War Crimes Office, Washington, (Case No.40-346).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1406

The victim attempted to escape from Nichols Field, but was captured and returned. He was beaten from head to foot, and tied to a post for 48 hours. During this time, he was hit and kicked by the Japanese guards. The Japanese in charge of the camp, "Wolf", also brutally kicked him. When the soldier became unconscious, he was removed from the Field, and never returned. Another guard who had struck this prisoner was a Japanese known as "Pistol Pete". It was rumored that the victim was taken to Bilibid where he was shot and buried. A coffin was buried which the Japanese said contained his body, but United States Medical Officers were not permitted to examine the coffin.

Victim: Unidentified United States Prisoner of War.

PARTICULARS OF EVIDENCE IN SUPPORT

1407

WITNESS AND EVIDENCE.

1. John Henry Bailey, Cpl., 13038318. 1726 McCullough St., n/s.
Pittsburgh, Pa.
Eye-witness to beating.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

P.182/US/J/146

1409

1. MOTO
2. Soldier

Date Submitted	Decision of Committee I
3. 0 JAN 1946	1 - A 2 - C CARDS CHECKED B

P.182/US/J/146

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Date of receipt in Secretariat.

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22 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 182 J

*

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Lt. Moto (also known as Lt. Emoto, Japanese Navy) nicknamed by prisoners "White Angel", in charge of this camp at time of offense. 2. Japanese soldier, name and rank unknown.</p>
<p>Date and place of commission of alleged crime.</p>	<p>November 1942. Military Prison Camp No.4, Nichols Field-Pasay Detail, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War. Breach of the Geneva Prisoners of War Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

The victims, all of whom were ill, were mustered at Nichols Field prior to being transferred to Bilbid Hospital. Accused No.1 announced to the prisoners that he understood they desired to leave Nichols Field, and the prisoners stated that was true. Accused No.2 thereupon beat all of the prisoners with his fists and knocked them down, whereupon Accused No.1 kicked them. The prisoners were then placed on trucks and driven away.

Victims: 15 Unidentified United States Prisoners of War.

Source: War Crimes Office, Washington, (Case No.40-347).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

On 11/11/1944, at 10.30 AM, I was
in the office of the Director of
Prisons, and I was informed by
the Director that the following
particulars of the alleged crime
had been reported to him.

The alleged crime was committed
at the prison on 11/11/1944, and
the name of the prisoner was
[Name of prisoner]

The name of the prisoner was [Name of prisoner]

The alleged crime was committed
at the prison on 11/11/1944, and
the name of the prisoner was [Name of prisoner]

The alleged crime was committed
at the prison on 11/11/1944, and
the name of the prisoner was [Name of prisoner]

The name of the prisoner was [Name of prisoner]

The name of the prisoner was [Name of prisoner]

PARTICULARS OF EVIDENCE IN SUPPORT

1412

WITNESS AND EVIDENCE.

1. John Henry Bailey, Cpl. 13038418. 1726 McCullough St., n/s,
Pittsburg, Penna.
Statement by witness.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

(For the Use of the Secretariat)

1410

Registered Number.

Date of receipt in Secretariat.

P.182/US/J/146

22 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 182 J

*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Lt. Moto (also known as Lt. Emmoto, Japanese Navy) nicknamed by prisoners "White Angel", in charge of this camp at time of offense.
2. Japanese soldier, name and rank unknown.

Date and place of commission of alleged crime.

November 1942.
Military Prison Camp No.4, Nichols Field-Passy Detail,
Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929,
Article 2.

SHORT STATEMENT OF FACTS.

The victims, all of whom were ill, were mustered at Nichols Field prior to being transferred to Bilbid Hospital. Accused No.1 announced to the prisoners that he understood they desired to leave Nichols Field, and the prisoners stated that was true. Accused No.2 thereupon beat all of the prisoners with his fists and knocked them down, whereupon Accused No.1 kicked them. The prisoners were then placed on trucks and driven away.

Victims: 15 Unidentified United States Prisoners of War.

Source: War Crimes Office, Washington, (Case No.40-347).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

On the 1st day of June 1944, at the residence of the accused, the accused committed the crime of ...

The accused was found in possession of ...

It is further stated that ...

The accused is a person of ...

The accused is a person of ...

It is further stated that ...

The accused is a person of ...

PARTICULARS OF EVIDENCE IN SUPPORT

1412

WITNESS AND EVIDENCE.

1. John Henry Bailey, Cpl. 13038418. 1726 McCullough St., n/s,
Pittsburg, Penna.
Statement by witness.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P.183/us/J/147

1414

2 Guards

Date Submitted Decision of Committee I

30 JAN 1946

142. A

CARDS CHECKED

P.183/us/J/147

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1415

Registered Number.

Date of receipt in Secretariat.

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 183 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Japanese Guard, name and rank unknown, nicknamed by prisoners "Wolf" (name believed to be one of following: Nakota; Dakota; Kyote; Kioke-San).
2. Japanese Guard, name and rank unknown, nicknamed by prisoners "Pistol Pete".

Date and place of commission of alleged crime.

April 1943.
Military Prison Camp No. 4, Nichols Field - Pasay Detail,
Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929,
Article 2.

SHORT STATEMENT OF FACTS.

Victim, who had approximately thirty-six blisters on his hands, was ordered by Japanese to use an iron Crowbar to dig a hole for a dynamite charge. Being unable to do the work, he was struck by the Japanese guard some thirty times with a pick handle on the buttocks, side and back. *The accused No. 2*

The accused No. 1 was in charge of the work detail

Victim: John Henry Bailey, Col. 13038318
1726 McCullough Street, North Side
Pittsburgh, Pennsylvania.

Source: War Crimes Office, Washington, (Case No. 40-348).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1416

4111

DET WALS S

1417
PARTICULARS OF EVIDENCE IN SUPPORT

1417

WITNESS AND EVIDENCE.

1. John Henry Bailey, Cpl. 13038318, 1726 McCullough Street, North Side,
Pittsburgh, Pennsylvania.

Statement by victim.

NOTES ON THE CASE

1418

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P.184/US/J/148

1419

1. Guard
2. ONOSOAN

Date Submitted Decision of Committee I

30 JAN 1946

1.42. A

B CARDS CHECKED

P.184/US/J/148

(For the Use of the Secretariat)

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Registered Number.

Date of receipt in Secretariat.

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22 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 184 J *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Japanese Guard, name and rank unknown, nicknamed by prisoners "Wolf" (name believed to be one of following: Nakota; Dakota; Kyote; Kioke-San).</p> <p>2. ONOSOAN, Japanese soldier, first name and rank unknown.</p>
<p>Date and place of commission of alleged crime.</p>	<p>May 1943.</p> <p>Military Prison Camp No. 4, Nichols Field - Pasay Detail, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War.</p> <p>Breach of the Geneva Prisoners of War Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

At Nichols Field the time mentioned, the victim was whistling at work. The accused No.1., "Wolf" ordered the accused No. 2 Onosoan to give the victim a beating and whereupon the said accused No. 2 beat the victim on the back, side, and buttocks with a pick handle until the victim became unconscious.

Victim: Unidentified United States Prisoner of War.

Source: War Crimes Office, Washington, (Case No. 40-373).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) W.L.P.252/4 5,000 5/45 A.& E. W.Ltd. Gp.685
 (30449) W.L.P.1183/17 5,000 10/45

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PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESSES AND EVIDENCE

1. John Henry Bailey, Cpl. A.S.N. 13038313, 1726 McCullough Street,
Eye witness' statement. North Side, Pittsburgh, Pennsylvania.
2. Virgil L. Ford, First Sgt. A.S.N. 20842473, 200 North Third Street,
Eye witness' statement. Memphis, Texas.

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESSES AND EVIDENCE

1. John Henry Bailey, Cpl. A.S.N. 13038313, 1726 McCullough Street,
Eye witness' statement. North Side, Pittsburgh, Pennsylvania.
2. Virgil L. Ford, First Sgt. A.S.N. 20842473, 200 North Third Street,
Eye witness' statement. Memphis, Texas.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P.185/US/J/149

1424

- 1. PHOTO
- 2. Soldiers

Date Submitted Decision of Committee I

30 JAN 1946

1-A
2-C

B

CARDS CHECKED

P.185/US/J/149

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Registered Number.

Date of receipt in Secretariat.

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22 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 185 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Lt. IMOTO, Japanese in Charge, nicknamed by prisoners "White Angel".

2. Japanese Soldiers, names and ranks unknown.

Date and place of commission of alleged crime.

August 1942.
Military Prison Camp No.4, Nichols Field - Pasay Detail,
Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929,
Article 2.

SHORT STATEMENT OF FACTS.

In August 1942 the accused, Lt. Imoto, apparently annoyed because some eighty United States prisoners claimed they were ill, ordered them beaten by unidentified Japanese soldiers. The victims were so beaten.

Victims: "Eighty Unidentified Prisoners of War".

Source: War Crimes Office, Washington, (Case No.40-417).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(20655) Wt.P.252/4 5,000 5/45 A.& E. W.Ltd. Gp.685
(30449) Wt.P.1183/17 5,000 10/45

8574

PARTICULARS OF ALLEGED CRIME

On the 1st day of August 1944, at the residence of the accused, the following particulars of the alleged crime were ascertained:

The accused was seen to enter the premises of the victim at approximately 10.30 p.m. on the 1st day of August 1944, and to remain therein until approximately 11.30 p.m.

It was further ascertained that the accused was seen to enter the premises of the victim at approximately 10.30 p.m. on the 1st day of August 1944, and to remain therein until approximately 11.30 p.m.

The accused was seen to enter the premises of the victim at approximately 10.30 p.m. on the 1st day of August 1944, and to remain therein until approximately 11.30 p.m.

It was further ascertained that the accused was seen to enter the premises of the victim at approximately 10.30 p.m. on the 1st day of August 1944, and to remain therein until approximately 11.30 p.m.

The accused was seen to enter the premises of the victim at approximately 10.30 p.m. on the 1st day of August 1944, and to remain therein until approximately 11.30 p.m.

It was further ascertained that the accused was seen to enter the premises of the victim at approximately 10.30 p.m. on the 1st day of August 1944, and to remain therein until approximately 11.30 p.m.

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Alvin Stauss, T/Sgt. A.S.N. 6322706 . c/o Mr. W.H. Staus, Pampa, Texas.

(Statement by witness)

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P.186/US/J/150

1429

- 1. EMHOTO
- 2. Guards

Date Submitted	Decision of Committee I	CARDS CHECKED
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Date of receipt in Secretariat.

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22 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS.

CHARGES AGAINST

WAR CRIMINALS

CASE No. 186 J *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. EMMOTO (sometimes referred to as "White Angel") Japanese in charge of the camp. 2. Japanese Guards, names and ranks unknown.</p>
<p>Date and place of commission of alleged crime.</p>	<p>August or September 1942. Military Prison Camp No. 4, Nichols Field - Pasay Detail, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War. Breach of the Geneva Prisoners of War Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

Victim was caught throwing money over fence to Filipino for food and was beaten by unknown Japanese guards with a two by four pole. He was hospitalized, and then Emmoto had him removed. He was never seen again. Accused No. 1 was in charge of this work detail at the time.

Victim: Unknown United States Prisoner of War.

Source: War Crimes Office, Washington, (Case No. 40-418).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

0333

Page 2

PARTICULARS OF ALLEGED CRIME

1431

0333

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESSES AND EVIDENCE.

1. T/Sgt Alvin A. Staus, 6322706, Pampa, Texas.
2. Col. Ira M. Pitts, 6816373, Shawnee, Kansas.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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P.187/US/J/151

1434

- 1. Guard
- 2. Guards

Date Submitted	Decision of Committee I	B	CARDS CHECKED
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Registered Number.

Date of receipt in Secretariat.

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22 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 187 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Japanese Guard, name and rank unknown, nicknamed by prisoners "Wolf", (name believed to be Nakota; Dakota; Kyote; Kioke-San).
2. Japanese Guards, names and rank unknown.

Date and place of commission of alleged crime.

August 1942.
Military Prison Camp No.4, Nichols Field-Pasay Detail,
Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929,
Article 2.

SHORT STATEMENT OF FACTS.

While United States Prisoners of War were being marched from Pasay Intermediate Prison to Nichols Field, a Filipino civilian waved to the victim. The Japanese guards severely beat the Filipino civilian, until he indicated to whom he was waving. The Japanese Guards in charge of Accused No.1 then severely beat the victim with hoe handles until he was bleeding profusely. The victim, convinced the Japanese guards that he was not acquainted with the Filipino, whereupon, the Japanese again beat the Filipino into unconsciousness, and continued beating him intermittently all day long.

Victim: Unidentified United States Prisoner of War.

Source: War Crimes Office, Washington, (Case No.40-419).
TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) Wt.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

[The following text is extremely faint and illegible due to the quality of the scan. It appears to be a list of details or a narrative account of an alleged crime, organized into several paragraphs or sections. The text is mostly centered on the page.]

WITNESSES AND EVIDENCE.

1. Ira Melvin Pitts, Cpl. A.S.N. 6816373. Route 1, Shawnee, Kansas.

Eyewitness.

2. Alvin A. Staus, T/Sgt. A.S.N. 6322706. c/o Mr. W.H. Staus, Pampa, Texas.

Eyewitness.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- 1. Guard
- 2. Guards

Date Submitted

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Date of receipt in Secretariat.

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 188 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Japanese Guard, name and rank unknown, nicknamed by prisoners "Wolf", (name believed to be Nakota; Dakota; Kyote; Kioke-san), in charge of this camp at the time of offense.
2. Japanese Guards, Names and ranks unknown.

Date and place of commission of alleged crime.

April 1943.
Military Prison Camp No.4, Nichols Field - Pasay Detail,
Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

At a time when the Japanese were returning United States prisoners from a work detail, the victim had become unconscious from heat, prostration and malnutrition. When the work detail was mustered, it was found that he was missing. As a search was being conducted for him, the victim straggled up to the group. The Japanese guards claimed he was trying to escape, and accordingly they shot and killed him. Accused No.1 was in charge of this camp at the time and he not only condoned the commission of like crimes by his subordinates but actually participated in or committed many of them himself.

Victim: United States soldier named Savage, (Assigned to 200th C.A.).

Source: War Crimes Office, Washington, (Case No.40-559).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORTWITNESSES AND EVIDENCE.

1. Zoeth Skinner, Cpl., 20933222. 6100 N/E Killingsworth St.,
Portland, Oregon.
Did not witness shooting but heard the shots.
2. Virgil L. Ford, 1/Sgt ASN 20842473. 220 North 3rd St., Memphis, Texas.
Eyewitness.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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- 1. IMOTO (EMMOTO)
- 2. Guard

Date Submitted	Decision of Committee I		
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Date of receipt in Secretariat.

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22 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS

CASE No. 189 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. Lt. Imoto (or Emoto), Japanese in Charge, believed to be a Lieutenant Commander in Japanese Navy, nicknamed by prisoners "White Angel".
2. Japanese Guard, name and rank unknown.

Date and place of commission of alleged crime.

September 1943. Military Prison Camp No. 4, Nichols Field - Pasay Detail, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

In September 1943, victim was recaptured after escape from Pasay. He was returned to Nichols Field, tied to a post, and beheaded by Accused No. 2. Accused No. 1 was in charge of this camp and the crime was committed with his knowledge and approval.

Victim: Unidentified United States Marine.

Source: War Crimes Office, Washington, (Case No. 40-792).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

1944

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Ira Melvin Pitts, Cpl., ASN 6916373, RR No. 1, Shawnee, Kansas.
Signed and Sworn Statement. Did not witness execution, but saw Marine
tied to post shortly prior thereto. Japanese guard who beheaded
prisoner stated he had done it.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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1449

1. MATSUMURA
2. TOYOSHIMA

Date Submitted	Decision of Committee I		
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Registered Number.

Date of receipt in Secretariat.

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22 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS

WAR CRIMINALS

CASE No. 190 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Matsumura, Japanese camp commander at time of offense.
2. Toyoshima, Japanese second in charge of camp at time of offense.

Date and place of commission of alleged crime.

January 1944.
Military Prison Camp No.4, Nichols Field - Pasay Detail,
Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929,
Article 2.

SHORT STATEMENT OF FACTS.

Victims, medical officers, were beaten because they certified United States prisoners of war were sick. The beatings were administered at the instance of both accused.

Victims: Capt. Merkle, M.C.
Lt. Robert Greenman, M.C.

Source: War Crimes Office, Washington, (Case No.40-803).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) W.P.252/4 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) W.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Capt. Helmer C. Soderman, Portland, Ore.
Saw the beating.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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1. MATSUMURA

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 191 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Matsumura, Japanese in charge of camp, nicknamed by prisoners "Cherry Blossom".
2. Japanese Guard, name and rank unknown, nicknamed by prisoners "Wolf", (Name believed to be Nakota; Dakota; Kyote; Kioke-San).
3. Japanese Guards, names and ranks unknown.

Date and place of commission of alleged crime.

Between June 1943 and July 1944.
Military Prison Camp No. 4, Nichols Field - Pasay Detail, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

The victim, while assigned to work details at Nichols Field, was beaten approximately 30 times by the Japanese guards. The beatings usually were administered with pick handles. At the time of the beatings, the victim was suffering from malaria, beri-beri, and general malnutrition. During this period Accused No. 1 was in charge of this camp and Accused No. 2 was in charge of many of the details with which victim worked when beaten.

Victim: Sgt Glen Hagstrom, 19006224.

Source: War Crimes Office, Washington, (Case No. 40-805).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Sgt. Glen Hagstrom, Spokane, Washington.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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1459

- 1. MATSUMURA
- 2. Guard

Date Submitted Decision of Committee I

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CARDS CHECKED

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22 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST CHARGES AGAINST

JAPANESE WAR CRIMINALS

WAR CRIMINALS

CASE No. 192 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. Matsumura, Japanese in charge of camp, nicknamed by prisoners "Cherry Blossom".
- 2. Japanese Guard, name and rank unknown, nicknamed by prisoners "Pickhandle Pete".

Date and place of commission of alleged crime.

Between June 1943 and July 1944. Military Prison Camp No.4, Nichols Field-Pasay Detail, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Victim was subjected to many beatings at various times during his confinement at this camp. During this period Accused No.1 was in charge of this camp and Accused No.2 was in charge of many of the work details with which victim worked and said accused participated in many of the beatings.

Victim: Sgt. Glen Hagstrom.

Source: War Crimes Office, Washington, (Case No.40-809).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Sgt. Glen Hagstrom. 1020 Summit Blvd., Spokane, Wash.
Victim's Statement.

5491

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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1. MATSUMURA

2. 43.

Date Submitted Decision of Committee I

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CARDS CHECKED

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22 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 193 J *

Table with 2 columns: Description/Reference and Details. Rows include: Name of accused (1. Matsumura, 2. Japanese Guard, 3. Yoguiison), Date and place (February 1944, Military Prison Camp No.4), and Number and description of crime (Murder, Ill-treatment, Breach of Laws, Breach of Geneva Convention).

SHORT STATEMENT OF FACTS.

Victim was ill and could not work. Pvt. Yoguiison ordered "Rabbit Hunter" to beat victim. Accused No.2 then beat victim, causing severe bruises and a ruptured kidney, which caused victim's death on February 14, 1944. Accused No.1 was in charge of this camp and condoned brutality on the part of his subordinates.

Victim: Pfo. "Tony" Petronas.

Sources: War Crimes Office, Washington, (Case No.40-835).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.
(29655) Wt.P.2524 5,000 5/45 A.& E.W.Ltd. Gp.685
(30449) Wt.P.1183,17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORTWITNESS AND EVIDENCE.

1. S/Sgt. Dale C. VonLinger, Mansfield, Illinois.

Was told of the beating by victim shortly before he died,
and saw victim die.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Half of written records likely to be used in this case

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1. Commanding General
2. Commanding Officer

Date Submitted Decision of Committee I

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS

WAR CRIMINALS

CASE No. 194 J

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Commanding General of Japanese Forces in Philippine Islands in 1943 (probably Lt. General Masaharu HOMMA, Japanese Army).
2. Commanding Officer in charge of Prisoner of War Camps - Philippine Islands in 1943 (probably Maj.Gen. Ichiro MORIMOTO, Japanese Army).

Date and place of commission of alleged crime.

Between June and August 1943.
Military Prison Camp No.4, Nichols Field - Pasay Detail, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

- a. Employment of prisoners of war on unauthorized works.
- b. Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 31 and 32.

SHORT STATEMENT OF FACTS.

Victims, prisoners of war, were employed on unauthorized and dangerous work in violation of the Geneva Prisoners of War Convention 1929, which the Japanese Government undertook to apply to United States prisoners. As a result, named victim and another lost their lives.

Source: War Crimes Office, Washington, (Case No.40-848).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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Registered Number.

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22 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 194 J

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Commanding General of Japanese Forces in Philippine Islands in 1943 (probably Lt. General Masaharu HOMMA, Japanese Army).
2. Commanding Officer in charge of Prisoner of War Camps - Philippine Islands in 1943 (probably Maj.Gen. Ichiro MORIMOTO, Japanese Army).

Date and place of commission of alleged crime.

Between June and August 1943.
Military Prison Camp No.4, Nichols Field - Pasay Detail, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

- a. Employment of prisoners of war on unauthorized works.
- b. Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 31 and 32.

SHORT STATEMENT OF FACTS.

Victims, prisoners of war, were employed on unauthorized and dangerous work in violation of the Geneva Prisoners of War Convention 1929, which the Japanese Government undertook to apply to United States prisoners. As a result, named victim and another lost their lives.

Source: War Crimes Office, Washington, (Case No.40-848).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

United States Prisoners of War working at Nichols Field were required to excavate through a hill in such a manner as to leave overhanging banks where they were working. In June of 1943, the overhanging banks caved in and buried the victim Newman. He was dead upon being dug out. In August, 1943, there was a similar cave-in, and another United States Prisoner of War was buried and died.

Victims: Newman and other prisoners of war.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

Prisoners of war, including victims, were compelled to work on Nichols Field, a known military installation. The United States Government repeatedly protested to the Japanese Government against the use of prisoners of war labor on any work having direct relation with war operations. The work at the instant project was so dangerous that it caused the death of two prisoners of war. Both accused must be charged with responsibility for these violations which could not have escaped their attention, since all camps were regularly visited and inspected by high Japanese Officers who knew of and sanctioned the ill-treatment of all prisoners of war.

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1. MATSUMURA
2. Sergeant

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 195 J *

Name of accused, his rank and unit, or official position. (Not to be translated.)
1. Matsumura, Japanese in charge of camp, nicknamed by prisoners "Cherry Blossom".
2. Japanese Sergeant, name unknown, nicknamed by prisoners "Handsome Harvey".
Date and place of commission of alleged crime.
August, 1943.
Military Prison Camp No.4, Nichols Field-Pasay Detail, Luzon, Philippine Islands.
Number and description of crime in war crimes list.
Ill-treatment of Prisoners of War.
References to relevant provisions of national law.
Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Victim, head of a work detail, was beaten because his men couldn't work any faster, and boiling water was spilled on him. Accused No.1 was in charge of this camp and participated in brutality by his subordinates. Accused No.2 was in charge of this work detail and directly caused this beating and torture.

Victim: Cpl. Andrew T. Durmis, 7025706.

Source: War Crimes Office, Washington, (Case No.40-939).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.
(29655) Wt.P.252/4 5,000 5/45 A.&E.W.Ltd. Gp.685
(30449) Wt.P.1183/17 5,000 10/45

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Registered Number.

Date of receipt in Secretariat.

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 195 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. Matsumura, Japanese in charge of camp, nicknamed by prisoners "Cherry Blossom".
2. Japanese Sergeant, name unknown, nicknamed by prisoners "Handsome Harvey".

Date and place of commission of alleged crime.

August, 1943.
Military Prison Camp No.4, Nichols Field-Pasay Detail, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Victim, head of a work detail, was beaten because his men couldn't work any faster, and boiling water was spilled on him. Accused No.1 was in charge of this camp and participated in brutality by his subordinates. Accused No.2 was in charge of this work detail and directly caused this beating and torture.

Victim: Cpl. Andrew T. Durmis, 7025706.

Source: War Crimes Office, Washington, (Case No.40-939).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

WITNESSES AND EVIDENCE.

1. Cpl. Andrew T. Durmis, 7025706.
Victim.
2. Cpl. William J. Carleb, 17016202, St. Louis, Missouri.
Obtained story from victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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1479

Lieutenant

Date Submitted	Decision of Committee I		CARDS CHECKED
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Registered Number.

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22 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 196 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Japanese Lieutenant, name unknown, nicknamed by prisoners "The Fox".

Date and place of commission of alleged crime.

August 1943.
Military Prison Camp No. 4, Nichols Field - Pasay Detail,
Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929,
Article 2.

SHORT STATEMENT OF FACTS.

Accused hit victim in mouth with rifle butt, knocking out five teeth. The assault was without provocation.

Victim: Cpl. Andrew T. Durnis.

Source: War Crimes Office, Washington, (Case No. 40-940).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) Wt.P.1153/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

PARTICULARS

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Cpl. Andrew T. Durnis, 7025706.
Statement by victim.

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PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Cpl. Andrew T. Durnis, 7025706.
Statement by victim.

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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Date Submitted	Decision of Committee I	CARDS CHECKED
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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 197 J *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. SECONE San, Japanese Private, stationed at Nichols Field, Luzon, Philippine Islands in 1943.</p>
<p>Date and place of commission of alleged crime.</p>	<p>About August 1943. Military Prison Camp No.4, Nichols Field-Pasay Detail, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War.</p> <p>Breach of the Geneva Prisoners of War Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

Accused cut victim on legs with a bayonet because victim could not count in Japanese.

Victim: Cpl. Andrew T. Durmis

Source: War Crimes Office, Washington, (Case No.40-941).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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(30449) W.L.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

1937

1. On the 1st day of January 1937, the said person was seen at the residence of the complainant, where he was engaged in conversation with the complainant's wife.

2. On the 2nd day of January 1937, the said person was seen at the residence of the complainant, where he was engaged in conversation with the complainant's wife.

3. On the 3rd day of January 1937, the said person was seen at the residence of the complainant, where he was engaged in conversation with the complainant's wife.

4. On the 4th day of January 1937, the said person was seen at the residence of the complainant, where he was engaged in conversation with the complainant's wife.

5. On the 5th day of January 1937, the said person was seen at the residence of the complainant, where he was engaged in conversation with the complainant's wife.

6. On the 6th day of January 1937, the said person was seen at the residence of the complainant, where he was engaged in conversation with the complainant's wife.

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Cpl. Andrew T. Durmis.

Statement by victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

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1. Guard
2. ISSIMOTO

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 198 J *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Japanese Guard, name and rank unknown, nicknamed by prisoners "Wolf" (name believed to be Nakota; Dakota; Kyote; Kioke-San).</p> <p>2. Issimoto, rank and status unknown (believed to be interpreter at this camp at time of offense).</p>
<p>Date and place of commission of alleged crime.</p>	<p>February 1944.</p> <p>Military Prison Camp No.4, Nichols Field-Pasey Detail, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War.</p> <p>Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 46, and 54.</p>

SHORT STATEMENT OF FACTS.

Victim failed to salute the accused. Both accused thereupon set upon and severely beat the victim.

Victim: T/Sgt Leon A. Swindell, Jr., 6399973

Source: War Crimes Office, Washington, (Case No.40-949).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. T/Sgt. Leon A. Swindell, Jr., Tifton, Ga.

Statement by victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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1. Guard
2. SIKH MATA SUN

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 199 J *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Japanese Guard, name and rank unknown, nicknamed by prisoners "Wolf", (name believed to be Nakota; Dakota; Kyote; Kioko-San). 2. SIKA MATA SUN, rank unknown, stationed at this camp at time of offense.</p>
<p>Date and place of commission of alleged crime.</p>	<p>September 1943. Military Prison Camp No.4, Nichols Field-Pasay Detail, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War. Breach of the Geneva Prisoners of War Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

Accused No.2 beat victim twenty times with a bamboo cane because he claimed victim was not working hard enough. Accused No.1 was in charge of the entire detail at the time of the beating.

Victim: Cpl. Lee Bennett.

Source: War Crimes Office, Washington, (Case No. 40-997).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.
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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORTWITNESS AND EVIDENCE.

1. Cpl. Lee Bennett, Mound City, Missouri.

Statement by victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority of a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority of a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

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2 Guards

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 200 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Japanese Guard, name and rank unknown, nicknamed by prisoners "Wolf", (name believed to be Nakota; Dakota; Kyote; Kioko-San).
2. Japanese Guard, name and rank unknown, nicknamed by prisoners "Herby".

Date and place of commission of alleged crime.

January 1943.
Military Prison Camp No.4, Nichols Field-Pasay, Detail,
Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929,
Article 2.

SHORT STATEMENT OF FACTS.

While at work, victim was beaten by his "track boss", Accused No.2, without justification. Accused No.1 was in charge of the entire work detail at the time of the offense.

Victim: Cpl. Lee Bennett.

Source: War Crimes Office, Washington, (Case No.40-998).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE

1. Cpl. Lee Bennett, Mound City, Missouri.

Statement by victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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Date Submitted Decision of Committee I

30 JAN 1946

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 201 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. MATSUMURA, Japanese Commander of this camp and nicknamed by prisoners "Cherry Blossom".

Date and place of commission of alleged crime.

March 1944.
Military Prison Camp No. 4, Nichols Field- Pasay Detail,
Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929,
Article 2.

SHORT STATEMENT OF FACTS.

Accused beat the victim on his head and body about forty times with a leather belt, without justification. Accused was at the time commander of this camp and cruelty by him indicates the callous attitude of all Japanese personnel at these camps, both officials as well as their subordinates, all of whom participated in unwarranted and unlawful beatings of prisoners of war.

Victim: Cpl. Lee Bennett.

Source: War Crimes Office, Washington, (Case No. 40-999).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Cpl. Lee Bennett, Mound City, Missouri

Statement by victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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MATSUMURA

Date Submitted Decision of Committee I

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Date of receipt in Secretariat.

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22 JAN 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 202 J *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. MATSUMURA, Japanese commander of this camp, and nicknamed by prisoners "Cherry Blossom"</p>
<p>Date and place of commission of alleged crime.</p>	<p>May 1944. Military Prison Camp No. 4, Nichols Field - Pasay Detail, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War.</p> <p>Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 46, and 54.</p>

SHORT STATEMENT OF FACTS.

At the instance of Accused, victims were hanged by their hands tied to crossbar for two days and two nights, because they attempted to steal food. They had to be hospitalized as a result of this treatment.

Victims: " Two Unidentified United States Soldiers."

Source: War Crimes Office, Washington, (Case No. 40-1030).

TRANSMITTED BY _____

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(For the Use of the Secretariat)

1510

Registered Number.

Date of receipt in Secretariat.

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22 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 202 J *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. MATSUMURA, Japanese commander of this camp, and nicknamed by prisoners "Cherry Blossom"</p>
<p>Date and place of commission of alleged crime.</p>	<p>May 1944. Military Prison Camp No. 4, Nichols Field - Pasay Detail, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War.</p> <p>Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 46, and 54.</p>

SHORT STATEMENT OF FACTS.

At the instance of Accused, victims were hanged by their hands tied to crossbar for two days and two nights, because they attempted to steal food. They had to be hospitalized as a result of this treatment.

Victims: "Two Unidentified United States Soldiers."

Source: War Crimes Office, Washington, (Case No. 40-1030).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Cpl. Lee Bennett, Mound City, Missouri.

S

Statement by deposition.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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1514

Guard

Date Submitted

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS.
CHARGES AGAINST WAR CRIMINALS

CASE No. 203 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Japanese Guard, name and rank unknown, nicknamed by prisoners "Pick Handle Pete", stationed at this camp at time of offense.

Date and place of commission of alleged crime.

June 1944.
Military Prison Camp No. 4, Nichols Field - Pasay Detail,
Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Accused beat victim, without cause, with a pick handle, breaking the bones in victim's hand.

Victim: Lt. Campbell.

Source: War Crimes Office, Washington, (Case No. 40-1035).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.
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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. T/3 Herbert H. Herzog, Akron, Ohio. (Was told of incident by victim, and saw the injuries).

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- 1. MATSUMURA
- 2. Guard

Date Submitted

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 204 J *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<ol style="list-style-type: none"> MATSUMURA, Japanese commander of this camp, nicknamed by prisoners "Cherry Blossom". Japanese Guard, name and rank unknown, nicknamed by prisoners "Wolf", (name believed to be Makota; Dakota; Kyote; Kioke-San).
<p>Date and place of commission of alleged crime.</p>	<p>Between July 1942 and September 1944.</p> <p>Military Prison Camp No. 4, Nichols Field - Pasay Detail, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>All-treatment of Prisoners of War.</p> <p>Breach of the Geneva Prisoners of War Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

Victim was severely beaten by Accused No. 2 while on a work detail. Accused No. 1 not only permitted his guards to beat the prisoners of war but on occasion participated in the beatings himself.

Victim: Cpl. Vern Kaufman.

Source: War Crimes Office, Washington, (Case No. 40-1037).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORTWITNESS AND EVIDENCE.

1. Cpl. Alden Dick McEwen, Pittsburg.

Statement. Victim related story of beating to witness.

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Cpl. Alden Dick McEwen, Pittsburg.

Statement. Victim related story of beating to witness.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 205 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. MATSUMURA, Japanese Commander of this camp, nicknamed by prisoners "Cherry Blossom", (sometimes referred to as IKEGOMON).

Date and place of commission of alleged crime.

During first six months of 1944.
Military Prison Camp No.4, Nichols Field-Pasay Detail, Iuzon, Philippine Islands.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

Ill-treatment of Prisoners of War.
Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Accused forced victims to kneel with a pole between their thighs and calves for half a day, without justification.

Victims: Two unidentified United States Prisoners of War.

Source: War Crimes Office, Washington, (Case No. 40-1040).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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(30449) Wt.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

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On the 1st day of August 1941, at the residence of the complainant, the respondent was observed to be in possession of a certain amount of money, which was the proceeds of the sale of certain property belonging to the complainant.

The respondent is alleged to have received the said money from the complainant, and to have failed to account for the same, and to have used the same for his own private purposes.

The respondent is alleged to have received the said money from the complainant, and to have failed to account for the same, and to have used the same for his own private purposes.

The respondent is alleged to have received the said money from the complainant, and to have failed to account for the same, and to have used the same for his own private purposes.

The respondent is alleged to have received the said money from the complainant, and to have failed to account for the same, and to have used the same for his own private purposes.

The respondent is alleged to have received the said money from the complainant, and to have failed to account for the same, and to have used the same for his own private purposes.

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Cpl. Lee Bennett, 6957050, Mound City, Missouri.

Statement by deposition.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

NOTES ON THE CASE

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1. MATSUMURA

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Decision of Committee I

30 JAN 1946

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26 JUN 1948

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS

CASE No. 206 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. MATSUMURA, Japanese Commander of this camp, nicknamed by prisoners "Cherry Blossom".
2. Japanese Guard, name and rank unknown, nicknamed by prisoners "Wolf", (name believed to be Nakota; Dakota; Kyote; Kioko-San).
3. Japanese Guards, names and ranks unknown.

Date and place of commission of alleged crime.

August or September 1944. Military Prison Camp No.4, Nichols Field-Pasay Detail, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

- a. Murder.
b. Ill-treatment of Prisoners of War.
a. Breach of the Laws and Customs of War.
b. Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Victim was beaten so severely by unidentified Japanese guards, at the instance of both accused, that victim died as a result of the beatings. Nos.1 and 2

Victim: Pvt. Max Bieterman.

TRANSMITTED BY Source: War Crimes Office, Washington, (Case No.40-1147).

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.
(20655) Wt.P.252/4 5,000 5/45 A.& E. W.Ltd. Gp.685
(30449) Wt.P.1153/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

1942-1943

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PARTICULARS OF EVIDENCE IN SUPPORT

1532

WITNESS AND EVIDENCE.

1. Sgt. Leon B. Lowman, Asheville, N.C.

Statement. Victim related story of beating to witness.
Witness saw results of beating and saw victim die.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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P.207/US/J/171

1534

1. HOMMA Masaharu

2. -6.

Date Submitted

Decision of Committee I

30 JAN 1946

1.-6. A CARDS CHECKED

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P.207/US/J/171

Registered Number.

Date of receipt in Secretariat.

P.207/US/J/171

22 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 207 J *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<ol style="list-style-type: none"> 1. General Masaharu HODMA, Japanese Army, Commander of Japanese Forces in the Philippine Islands in 1941-1942. (in custody). 2. General Tomoyuki YAMASHITA, Japanese Army, Commander of Japanese Forces in the Philippine Islands during part of time of offenses herein charged. (in custody) 3. Lt. General Shigenori KURODA, Japanese Army, Commanding Japanese Forces in the Philippine Islands during part of time of offenses herein charged. (in custody). 4. Captain SUGUSO, Japanese Army. 5. Captain NOGI, Japanese Army, Commandant of Bilibid Prison Hospital. 6. Lt. OKA, Japanese Army.
<p>Date and place of commission of alleged crime.</p>	<p>From June 1942 to October 1944. The Port Area of Manila and its surrounding region.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<ol style="list-style-type: none"> a. Employment of prisoners of war on unauthorized works. b. Ill-treatment of Prisoners of War. a. Breach of the Laws and Customs of War. b. Breach of Geneva Prisoners of War Convention 1929, Articles 2, 29, 30, 31, 32.

SHORT STATEMENT OF FACTS.

Prisoners of war were forced to perform labor in transporting arms and munitions and material intended for Japanese combatant units. Prisoners from a hospital were forced to perform labor and all prisoners were subjected to danger and air raids. Prisoners were forced to labor seven days a week without any rest days.

Source: War Crimes Office, Washington, (Case No. 40-168).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

During the period from about June 1942 to October 1944, prisoners of war from various camps in the vicinity of Manila, such as Bilibid, Fort McKinley and Camp Murphy were forced to load and unload ammunition, bombs, military equipment and gasoline on and off ships. In addition, one named hospital ship, the "Seattle Maru" and several unnamed hospital ships were loaded with munitions both by prisoners of war and by the Japanese. The number of prisoners in this detail varied; as many as 250 men were reported to be on this detail during July and August 1944; at other times there were as few as 10 men. During the latter part of 1944 prisoners on this detail were exposed to air raids by American planes. It is not known for certain whether any casualties resulted from these raids. In addition to loading ships, groups of prisoners were required to drive trucks from the dock to ammunition and gasoline dumps.

PARTICULARS OF EVIDENCE IN SUPPORTWITNESSES AND EVIDENCE.

1. Sanford Jack Blau, T/5, ASN 10300261, 3622 Raymond Blvd., University Heights, Ohio.
Signed and Sworn Statement. Victim. Forced to load ships for about two months during June-July 1942. Says he helped load about twenty Red Cross ships with ammunition. This statement as to twenty Red Cross ships not confirmed by any other witness.
2. Edwin C. Raynor, T/Sgt, ASN 6669263, 1440 W. 4th Ave., Gary, Indiana.
Signed and Sworn Statement. Victim. Saw "Seattle Maru" a Red Cross ship being loaded with military equipment in August 1943.
3. Earl E. Quay, Cpl., ASN 18049879, 839 S. Nettleton, Springfield, Mo.
Signed and Sworn Statement. Victim. Forced to load bombs on Japanese ships on three different occasions in December 1942. Also saw "Seattle Maru", a Red Cross ship being loaded with scrap iron, 23 December 1942.
4. Charles E. Rice, 917, Osage St., Manhattan, Kansas.
Signed and Sworn Statement. An eyewitness to fact prisoners were forced to load ships.
5. John J. Manley, Sgt, ASN 18048988.
Signed and Sworn Statement. Victim. Worked on ships during July and August 1944. Loaded bombs, gasoline and machinery. Names Capt. Nogi, Bilibid Prison Commandant as being responsible for requiring prisoners to work on this detail.
6. Charles C. Foster, Major, ASN O-314147, 717 Cherry St., Grand Forks, N. Dakota.
Signed and Sworn Statement. Saw prisoners going to and from work during 1943 and 1944. Says victims required to work seven days a week.
7. John N. Kulp, T/Sgt, ASN 7000450, State Line, Mississippi.
Signed and Sworn Statement. Victim. Worked on docks during 1944. States ships were loaded with gasoline, bombs, ammunition and aircraft parts for use against American troops in the Southern Philippine Islands.
8. Angelita M. Moore, 1015 Fremont Ave. No., Minneapolis, Minn.
Signed and Sworn Statement. An eyewitness. Saw more than 50 prisoners of war unloading ammunition and loading gasoline and oil, April 1943.
9. Alice T. Neigun, 617 Huron St., SE Minneapolis, Minn.
Signed and Sworn Statement. An eyewitness. Saw ten prisoners of war working on piles of scrap iron during Sept and Oct. 1944. Says prisoners were subjected to constant bombing.
10. Paul L. Ashton, Major MC, ASN O397788, 1114 Vincentia St., Corona, Calif.
Saw about 200 prisoners unloading military equipment from a Japanese ship during May or June 1943.
11. Oliver K. Wetzel, Cpl., ASN 19019919, 1419 1st Ave., Spencer Iowa.
Victim. Was in detail assigned job of hauling bombs from docks to Ft. McKinley during October 1943.
12. Bruce N. Choate, Cpl., ASN 20843742, Sheridan, Arkansas.
Signed and Sworn Statement. Did not unload ships but repaired trucks used to haul gasoline between the dumps and the dock. Names Lt. Oka as being in charge of his detail.
13. Kenneth L. Mason, Sgt., ASN 19052550, Route 6, Sacramento, California.
Signed and Sworn Statement. Victim. Hauled and loaded ammunition and airplane parts on freighters.
14. Raymond F. Holland, Cpl., ASN 14014453, Rte. 1, Lockhart, Florida.
Signed and Sworn Statement. Victim. Worked on docks from November 1942 until December 1943. Loaded and unloaded ammunition and other military supplies. Names Capt. Suguso as being in charge of his detail.

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESSES AND EVIDENCE.

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The number of prisoners of war on this detail varied and personnel were constantly changing. It is not possible to state accurately how many prisoners of war were victims in this case but over a period of several years it is estimated that more than 1000 prisoners were utilized loading and unloading ships in the dock area.

Capt. Suguso and Lt. Oka were reported to be in charge of this detail at the Port Area. Capt. Nogi is accused because Capt. Nogi was in charge of Bilibid prison from which some of the work details were drawn. This is a case where properly the Japanese Commander in the Philippines and the Japanese High Command should be charged with responsibility, in addition to individual officers in charge of the work details. In view of the length of time over which this project extended the Japanese Commanders in the Philippines, General Homma, Lt. Gen. Kuroda and General Yamashita should be imputed with knowledge of these violations of the laws of war.

P.208/US/J/172

1539

1 YAMAGUCHI

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Date Submitted	Decision of Committee I
30 JAN 1946	1-6. A CAPTS CHECKED <i>B</i>

P.208/US/J/172

(For the Use of the Secretariat)

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1540

Registered Number.

Date of receipt in Secretariat.

P.208/US/J/172

22 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 208 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Colonel YAMAGUCHI, Japanese Army, nicknamed by prisoners "Mountain Mouth"
2. Colonel OTA, Japanese Army.
3. Lt. NAGASI, Japanese Army.
4. YASHUMORA, Japanese Civilian Administrator.
5. MATSANAGA, Japanese Civilian Assistant Administrator.
6. ASIMORI, Japanese Civilian Assistant Administrator.

All Accused were in charge of one phase or another of the operations carried on at the Bacolod City Internment and Prisoners of War Camp, Occidental Negros, Philippine Islands and are charged with full responsibility for the offenses.

Date and place of commission of alleged crime.

May 1942 to July 1943
Bacolod City Internment and Prisoners of War Camp, Occidental Negros, Philippine Islands.

Number and description of crime in war crimes list.

- a. Ill-treatment of Prisoners of War.
- b. Employment of Prisoners of War on unauthorized works.
- c. Internment of civilians under inhuman conditions.
- d. Ill-treatment of internees (by analogy).

References to relevant provisions of national law.

- a. Breach of the Laws and Customs of War.
- b. Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 10, 11, 13, 31, and 32.

SHORT STATEMENT OF FACTS.

Victims, prisoners of war as well as internees, were forced to live at this camp under abominable and unsanitary conditions. Food and medical supplies were denied them by the Japanese. They were mistreated and forced to perform labor in transporting military supplies. All this was in violation of the Geneva Prisoners of War Convention of 1929, which the Japanese Government agreed to apply to civilian internees as well as prisoners of war.

Source: War Crimes Office, Washington, (Case No. 45-7).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(For the Use of the Secretariat)

1540

Registered Number.

Date of receipt in Secretariat.

P.208/US/J/172

22 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

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Source: War Crimes Office, Washington, (Case No. 45-7).

TRANSMITTED BY

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PARTICULARS OF ALLEGED CRIME

At Bacolod prisoners of war and internees were forced to live in filthy and vermin-infested cramped quarters. Although many suffered from dysentery and other ailments, no medical attention or supplies were furnished. For three or four months after 5 June 1942 the Japanese provided no food. The only food available was that which had been brought into the camp by the internees from their homes and that which they were able to buy from the Filipinos outside the prison. When, because of lack of funds, the internees were unable to buy supplies, the food furnished by the Japanese was inadequate, consisting of a small quantity of rice and scraps of fish. The internees were mistreated, and suffered many indignities at the hands of the guards. Prisoners of war were forced to drive trucks loaded with military supplies, which made them subject to attack by the guerillas.

Victims: Approximately 150 United States Internees and Prisoners of War.

PARTICULARS OF EVIDENCE IN SUPPORTWITNESSES AND EVIDENCE.

1. Mrs. Elizabeth Vaughan, White Plains, Georgia.
Signed and Sworn Statement. Was interned at Bacolod from June 1942 to February 1943. States that internees were sometimes permitted to buy food from outside the prison, but before she left the situation got worse because of lack of funds with which to buy supplies.
2. John J. Mahoney, Civilian, 15 Buckle St, Vallejo, Calif.
Signed and Sworn Statement. Says that the Japanese furnished no food for eight months.
3. Alvin G. Scaff, Civilian, Rt 3, Box 478, Austin, Texas.
Signed and Sworn Statement. Mistreatment and indignities, lack of medical attention.
4. Joseph F. Boyland, 2nd Lt., 0589192, 303 Pulaski St, Cumberland, Md.
Signed and Sworn Statement. Prisoners of war forced to drive trucks loaded with military supplies and ambushed by guerrillas.
5. John W. Limpert, Civilian, 1100 N. Lakewood Ave., Baltimore, Md.
Signed and Sworn Statement. No food furnished for three or four months. Inadequate food supplied by Japanese. Lack of medical attention.
6. Ella F. Thompson, 811 Boscobel St., Nashville, Tenn.
Mistreatment of internees and lack of food.
7. Howard T. Chrisco, Salem, Mo. Formerly T/4, 37053209.
Signed and Sworn Statement. Prisoners of war forced to drive trucks loaded with military supplies. Ambushed by guerrillas. Failure to provided medical care.

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Signed and Sworn Statement. Prisoners of war forced to drive trucks loaded with military supplies. Ambushed by guerrillas. Failure to provided medical care.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

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NOTES ON THE CASE

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P.209/US/J/173

1544

KATAOKA

Date Submitted	Decision of Committee I
8 0 JAN 1946	A CARDS CHECKED

P.209/US/J/173

P.209/US/J/173

1544

KATAOKA

Date Submitted

Decision of Committee I

30 JAN 1946

A CARDS CHECKED

P.209/US/J/173

(For the Use of the Secretariat)

SECRET

1545

Registered Number.

Date of receipt in Secretariat.

P.209/us/J/173

22 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 209 J *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Captain KATAOKA, Japanese leader of raiding party.</p>
<p>Date and place of commission of alleged crime.</p>	<p>November 24, 1943. Manlano, Luzuriaga, Oriental Negros, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>a. Torture of civilians b. Pillage. c. Wanton destruction of property.</p> <p>Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On 24 November 1943 a Japanese raiding party led by Captain Kataoka captured Alvin Scaff, his wife and infant child. Scaff's hands were tied behind his back and he was then beaten by one of the soldiers. After the capture, the Japanese looted the house which had been occupied by the Scaffs, taking all the bedding, clothes, food, dishes, and cooking utensils. They then set fire to the house and moved on taking the captured family to Dumaguete.

Victims: Alvin H. Scaff, wife and child.

Source: War Crimes Office, Washington, (Case No.45-9).
TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.
(20655) Wt.P.252/4 5,000 5/45 A.& E. W.Ltd. Gp.685
(30449) Wt.P.11-3 17 5,000 10/45

Registered Number.

Date of receipt in Secretariat.

P 209/US/J/173

22 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 209 J *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Captain KATAOKA, Japanese leader of raiding party.</p>
<p>Date and place of commission of alleged crime.</p>	<p>November 24, 1943. Manlano, Luzuriaga, Oriental Negros, Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>a. Torture of civilians b. Pillage. c. Wanton destruction of property. Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

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Victims: Alvin H. Scaff, wife and child.

Source: War Crimes Office, Washington, (Case No.45-9).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.
(29655) Wt.P.2524 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) Wt.P.11-3 17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORTWITNESS AND EVIDENCE.

1. Alvin H. Scaff. Rt. 3, Box 478, Austin, Texas.
Signed and Sworn Statement. Victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

P.210/US/3/174

1549

YAMAGUCHI

Date Submitted

Decision of Committee I

30 JAN 1946

A CARDS CHECKED

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P.210/US/3/174

SECRET

(For the Use of the Secretariat)

1550

Registered Number.

Date of receipt in Secretariat.

P.210/US/J/174

22 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 210. J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Colonel YAMAGUCHI, Japanese Army.

Date and place of commission of alleged crime.

January or February 1944.

Calapon, Negros, Philippine Islands.

Number and description of crime in war crimes list.

Murder and Massacre.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

In January or February 1944 a Japanese patrol was ambushed and one of their officers killed in the vicinity of Calapon. On market day a party of Japanese soldiers, in command of Accused, raided the market and wantonly killed approximately ninety Filipinos in reprisal for the death of the officer.

Victims: Approximately ninety unidentified Filipinos.

Source: War Crimes Office, Washington, (Case No. 45-13).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

[The body of the document contains several paragraphs of text that are extremely faint and illegible. The text appears to be organized into sections, possibly separated by bullet points or numbered lists, but the specific content cannot be discerned.]

PARTICULARS OF EVIDENCE IN SUPPORTWITNESS AND EVIDENCE.

1. Howard T. Chrisco. Salem, Missouri.
Signed and Sworn Statement. Eyewitness account.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

P.212/05/J/175

1554

1. NOMMA
to 3.

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1. HOMMA
to 3.

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8 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 265 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. General Masaharu HOMMA, Supreme Commander of Japanese Forces in the Philippine Islands.
2. Sergeant KUBIASHI, Japanese Army.
3. HUTA (phonetic).

Date and place of commission of alleged crime.

May, 1942.
Bataan, Philippine Islands.

Number and description of crime in war crimes list.

Employment of prisoners of war on unauthorized works.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 31.

SHORT STATEMENT OF FACTS.

Gotlieb G. Neigum, one of victims, was captured by the Japanese on Bataan, P.I., 6 April 1942, and on about 11 April 1942 was taken to Camp O'Donnell where he remained until the middle of May 1942. He was then returned to Bataan and there placed in a truck detail, consisting of about 200 men, all from Camp O'Donnell. In his group of this detail there were 18 Prisoners of War including himself. While in this work detail, Neigum was required to truck ammunition, tires, and gasoline from Kilometer 166 on Bataan to Dinalupian. He also, along with the other 17 Prisoners of War trucked ammunition out of Bataan.

Victims: Gotlieb G. Neigum, 6858008, Co. H, 31st Inf, and seventeen other unidentified Prisoners of War.

Source: War Crimes Office, Washington, (Case No. 40-86).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Gotlieb G. Neigum, 6858008, c/o John Neigum, Napoleon, N.Dak.
Statement. Signed, sworn affidavit. This witness is the only
presently identified victim.

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

Accused Nos. 2 and 3 were guards on victims' detail. Accused No. 1, as Commander of all forces in the Philippine Islands not only knew of these violations but sanctioned them throughout the period of his command.

P.213/US/51176

1559

- 1. HOMMA
- 2. Soldiers

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8 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 266 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. General Masaharu HOMMA, Supreme Commander of Japanese Forces in the Philippine Islands.
2. Japanese soldiers, names and ranks unknown.

Date and place of commission of alleged crime.

Between 9 April and 17 April 1942.
Bataan Death March.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Articles 2 and 6.

SHORT STATEMENT OF FACTS.

After being captured by the Japanese, victim was searched by an unidentified Japanese soldier and his money (amount not declared) was taken by the Japanese without receipt therefor. Shortly thereafter, he was again searched by another unidentified soldier who, upon his not finding any money on victim, became angry and slapped victim. Again, while victim was on the "death march", victim was one of many (number not stated) who was struck in the face by an unidentified Japanese soldier using his bare fist, and for no apparent reason.

Victim: Lloyd Austin Jackson, Cpl., 37055827.

Source: War Crimes Office, Washington, (Case No. 40-218).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

-3-
PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE

1. Lloyd Austin Jackson, Cpl., Holcomb, Mo.
Statement. This witness is victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

This charge arises out of the infamous "Bataan Death March" and adds to the volume of evidence which has been amassed against Accused No. 1 in proof of his responsibility for the atrocities committed at the time.

P.214/US/J/177

1564

1. HOMMA
2. soldiers

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST CHARGES AGAINST

JAPANESE WAR CRIMINALS WAR CRIMINALS

CASE No. 267 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. General Masaharu HONMA, Supreme Commander of Japanese Forces in the Philippine Islands.
2. Japanese soldiers, names and ranks unknown.

Date and place of commission of alleged crime.

Between 14 April 1942 and 19 April 1942.
Limay, Bataan, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929,
Article 2.

SHORT STATEMENT OF FACTS.

Victim was one of the Prisoners of War included in the "Bataan Death March". While halted at Orani, Bataan (rest camp) on 14 April 1942, victim was singled out because of his knowledge of army tanks, and taken from Orani to Limay by a Japanese Officer (unidentified) for questioning concerning Corregidor and his willingness to serve the Japanese Army. He was imprisoned in a small room of a school house used by the Japanese as a field hospital and there, because of his refusal to cooperate, was beaten by the Japanese (unidentified) who used clubs, rifle butts and kicking in administering the beating. On 17 April 1942, three Japanese soldiers (unidentified) stripped victim of his clothing, beat him with clubs, tied him to a cot, and by means of a cord, one end of which was tied around his testicles and the other around a large rock, suspended the rock over the end of the cot, causing victim to subsequently lose consciousness. He does not know how long he remained in that tortured condition. On 19 April, after killing his Japanese guard, victim escaped. Victim: Richard Coordes Kadel, Major, O-239912. Source: War Crimes Office, Washington, (Case No. 40-532).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Richard Coordes Kadel, Major, O-239912, Box 233, Cave City, Kentucky.
Statement. This witness is victim.

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

This charge arises out of the infamous "Bataan Death March" and adds to the volume of evidence which has been amassed against Accused No. 1 in proof of his responsibility for the atrocities committed at the time.

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1569

1. HCMMA
to 3.

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 268 J *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<ol style="list-style-type: none"> 1. General Masaharu HODGIA, Supreme Commander of Japanese Forces in the Philippine Islands. 2. Japanese Officers, names and ranks unknown. 3. Japanese soldiers, names and ranks unknown.
<p>Date and place of commission of alleged crime.</p>	<p>Between 12 April 1942 and 17 April 1942. Bataan Death March.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War. Breach of the Geneva Prisoners of War Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

Victim was one of the Prisoners of War included in the "Bataan Death March", having become a prisoner on 12 April 1942 on Luzon, P.I. On the third day of the March, victim, along with an unstated number of other Prisoners of War, was ordered by the Japanese, into a rice field along the road where he and the other prisoners of war were required to sit facing the sun for four and one-half hours. On the fourth day, near Bolonga, he was ordered, along with other Prisoners of War into another rice field and required to remove his clothing and stand in the sun for four and one-half hours. On the fifth day, near Hermosa, victim fell from exhaustion and was kicked about the face and body by an unidentified Japanese Officer. Victim later escaped on the 5th day of the March.

Victim: Winston Anson Jones, Major, O-338098

Source: War Crimes Office, Washington, (Case No. 40-773).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME



PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Winston Anson Jones, Major, O-338098, 304 N. 12th St., Frederick, Okla.
Signed and Sworn Statement. This witness was one of the victims.

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

This charge arises out of the infamous "Bataan Death March" and adds to the volume of evidence which has been amassed against Accused No. 1 in proof of his responsibility for the atrocities committed at the time.

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1. OGA
2. HARHA

Date Submitted

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Panel A

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CARDS CHECKED

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1574

1. OGA
2. HARHA

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 269 J

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Colonel OTA, Japanese Army.
2. Lt. HARHA, (phonetic), Japanese Army.

Date and place of commission of alleged crime.

12 April 1942.
Mariveles, Bataan, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929,
Articles 2 and 5.

SHORT STATEMENT OF FACTS.

Victim was taken prisoner by the Japanese at Mariveles, Bataan, on 12 April 1942 and immediately afterward was questioned by Japanese concerning the fortifications of Corregidor. Victim told the Japanese "I don't know". He was then subjected to torture by being stuck with the point of a knife a number of times until he had many cuts in his body. He was then beaten. This treatment of victim continued for three or four days, being both beaten and pricked with a knife point. He was refused both food and water. At the time victim was suffering from malaria.

Victim: Lt. Joseph F. Boyland, O-589192.

Source: War Crimes Office, Washington, (Case No. 40-911).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORTWITNESS AND EVIDENCE .

1. Lt. Joseph F. Boyland, O-589192. 303 Pulaski St., Cumberland, Md. Statement. This witness is victim. He was held at Mariveles as a prisoner for three or four days subsequent to capture on 12 April 1942, then taken to Guagua, Pampanga and Olongapo, thence to Negros Island at Bacolor from which he escaped 21 April 1943. Victim names Colonel Ota as Commanding Officer of the Japanese at the time he was taken Prisoner. He also names Lt. Harha as a Junior Officer present.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

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1579

1. HOMMA
to 3.

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 270 J *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. General Masaharu HOMMA, Supreme Commander of Japanese Forces in the Philippine Islands.</p> <p>2. Japanese Officers, Names and ranks unknown.</p> <p>3. Japanese Soldiers, Names and ranks unknown.</p>
<p>Date and place of commission of alleged crime.</p>	<p>11 April 1942.</p> <p>Cabcaben Air Field, Bataan, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War.</p> <p>Breach of the Geneva Prisoners of War Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

On 11 April 1942, Bob A. Campbell, Sgt., and two other unidentified soldiers of the United States Army were captured and taken in custody by three unidentified enlisted personnel of the Japanese Army. Stopping at an official Japanese army automobile, one of the guards of victims engaged in conversation with one of the approximately five officers grouped around the automobile. During the conversation, Campbell was attacked by another enlisted member of the Japanese Army, not one of the three guards, who hit Campbell, with a rifle butt on the back of the head, kicked him and then thrust him in the right side of back and forehead with a bayonet. An officer stopped further beating. The three victims were led away and while being led away, were fired upon by the officers around the automobile using pistols, missing Campbell, but one of the other United States Prisoners of War with Campbell, name unknown, fell to the ground. Campbell did not examine him nor remain to learn if the United States Prisoner of War was struck by the firing.

Victims: Bob. A. Campbell, Sgt., ASN 38012292 and three Unidentified United States Prisoners of War.

TRANSMITTED BY Source: War Crimes Office, Washington, (Case No. 40-924).

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 270 J.....*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. General Masaharu HOMMA, Supreme Commander of Japanese Forces in the Philippine Islands.
2. Japanese Officers, Names and ranks unknown.
3. Japanese Soldiers, Names and ranks unknown.

Date and place of commission of alleged crime.

11 April 1942.
Cababuen Air Field, Bataan, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929,
Article 2.

SHORT STATEMENT OF FACTS.

On 11 April 1942, Bob A. Campbell, Sgt., and two other unidentified soldiers of the United States Army were captured and taken in custody by three unidentified enlisted personnel of the Japanese Army. Stopping at an official Japanese army automobile, one of the guards of victims engaged in conversation with one of the approximately five officers grouped around the automobile. During the conversation, Campbell was attacked by another enlisted member of the Japanese Army, not one of the three guards, who hit Campbell, with a rifle butt on the back of the head, kicked him and then thrust him in the right side of back and forehead with a bayonet. An officer stopped further beating. The three victims were led away and while being led away, were fired upon by the officers around the automobile using pistols, missing Campbell, but one of the other United States Prisoners of War with Campbell, name unknown, fell to the ground. Campbell did not examine him nor remain to learn if the United States Prisoner of War was struck by the firing.

Victims: Bob. A. Campbell, Sgt., ASN 38012292 and three Unidentified United States Prisoners of War.

TRANSMITTED BY Source: War Crimes Office, Washington, (Case No. 40-924).

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORTWITNESS AND EVIDENCE.

1. Bob A. Campbell, Sgt., ASN 38012292. 109 Michigan Blvd., Albuquerque, New Mex.

Signed and Sworn Statement. This witness is the victim of the beating as well as one of the Prisoners of War fired upon. Victim describes one officer, rank not known, as about medium height, slender build, weight about 125 lbs., wearing horn-rimmed spectacles. This officer was one of those who fired upon the victims. Also described by victim the enlisted personnel who attacked victim, and the description given is as follows: short, burly-chested and shoulders, eyes wide apart, bow-legged, very round face, flat nose with almost no bridge between the eyes, nostrils flared noticeably, darker than average Japanese in complexion, and possibly attached to 105 M.M. battery.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

This case presents another series of incidents surrounding the Bataan Campaign and the "Bataan Death March" for which Accused No.1 is charged with responsibility.

P.218/US/J/181

1584

~~1584~~

1. HOMMA
to 2. Soldier

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Date of receipt in Secretariat.

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8 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 271 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. General Masaharu HOMMA, Supreme Commander of Japanese Forces in the Philippine Islands.
2. Japanese Soldier, name and rank unknown.

Date and place of commission of alleged crime.

April 1942.
Between Mariveles and Camp O'Donnell in "Bataan Death March".

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Victim was one of the Prisoners of War included in the "Bataan Death March". During the March, he received a beating across the back and hips with a small piece of bamboo. He was bruised from the blows which were administered by an unidentified Japanese.

Victim: Robert E. Butler, Tech/Sgt., ASN 6260245.

Source: War Crimes Office, Washington, (Case No. 40-1024).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

123 ac 7

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Robert E. Butler, Tech/Sgt., ASN 6260245. P.O.Box No.1, Grand Saline, Texas. Statement. This witness is victim. His statement indicates that his beating was not considered by him as being unusually severe, but was nevertheless a beating.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

This charge arises out of the infamous "Bataan Death March" and adds to the volume of evidence which has been amassed against Accused No. 1 in proof of his responsibility for the atrocities committed at the time.

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1589

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HEDIGOTA

Date Submitted

Decision of Committee I

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES	CHARGES AGAINST	JAPANESE WAR CRIMINALS
CHARGES AGAINST		WAR CRIMINALS

CASE No. 272 J *

Name of accused, his rank and unit, or official position. (Not to be translated.)	1. Sergeant HEDIGOTA, Mess Sergeant at Little Baguio Camp, <input checked="" type="checkbox"/> Bataan, Philippine Islands.
Date and place of commission of alleged crime.	1943. Little Baguio Camp, Bataan, Philippine Islands.
Number and description of crime in war crimes list. References to relevant provisions of national law.	Ill-treatment of Prisoners of War. Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

One day during the rainy season of 1943, victim was beaten about the head and face with a pair of leather slippers until his eyes were swollen shut and his face "beaten to a bloody pulp". After receiving this beating, victim was compelled to hold a truck wheel above his head, with outstretched arms, for about two hours. This punishment was administered by the Japanese mess sergeant of the camp named Sergeant Hedigota.

Victim: Harvey Reiderman.

Source: War Crimes Office, Washington, (Case No. 40-1028).

TRANSMITTED BY _____

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.
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PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Calvin E. White, Tech. 4th Grade, ASN 19049316, Box 534, Pyote, Texas.
Signed and Sworn Statement. This witness was an eyewitness.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

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1594

~~12803~~

1. SAITO
2. Guards

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 273 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Lt. SAITO, Japanese Army.
2. Japanese Guards, names and ranks unknown.

Date and place of commission of alleged crime.

About 19 April 1942.
Guagua, Pampanga, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

On or about 19 April 1942, at Guagua, Pampanga, victim was severely beaten by unidentified Japanese guards for failure of victim to report to work. Victim reportedly was too ill to board the work bus and this fact is assigned as the reason for his being beaten. It is also reported that victim died later the same day, but this has not been confirmed. Accused No. 1 was in command of work details at this location.

Victim: William Ivanhoe, Sgt.

Source: War Crimes Office, Washington, (Case No. 40-1038).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Joseph F. Boyland, Lt. O-589192, 303 Pulaski St., Cumberland, Md.
Statement. This witness was an eyewitness to the beating of victim. He states that when he returned later on of the day of the alleged beating he was asked by two young Filipino boys (unidentified) if he wanted to see where victim was buried. The witness was not permitted to visit the burial place. This information is all that appears in the file with reference to the death of victim.

NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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I. HOMMA
to 3.

Date Submitted	Decision of Committee I		CARDS CHECKED
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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 274 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. General Masaharu HOMMA, Supreme Commander of Japanese Forces in the Philippine Islands.
2. Japanese Officers, Names and ranks unknown.
3. Japanese Guard, Name and rank unknown.

Date and place of commission of alleged crime.

April 1942.
Balanga, Bataan, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Corporal Snyder and Corporal Stacy were United States Prisoners of War who participated in the "Bataan Death March" in April 1942. While resting during an overnight stop at Balanga, Bataan, the Prisoners of War were given a handful of uncooked rice. Victims cooked their rice in a discarded Japanese mess kit found by victim Snyder. Upon finding this mess kit in the possession of victims, they were taken by an unidentified Japanese guard before Japanese officers and beaten severely.

Victims: Donald N. Snyder, Cpl., ASN 13013922,
Corporal Stacy.

Source: War Crimes Office, Washington, (Case No.40-1045).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME



PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Donald N. Snyder, Cpl., ASN 13013922, 3005 Dell Ave., Pittsburgh, Pa.
Signed and Sworn Statement. The witness is one of victims.

- 4 -
NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

This charge arises out of the infamous "Bataan Death March" and adds to the volume of evidence which has been amassed against Accused No.1 in proof of his responsibility for the atrocities committed at the time.

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS

WAR CRIMINALS

CASE No. 275 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. ODA, Japanese Guard, balance of name and rank unknown, stationed at Cabcaban, Bataan, Philippine Islands in June 1942.

Date and place of commission of alleged crime.

June 1942.
Cabcaban, Bataan, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

In the latter part of June 1942, while victim was on a cooking detail at Cabcaban, victim was summoned by Accused. Due to the fact that victim at the moment was cooking some rice which might stick to the pan if left, he was late in responding to the command given by Accused, for which lateness victim was struck in the face by Accused who used his fists, knocking victim to the ground. Accused kicked victim in the ribs when he was on the ground.

Victim: Raymond F. Holland, Cpl., ASN 14014453.

Source: War Crimes Office, Washington (Case No. 40-1124).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME



PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Raymond F. Holland, Cpl., ASN 14014453. Rt.1, Box 109, Lockhart, Fla.
Signed and Sworn Statement. This witness is victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 276 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. General Masaharu HOMMA, Supreme Commander of Japanese Forces in the Philippine Islands.
2. Major SAKAGUCHI, Japanese Army,
3. Unidentified Japanese Officers responsible for the Prisoners of War and for conduct of the Bataan Campaign during April 1942.

Date and place of commission of alleged crime.

Between 7 April 1942 and 6 May 1942.
Bataan, Philippine Islands.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

- a. Murder.
 - b. Ill-treatment of Prisoners of War.
- a. Breach of the Laws and Customs of War.
 - b. Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 7, 9.

SHORT STATEMENT OF FACTS.

United States and Filipino Prisoners of War were deliberately exposed to danger while awaiting evacuation from the combat zone. Prisoners of War were also used to give protection, by their presence, from bombardment to certain regions in the combat zone.

Source: War Crimes Office, Washington, (Case No. 40-6).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

United States and Filipino Prisoners of War, captured upon surrender of Bataan, were deliberately used to shield Japanese gun positions from United States fire from Corregidor, instead of being promptly evacuated or removed to as safe a place as possible until evacuation could be made. In some instances the Japanese compelled the Prisoners of War to march back and forth in front of their positions. In other instances they were halted for rest stops in front of Japanese gun positions and in the line of fire. In still another instance, the Japanese placed their artillery in and around hospital areas and placed Prisoners of War in large groups around other batteries. As a result, Corregidor was compelled to withhold its fire, giving the Japanese time to set up positions. When it became impossible to longer hold fire many of the Prisoners of War were wounded and some killed by the fire of the combat zone.

1. The dates and places are as follows:

- | | |
|---|---|
| (a) Cabcaben Air Field
7 April 1942.
8 April 1942.
9 April 1942.
12 April 1942. | (e) KM 167 $\frac{1}{2}$ East Road
Between 8 and 18 April
1942. |
| (b) Mariveles Air Field
8 and 9 April 1942. | (f) General Hospital No.2
9 April to 6 May 1942. |
| (c) Road between Mariveles and Cabcaben
10 April 1942. | (g) Bataan, (without particular
location)
April 1942. |
| (d) Between Mariveles and Balanga
14 April 1942. | (h) Between Bataan and Camp
O'Donnel
April 1942. |

2. Individual victims known are as follows:

- (a) At Cabcaben Air Field: Gotlieb G. Neigum, August McGraw, Clarence Milton McCan, Marvin Lee Brown, Richard Coordes Kadel, Don H. Adams, Herbert Sargent Ellis, George A. Cecil, Ben T. Chavez, Fred Courtright Dunn, Jr., Unknown Captain of Quartermaster (killed), Several unnamed killed, S/Sgt. Henry P. Latham, Juan Bleya, Col. Memory H. Cain, Sgt. Bobby Jackson, Pfc. J.D. Williams.
- (b) At Mariveles Air Field: Chester A. Konka.
- (c) Road between Mariveles and Cabcaben: Morris L. Shoss.
- (d) Between Mariveles and Balanga: George E. Crane, Lt. Col. Peter D. Calyer.
- (e) KM 167 $\frac{1}{2}$ East Road: William C. Chenoweth.
- (f) General Hospital No.2: Robert Beardsworth Lewis, Maj., Paul H. Murray, Private Keefe (killed), 4 Americans killed and 17 wounded.
- (g) Bataan generally: Orville E. Drummond, Willard E. Hall, Earl E. Quay, Adam Kelln, Jr., Lt. Bradford (killed), Two Unnamed Prisoners of War (killed).
- (h) Between Bataan and Camp O'Donnell: Clarence Milton McCan.

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESSES AND EVIDENCE.

1. Willard E. Hall, Cpl., 20935151. 1115 SW Columbia Ave., Portland, Ore. Copy of signed, sworn affidavit. Eyewitness account. Time: April 1942, Place: Bataan. Was kept by Japanese near artillery so that for a time United States guns on Corregidor did not fire. When they did, a number of prisoners of War were killed and wounded. 1st Lt. Bradford of C Co., 194th Tank Battalion and two enlisted men killed and one Major wounded.
2. Morris L. Shoss, Captain. Copy of signed and sworn affidavit. Eyewitness account. Time: 10 April 1942. Place: Road between Mariveles and Cabcaben. Witness was C.O. of Anti-Aircraft Battery on Corregidor, and on 10 April placed in command of Battery Morrison, a 6" battery on Corregidor. Saw Prisoners of War marched back and forth shielding Japanese troops and artillery. Also Japanese artillery adjacent to and within hospital boundaries. Permission to fire on these positions withheld 3 days, but fired, while Prisoners of War still there. Located 200 separate Japanese batteries.
3. Gotlieb G. Neigum, Cpl., 6858008. c/o John Neigum, Napoleon, N. Dak. Copy of signed sworn affidavit. Eyewitness account. Time: 7 April 1942. Place: Cabcaben Air Field. Witness was one of about 500 forced to squat about 100 yards in front of Japanese artillery positions which was between Japanese artillery and American artillery positions on Corregidor. Two shots from American fire landed in middle of Prisoners of War, killing several. Japanese artillery fired over Prisoners heads.
4. William C. Chenoweth, Lt. Col., C.E. 1243 Cherokee Rd., Louisville, Ky. Copy of signed, sworn affidavit. Eyewitness account. Time: Between 8 April 1942 and 18 April 1942. Place: KM 167 $\frac{1}{2}$ East Road. Witness held with about 200 Prisoners of War at place for purpose of shielding Japanese artillery positions preparing to fire on Corregidor. During latter part of 10 days there was firing from Corregidor.
5. August McGraw, S/Sgt., ASN 38031507. Rt. 7, Box 414A, San Antonio, Texas. Statement. Eyewitness account. Time: 8 April 1942. Place: Cabcaben Air Field. Witness was one of a number of Prisoners of War placed around guns on Cabcaben Air Field. Was in front of guns for 30 to 40 minutes.
6. Robert Beardsworth Lewis, Major. Statement. Eyewitness account. Time: 9 April 1942 to 6 May 1942. Place: General Hospital No.2, Bataan. Witness states that Maj. Sakaguchi, Japanese Medical Officer, refused permit General Hospital No.2 to be moved out of line of fire from American guns on Corregidor. Japanese batteries installed about hospital and used to fire on Corregidor. Five United States Prisoners of War killed, 17 wounded, in one night.
7. Orville E. Drummond, 1/Sgt., ASN 20843552. 214 Reed St., Clovis, N. Mex. Statement. Eyewitness account. Time: 9 April 1942, Place: On hill across from Corregidor. Witness was one of about 2000 Prisoners of War forced to remain on a hill for 15 minutes to act as shield for Japanese forces from Corregidor fire. Japanese fired over Prisoners heads. Two Prisoners of War killed by Warship fire.
8. George E. Crane, Maj., O-349760. 110 Kilbourne, Sheridan, Wyoming. Statement. Eyewitness account. Time: 14 April 1942. Place: Between Mariveles and Balanga, Bataan. Witness was one of several Prisoners of War required to march between Japanese and United States artillery fire.
9. Marvin Lee Brown, Cpl., 38012250. Gen. Del. Grants, N. Mexico, c/o Jesse Brown. Statement. Eyewitness account. Time: 9 April 1942, Place: On knoll between Cabcaben Air Field and Corregidor. Witness was one of 600 to 800 Prisoners of War placed between Japanese Artillery firing in direction of Corregidor.

/Continued on Page 4 /

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

Accused No.2 is the only Accused thus far identified by name. Accused No.1 is generally conceded to have been responsible for this campaign and the infamous "Bataan Death March" and to have sanctioned and condoned all manner of violation of the laws and customs of war.

/Continued from Page 3 /

10. Richard Coordes Kadel, Maj., O-239912. Box 233, Cave City, Ky. Statement. Eyewitness Account. Time: 13 April 1942. Place: Cabcaban Air Field. Witness was one of several Prisoners of War on air field between Japanese and United States Artillery fire.
11. Earl E. Quay, Cpl., ASN 18049879. 838 S. Nettleton, Springfield, Mo. Statement. Eyewitness account. Time: Not stated. Place: Beach of Bataan peninsula. Witness was on Corregidor and saw United States Prisoners of War paraded on beach of Bataan peninsula by Japanese to force Americans to withhold fire.
12. Paul H. Murray, Sgt., ASN 6541516. Box 847, Shelby, Mont. Statement. Eyewitness account. Time: Between 9 April and 6 May 1942. Place: Hospital area, Bataan. Witness states Japanese set up artillery around hospital. Private Keefe, Quartermaster Corps, four unnamed other Americans in hospital killed by combat fire, 17 wounded.
13. Fred Courtright Dunn, Jr., S/Sgt., 15018842. 26 Auburn Ave., Columbus, Ohio. Statement. Eyewitness account. Time: About 14 or 15 April 1942. Place: Cabcaban Air Field. Witness was one of a number of Prisoners of War ordered to sit down in front of Japanese artillery firing on Corregidor. About 10 killed. Six or seven wounded.

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 277 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Captain T'SHENKO, Japanese Army, Commandant of this Camp at time of offense, (sometimes referred to as "BASHIDO").

Date and place of commission of alleged crime.

10 April 1942
Camp O'Donnell, Tarlac Province, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

- a. Ill-treatment of Prisoners of War.
- b. Murder.

References to relevant provisions of national law.

- a. Breach of the Geneva Prisoners of War Convention 1929, Article 2.
- b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

A group of prisoners of war, apparently all belonging to the 515 CA (AA) arrived at Camp O'Donnell on 10 April 1942, having completed the "Bataan Death March". After detrucking at about 3 P.M., the prisoners of war were forced to stand in the hot sun for about an hour. Following a harangue by the Japanese Commander, the prisoners were searched and Japanese currency and trinkets were found on the victims named below. The victims were marched away and never seen again. One witness heard shots fired the next morning. An unidentified enlisted man is reported to have seen the dead bodies and may have witnessed the execution. Accused was in charge of this camp at the time.

Victims:

Major James Hazelwood, 515 CA (AA) S/Sgt. Jack Keeler, 515 CA (AA)
 Capt. Gonzales, 515 CA (AA) CA (AA)
 Capt. Raymond Thwaites, 515 CA (AA) S/Sgt. Barney Prosser
 Capt. (or Major) Shutz, 515 CA (AA) Unnamed United States soldier known as "Smitty".

Source: War Crimes Office, Washington, (Case No.40-13).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME



PARTICULARS OF EVIDENCE IN SUPPORTWITNESSES AND EVIDENCE.

1. T/4 William S. Horabin, ASN 20842353.
Signed and Sworn Statement. Mentions only two officers being executed, Capt. Shutz and Lt. (Capt.) Gonzales.
2. Capt. Mark H. Wohlfeld.
Signed and Sworn Statement. Mentions the name of one officer only - "Capt. Shoote". Probably means Capt. Shutz.
3. Calvin R. Graef, 1st Sgt., Silver City, New Mexico.
Signed and Sworn Statement. Apparently an eyewitness to search. Did not see execution. Says he was told that graves of victims were later seen. Names four of the victims.
4. Alfred C. Oliver, Col., Washington, D.C.
Signed and Sworn Statement. An eyewitness to search and fact victims were taken away.
5. Donald Nelson Smith, S/Sgt, ASN 6253722, 2342 Broadway, Boulder, Colo.
Signed and Sworn Statement. Says after reported execution he never saw victims again, although he had seen them at Camp O'Donnell prior to the reported execution.
6. Jack D. Fogerson, T/Sgt, ASN 38012307, 707 Davis St., Clovis, N. Mex.
Apparently an eyewitness to searching and fact victims were marched from camp. Names five of the victims. Does not name other two.
7. James M. Hamilton, M/Sgt., ASN 20843549, 506 East 13th St., Clovis, New Mexico.
Signed and Sworn Statement. An eyewitness to search and fact victims were marched away. Did not witness execution. Heard shots early the next morning. Names five of the victims.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 278 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Captain T'SHENKO, Japanese Army, Commandant of this camp at time of offense, (sometimes referred to as "BASHIDO").

Date and place of commission of alleged crime.

- 11 April 1942.
Camp O'Donnell, Tarlac Province, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

- a. Ill-treatment of Prisoners of War.
 - b. Murder.
- a. Breach of the Geneva Prisoners of War Convention 1929, Article 2.
 - b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

The victims, together with other prisoners of war arrived at Camp O'Donnell on 11 April 1942 after having completed the "Bataan Death March". All prisoners were required to stand for 16 hours in front of the Japanese Headquarters Building, during which period of time they were searched. The search disclosed that the victims had Japanese occupation currency in their possession and as a result they were executed. Accused was in charge of this camp at the time.

Victims: Lt. Peterson and three other unidentified prisoners of war.

Source: War Crimes Office, Washington, (Case No. 40-15).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME



PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Michel Dobervich, Lt. USMC. c/o F.P.O., San Francisco, Calif.
Signed report by witness to the Commanding Officer, Seventh Fleet.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 279 J *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Lt. NITO. 2. Lt. KATO. 3. Lt. YASAMOTO. 4. Japanese Guard, name and rank unknown, nicknamed by prisoners "Killer".</p> <p>All assigned to Tayabas road construction detail between May and August 1942.</p>
<p>Date and place of commission of alleged crime.</p>	<p>Between May and August 1942. Tayabas road construction site about 20 kilometers east of Calauag, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>a. Ill-treatment of Prisoners of War. b. Murder.</p> <p>a. Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 10, 11 and 13. b. Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

Source: War Crimes Office, Washington, (Case No. 41-23).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

In May 1942, between 200 and 300 United States prisoners of war were taken from Camp O'Donnell to Tayabas Province for the purpose of building a road. On a forced march from Calauag to the road site, a distance of approximately 20 kilometers, the prisoners were forced to carry the equipment of the Japanese as well as their own. The march was so strenuous that 4 prisoners died on the way. Severe weather prevailed at the camp and the men were forced to live in the open in a creek bed without cover and worked in the rain and mud from daylight to dark. The prisoners were often beaten by the guards and death due to malaria, dysentery, pneumonia, and malnutrition were frequent. No medical supplies were furnished by the Japanese and the water supply was polluted. The ration consisted of a small quantity of rice which was prepared by cooking in an iron wheelbarrow with a fire built under it. The death rate rose to 3 or 4 men a day, and from mid-June to August from 65 to 70 men had died. The survivors were finally returned to Bilbid Prison Hospital in August 1942 because by that time there were but 14 men still able to continue the work. Accused Nos. 1, 2 and 3 were ^{the} officers in charge and Accused No. 4 was one of the guards who participated in these atrocities.

Victims: Between 200 and 300 United States Prisoners of War.

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESSES AND EVIDENCE.

1. William W. Duncan.
Statement. Was told that 200-300 men died on the detail.
2. Charles T. Brown. 311 $\frac{1}{2}$ Bluebonnet Blvd., San Antonio, Texas.
Signed and Sworn Statement. Was a medical officer at the camp. Gives full details of the lack of medical supplies, prevalence of disease, insufficient food, and improper living conditions.
3. Clarence M. McCan, 213 S. Iron St, Deming, New Mexico.
Signed and Sworn Statement. Member of the detail, worked on the road. Improper living conditions, inadequate medical supplies, lack of food. Lack of shelter, polluted water.
4. Lewis V. Taylor, 1302 Florida St. Silver City, New Mexico.
Signed and Sworn Statement. Left O'Donnell for Tayabas around 21 May 1942; says that 85 men died by 20 July 1942 and that the remainder of the detail was returned to Bilibid because only 14 men were still physically able to continue the work.
5. Eugene Gibson, 2006 McKee St, Houston, Texas.
Signed and Sworn Statement. Eyewitness and member of the detail. States that 35 of 300 prisoners died during a 36 day period.
6. Paul L. Ashton, 1114 Vicentia St, Corona, Calif.
Signed and Sworn Statement. Was medical officer with Major Brown at the camp. Describes conditions; names Lts. Nito and Kato as responsible.
7. Emery A. Motsinger, Box 444, Webb City, Missouri.
Signed and Sworn Statement. Victim. Describes beatings by the guards. States that some men died as a result of the beatings.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 280 J *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<ol style="list-style-type: none"> 1. Lt. NITO 2. Lt. KATO 3. Lt. YASAMOTO 4. Japanese Guard, name and rank unknown, nicknamed "Killer". <p>All assigned to Tayabas Road Construction detail between May and August 1942.</p>
<p>Date and place of commission of alleged crime.</p>	<p>25 June 1942. Tayabas Road Construction site about 20 Kilometers east of Calauag, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War. Breach of the Geneva Prisoners of War Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

Victim, while working on a road detail, was severely beaten about the head, arms, and upper body with a pick-handle by the guard in charge of the detail, Accused No. 4, for taking a "break" without permission of the guard. Accused Nos. 1, 2 and 3 were the officers in charge.

Victim: Corporal Cheslin.

Source: War Crimes Office, Washington, (Case No. 41-25).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Clarence M. Mc Can, 213 S. Iron St., Deming, N.M.
Signed and Sworn Statement. Was a member of the detail, an eyewitness.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree ● responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree ● responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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18 FEE 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 281 J. *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Minigichi, Japanese Officer, stationed at Lucena, Tayabas Province, Luzon, Philippine Islands, 7 July 1942.</p>
<p>Date and place of commission of alleged crime.</p>	<p>7 July 1942. Lucena, Tayabas Province, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War.</p> <p>Breach of the Geneva ^{Prisoners of War} Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

Torture of a United States prisoner of war.

Source: War Crimes Office, Washington. (Case No. 41-48).

TRANSMITTED BY _____

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

When captured by the Japanese Military Police at Lucena, Cadorna was questioned regarding troop movements. He was questioned for three or four days and slapped and kicked during that time when he pretended that he did not understand the questions. Failing to get any information, Minigichi, a Japanese officer in charge of the interrogation, ordered him hung by the ankles, head down, for approximately seven hours.

Victim: Rudolph R. Cadorna.

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS:

Rudolph R. Cadorna

ADDRESS:

704 Delaware Ave., Alamogordo, N.M.

Signed and Sworn Statement.

Victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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FUROKAWA

Date Submitted

Decision of Committee I

14 FEB 1944

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CARDS CHECKED

P.229/US/T/192

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FUROKAWA

Date Submitted

Decision of Committee I

14 FEB 1944

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CARDS CHECKED

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(For the Use of the Secretariat)

Registered Number.

Date of receipt in Secretariat.

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8 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 282 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Captain Itsuo FUROKAWA, Japanese Army.

✓

Date and place of commission of alleged crime.

1942.

Tayabas Province, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Sometime in 1942, nine unidentified Filipinos were bayoneted at the command of Captain Furokawa outside a prison camp in Tayabas Province. The victims were first made to dig their graves, then bayoneted at the signal of Furokawa.

Source: War Crimes Office, Washington, (Case No. 41-49).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(For the Use of the Secretariat)

Registered Number.

Date of receipt in Secretariat.

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1640

P.229/US/J/192

8 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 282 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Captain Itsuo FUROKAWA, Japanese Army.

✓

Date and place of commission of alleged crime.

1942.

Tayabas Province, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Sometime in 1942, nine unidentified Filipinos were bayoneted at the command of Captain Furokawa outside a prison camp in Tayabas Province. The victims were first made to dig their graves, then bayoneted at the signal of Furokawa.

Source: War Crimes Office, Washington, (Case No. 41-49).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME



PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Rudolph R. Cadorna, 704 Delaware Ave., Alamogordo, N.M.
Signed and Sworn Statement. Eyewitness. Although several hundred years
away from the scene, he witnessed the execution through binoculars.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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1644

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1. Military Police authorities
to 8.

Date Submitted

Decision of Committee I

14 FEB 1945

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CARDS CHECKED

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Registered Number.

Date of receipt in Secretariat.

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8 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 283 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Japanese Military Police Authorities (referred to as Japanese Kempei) names and ranks unknown, stationed at Military Police Sub-Station in former home of Dr. Roxas at Cortabitarte and A. Mabino, Manila, Philippine Islands, between 23 December 1944 and February 1945.
2. Colonel HAYASHI, Japanese Army, Commandant of Santo Tomas, Internment Camp at time of offense.
3. Lt. ABICO, Japanese Army, ^{Asst. to} Commandant of Santo Tomas, Internment Camp at time of offense.
4. Lt. SHURAJI, Japanese Army, ^{Asst. to} Commandant of Santo Tomas, Internment Camp at time of offense.
5. Lt. HIROSHI, Japanese Army, an official of Santo Tomas, Internment Camp at time of the offense.
6. Lt. KINICHI, Japanese Army, ^{Asst. to} Commandant of Santo Tomas, Internment Camp at time of offense.
7. Mr. ONASAKI, An Official of Santo Tomas, Internment Camp at time of offense.
8. Mr. OHASHI, An Official of Santo Tomas, Internment Camp at time of offense.

Date and place of commission of alleged crime.

Between 23 December 1944 and February 1945.
Manila, Philippine Islands.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Source: War Crimes Office, Washington, (Case No. 40-95).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

- 2 -
PARTICULARS OF ALLEGED CRIME

Victims, members of the Camp Committee were placed in jail at Santo Tomas on 23 December 1944. Johnson was taken away 24 December 1944, and the others on 5 January 1945 by the Japanese Military Police, (referred to as Kempei). It was rumored the victims were shot and also that some were beheaded. After entry of the United States Army, the victims were traced to the Military Police sub-station at the former home of Dr. Roxas, and later on February 21, 1945, fourteen bodies, including 4 bodies identified as the victims herein were dug up in a field across the street from the Military Police sub-station. The bodies were identified by persons who had been at Santo Tomas, some of whom helped in the search for them after the liberation by the United States Army. The reason for the arrest, detention and execution is not established, though believed by some to be because of their communication with the "outside". The bodies when found were wired together in groups. After medical examination, the bodies were reburied at the East corner of the Seminary Building, University of Santo Tomas on 22 February 1945.

Victims: Carroll Calkins Grinnell - Chairman, Santo Tomas Camp Committee.
Alfred Francis Duggleby }
Ernest Emil Johnson } Members of the Santo Tomas Camp Committee.
Clifford Lawrence Larsen }

PARTICULARS OF EVIDENCE IN SUPPORTWITNESSES AND EVIDENCE.

1. Rita G. Palmer, 1st Lt., ANC Ser.No.N720162. Hampton, New Hampshire.
Statement. States Grinnell and Duggleby and two others unnamed, taken from Santo Tomas Camp between Christmas 1944 and 1 January 1945, placed in jail and not seen again.
2. T. D. Stevenson, M.D.
Statement. States bodies too decomposed for positive medical identification. Death indicated as about 15 January 1945.
3. E. Thor Johnson, Lt., (jg), (D), USNR.
Statement. Son of victim Johnson. Helped in search for bodies with Poole and Schelke. Identified Johnson's body.
4. R.K. Kelley.
Statement. Helped Poole et al recover bodies from graves on 21 February 1945. Identified Johnson's body.
5. O. A. Boni.
Copy of signed statement of identification of Larsen's body.
6. William Carter.
Copy of signed statement of identification of Duggleby's body.
7. Charles V. Schelke.
Statement. Letter and memo recite the facts of the case. With Poole searched Military Police Headquarters and ran down clues. Identified Grinnell's body.
8. Thomas W. Poole.
Statement. Searched and ran down clues with Schelke and Lt.(jg) Johnson. With Lt.(jg) Johnson, Poole found the bodies and identified Grinnell's body.
9. Miss Eva Grace Davis.
Statement. Was secretary to Grinnell. Saw and identified bodies of Grinnell and Duggleby (newspaper account).
10. Dr. Antonio Sison. Director, Philippine General Hospital, Manila, P.I.
Reported to Poole that he was taken by Japanese Military Police and saw Johnson on 31 December 1944.
11. V. V. Clark, mining engineer and professor.
Statement. States Grinnell and Duggleby and a dozen other United States internees taken from Santo Tomas Camp, led to a vacant lot and shot into a common grave.
12. Arthur Thomas Chenoweth. 2nd St., Naval Academy Junction, Odenton, Maryland, c/o Mrs. Flora Arnold.
Statement. Saw victims apprehended. Later saw bodies.
13. Ella Dolores Foley, nee McTeague. c/o McTeague, 2545 Grand Concourse, Bronx, N.Y.
Statement. Saw victims being taken from camp. Names Ohashi and Lt. Hiroshi as camp officials.
14. Joseph Homer Brooks. Bugo Misamis Oriental, P.I.
Signed and Sworn Statement. States protest to camp commandant Ohashi of this affair made by Claude Clyde DeWitt, H.B. Pond, and T.J. Harrington, though protest was disregarded. States Japanese Kempei (police organization) as responsible. Names Ohashi camp commandant, Lt. Kinichi and Lt. Abico, Lt. Hiroshi.

/Continued on Page 4 /

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

Time of execution and death sufficiently established. Identification of victims sufficiently established. Accused not identified as to individuals but identified as to authority. Instrument used: No evidence thereof. Rumours only. Some say beheaded. Others say shot. Reasons for execution: No satisfactory explanatory evidence though rumored they were contacting outside with the Guerrillas and getting money into camp.

/Continued from Page 2 /

15. Mrs. Hilda Maria Gould. 301 East Lexington St., Elkhart, Indiana.
Statement. Was confined at Santo Tomas. States Grinnell, Duggleby and Larson, removed by Japanese, beaten and she never saw these three again. Names Lt. Abico as in charge of camp guard in 1944 and 1945 (believed now deceased). Lt. Shuraji (phonetic) as quartermaster, described as short, about 5' tall, heavy set, very bow-legged, about 32 years of age; also Mr. Onasaki (phonetic), Assistant Camp Commandant latter part of 1944 and early 1945, described as short, shrivelled up old man with handle bar moustache, wearing very heavy glasses.
16. Robert Elliott Smith. c/o G.C. Bishop, Central Ave., Laurel, Delaware.
Statement. States about 12 Japanese Military Police with 2 squads Japanese soldiers took the 4 victims from the camp, put them in jail. Does not say he witnessed this. Helped identify the bodies. Names Colonel Hayashi (phonetic) as Japanese Camp Commandant at time; Lt. Shuraji as Finance and Supply Officer of the Regular Japanese Army.
17. Earl Carroll.
Statement. According to Smith Carroll inquired in writing from Colonel Hayashi (phonetic), Commandant, as to what happened to the victim. Received no reply.

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I. KODAKI

to 3.

Date Submitted	Decision of Committee I	D	CARDS CHECKED
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I. KODAKI

to 3.

Date Submitted	Decision of Committee I		CARDS CHECKED
14 FEB 1948	1-A 2+3-C	D	

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(For the Use of the Secretariat)

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Registered Number.

Date of receipt in Secretariat.

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8 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 284 J *

<p>Name of accused, his rank and unit, or official position. <i>(Not to be translated.)</i></p>	<p>1. Colonel A. KODAKI (or KODADA) Commandant of Santo Tomas Prison Camp in December 1942. 2. Japanese Guard, Name and rank or status unknown. 3. Japanese Soldiers, names and ranks unknown.</p>
<p>Date and place of commission of alleged crime.</p>	<p>December 1942. Santo Tomas Prison Camp, Manila, Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Torture of Civilians. Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

As an unidentified Filipino civilian was passing the gate of Santo Tomas Prison Camp, a Japanese guard, Accused No.2 called him over and insisted that he bow. The Filipino complied, and as he was bowing was struck by the guard. The guard then desired his wrist watch. Apparently the Filipino misunderstood. The Japanese guard then kicked him several times, carried him into the Camp where he was tied and beaten by Japanese soldiers, beating him about the upper part of his body with a 2 x 4 club until the Filipino became unconscious. Accused No.1 was Commandant of the Camp and knew of and sanctioned these brutalities.

Source: War Crimes Office, Washington, (Case No.40-554).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(For the Use of the Secretariat)

1650

~~1658~~

Registered Number.

Date of receipt in Secretariat.

P.231/US/J/194

= 8 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 284 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Colonel A. KODAKI (or KODADA) Commandant of Santo Tomas Prison Camp in December 1942.
2. Japanese Guard, Name and rank or status unknown.
3. Japanese Soldiers, names and ranks unknown.

Date and place of commission of alleged crime.

December 1942.
Santo Tomas Prison Camp, Manila, Philippine Islands.

Number and description of crime in war crimes list.

Torture of Civilians.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

As an unidentified Filipino civilian was passing the gate of Santo Tomas Prison Camp, a Japanese guard, Accused No.2 called him over and insisted that he bow. The Filipino complied, and as he was bowing was struck by the guard. The guard then desired his wrist watch. Apparently the Filipino misunderstood. The Japanese guard then kicked him several times, carried him into the Camp where he was tied and beaten by Japanese soldiers, beating him about the upper part of his body with a 2 x 4 club until the Filipino became unconscious. Accused No.1 was Commandant of the Camp and knew of and sanctioned these brutalities.

Source: War Crimes Office, Washington, (Case No.40-554).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Julian Westcott Guillot. 301 West Moreno St., Pensacola, Fla.
Eyewitness.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

P.232/US/J/195

1654

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I HAYASHI

to 3.

Date Submitted

Decision of Committee I

14 FEB 1946

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CARDS CHECKED

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Registered Number.

Date of receipt in Secretariat.

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28 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 285 J *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Colonel HAYASHI, Japanese Army, Camp Commandant at time of offense.</p> <p>2. Lt. SHURAGI, Japanese Army, Supply Officer at this Camp at time of offense.</p> <p>3. Lt. ABICO, Japanese Army, Assistant to Camp Commandant at time of offense.</p>
<p>Date and place of commission of alleged crime.</p>	<p>December 1944.</p> <p>Santo Tomas Internment Camp, Manila, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>a. Torture of Civilians</p> <p>b. Ill-treatment of Civilian Internees</p> <p>a. Breach of the Laws and Customs of War.</p> <p>b. Breach of the Geneva Prisoners of War Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

Shortly before Christmas 1944, a random search was conducted by the Japanese in effort to locate a 100 lb. sack of sugar allegedly stolen from the Japanese commissary. About 10 liters of sugar were found in victim's hut by Lt. Shuragi. Victim denied that it was any part of the allegedly stolen sugar, but was nevertheless ordered by Lt. Abico, who, with two other guards entered victim's hut shortly after the discovery of victim's sugar by Lt. Shuragi, to carry the sugar to the Camp Commandant's office. Here, Lt. Abico struck victim twice in the chest with his fist for victim's failure to answer a question. The sugar belonging to victim was retained by the Japanese authorities and Lt. Abico refused to return it to victim. Victim's wife was ill at time, and required to get out of bed and stand during the search for sugar in victim's hut. The sugar was necessary as a bargaining means to obtain milk required in the diet of victim's wife.

Victim: John Wallace Barnes.

TRANSMITTED BY Source: War Crimes Office, Washington, (Case No. 40-852).

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORTWITNESS AND EVIDENCE.

1. John Wallace Barnes, c/o A.W. Barnes, Gallup, New Mexico.
Statement in deposition form. This witness is victim. Lt. Abico and Lt. Shuragi were named by victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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1659

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1. KONICHI

2. Guards

Date Submitted	Decision of Committee I		
14 FEB 1948	1: A 2: C	B	CARDS

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(For the Use of the Secretariat)

1660

Registered Number.

Date of receipt in Secretariat.

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26 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 286 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Lt. KONICHI, Japanese Army, Acting Commandant of this camp at time of offenses.
2. Japanese guards, names and ranks unknown.

Date and place of commission of alleged crime.

May 1944.
Santo Tomas Internment Camp, Manila, Philippine Islands.

Number and description of crime in war crimes list.

- a. Ill-treatment of civilian internees.
- b. Torture of civilians.

References to relevant provisions of national law.

- a. Breach of the Geneva Prisoners of War Convention 1929, Article 2.
- b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Five United States civilian internees, two of whom are the victims named below, the other three unnamed, were taken by Japanese Guards into the camp and there were beaten, kicked, belted and whipped with short pieces of rope. They were also suspended by their hands, tied with a rope, permitting only their toes to touch the ground. This mistreatment was administered to victims for allegedly smuggling items over the camp wall.

Victims: Mr. White, Mr. Peterson, and three other United States civilian internees.

Source: War Crimes Office, Washington (Case No. 40-1054).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME



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PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. William Morriss Jordan, 4685 Alice St., San Diego, Calif.
Signed and Sworn Statement. This witness was an eyewitness.
According to witness the Commandant of the Santo Tomas Camp
was absent on the date of the commission of the offense, and
an officer named Konichi supervised in the absence of the
Commandant. Konichi is described by witness as about 5' 2", heavy set,
145 lbs., coarse features, fattish face, no glasses, considerable
gold bridg^e work, no scars.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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I. IWANAKA
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Date Submitted Decision of Committee I

14 FEB 1945 1-4: A

CARDS CHECKED

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(For the Use of the Secretariat)

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Date of receipt in Secretariat.

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5 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 287 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major IWANAKA, Japanese Army, Camp Commandant at time of offense.
2. Lt. KONICHI, Assistant Camp Commandant.
3. Lt. HIRATA (HIRAKA), Japanese Army, an Official of this Camp at time of offense.
4. Dr. YOSHIMURA, Camp Doctor at time of offense.

Date and place of commission of alleged crime.

January or February 1945.
Los Banos Internment Camp, Laguna Province, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

George Lewis, a United States civilian internee, left the camp at night to search for food. While returning through the fence into the camp early the following morning he was shot and wounded by a Japanese guard and later the same day executed by order of the camp commandant. He was refused medical aid for two hours after he was wounded. Accused Nos. 1, 2 and 3 were directly responsible and Accused No. 4 refused the medical attention.

Source: War Crimes Office, Washington, (Case No. 41-11).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

2

PARTICULARS OF ALLEGED CRIME



PARTICULARS OF EVIDENCE IN SUPPORTWITNESSES AND EVIDENCE.

1. John J. Hunter.
Signed and Sworn Statement. States that Lewis was shot without warning as he came into the camp through a hole in the fence. Saw Lewis after the incident and states that he was wounded in the shoulder and later carried behind the guardhouse and there executed.
2. Raymond G. Sudhoff.
Signed and Sworn Statement. States that Lewis was first wounded in the shoulder and later executed by order of the camp commandant.
3. Herbert K. Edwards.
Signed and Sworn Statement. Says first wound was superficial; that the camp commandant later ordered and carried out the execution. Says Lewis was shot in the back of the head as he lay on a stretcher on the ground.
4. Willie R. Perkins.
Signed and Sworn Statement. Eyewitness. Saw Lewis coming into the camp by climbing over the fence. States that he was shot and wounded in the left shoulder by the guard. Medical aid was refused by the Japanese during a period of nearly two hours. Did not witness the actual execution, but states that Lewis was taken away and executed and that the camp commandant later sent for two men to bring back the body of Lewis. When the body was returned there were two bullet holes, one in the shoulder and the other through the head.
5. Rena M. Baldwin.
Signed and Sworn Statement. States that Lewis was shot through the neck while climbing over the fence into the camp, that he was refused medical aid and was later carried to the edge of a grave and there executed as he lay on the ground.
6. Gus H. Meyer.
Signed and Sworn Statement. Heard the shots and saw Lewis on the ground with a superficial flesh wound in the right shoulder. Lewis was denied assistance for approximately two hours, after which he was placed on a stretcher, taken away and shot through the head.
7. Copy of State Department protest re this incident.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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1669 ~~1874~~

I. IWANAKA

to 4.

Date Submitted

Decision of Committee I

14 FEB 1949

1-3: A
4: C

CARDS CHECKED

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(For the Use of the Secretariat)

1670

Registered Number.

Date of receipt in Secretariat. ~~1678~~

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8 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 288 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major IWANAKA, Japanese Army, Camp Commandant at time of offense.
2. Lt. KONICHI, Japanese Army, Assistant Camp Commandant.
3. Lt. KASENO, Japanese Army, Officer of the Guard at time of offense.
4. Japanese Guard, name and rank unknown.

Date and place of commission of alleged crime.

January or February 1945.
Los Banos Internment Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Victim left the camp unobserved in order to procure some food. As he was returning to the camp with the food, he was shot near the fence by a Japanese guard and died as a result of his wounds. Accused Nos. 1 and 2 were in complete charge of the camp, and Accused No. 3 was the officer of the guard. They condoned the offense.

Victim: Pat Held, United States Civilian internee.

Source: War Crimes Office, Washington, (Case No. 41-16).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME



PARTICULARS OF ALLEGED CRIME



PARTICULARS OF EVIDENCE IN SUPPORTWITNESSES AND EVIDENCE.

1. Helen Gerselanski, ANC.
Signed and Sworn Statement. Did not witness the incident; heard the shots and saw the body at the hospital; bullet wounds in chest and back. Places time as January 1945.
2. John J. Hunter.
Signed and Sworn. States that no warning was given before shooting.
3. Raymond G. Sudhoff.
Signed and Sworn. Not an eye witness, but heard the shots and attended the funeral. Places time as December 1944.
4. Michael J. O'Hara.
Signed and Sworn. Not an eyewitness, but heard the shots and viewed victim's body. States that there were three bullets in the body and that Held was hiding in some bushes when shot. Names Lt. Kaseno as officer of the guard.
5. William N. Jordan.
Signed and Sworn. States that prior to this incident the Japanese Commandant issued orders that anyone attempting to escape would be shot. Not an eyewitness and is not certain whether victim was leaving or coming into the camp when shot.
6. Edward J. Gray.
Signed and Sworn. States that he was with Held immediately prior to the shooting, that he and Held were returning to the camp with some live pigs and that the noise made by the pigs attracted the attention of the guards. He and Held immediately tried to find cover and a Japanese guard swept the area with gun fire, killing Held, who was in a crouched position.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

P.236/US/J/199

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IWANAKA

Date Submitted

Decision of Committee I

14 FEB 1946

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CARDS CHECKED

P.236/US/J/199

(For the Use of the Secretariat)

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Registered Number.

Date of receipt in Secretariat.

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P.236/US/J/199

8 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 289 J *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Major IWANAKA, Japanese Army, Camp Commandant at time of offense.</p>
<p>Date and place of commission of alleged crime.</p>	<p>January 1945. Los Banos Internment Camp, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Ill-treatment of civilian internees.</p> <p>a. Breach of the Geneva Prisoners of War Convention 1929, Article 2.</p> <p>b. Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

Victim died at Los Banos in January 1945. His death was believed to have been due to malnutrition.

Victim: "Skipper" Williams.

Source: War Crimes Office, Washington, (Case No. 41-19).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESSES AND EVIDENCE.

1. Helen Gerzelanski.
Original Statement in another file. Believes death to have been due to malnutrition.

2. Tom B. Irvin.
Original Statement in another file. States that Williams underwent an operation which he did not survive because of a weakened condition induced by lack of food.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The starvation policy at this camp really began in July 1944 when the Accused took over command of this camp. The food supply consisted of 500 or less calories a day.

P.237/US/J/200

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IWANAKA

Date Submitted

Decision of Committee I

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Date of receipt in Secretariat.

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8 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

~~CHARGES AGAINST~~

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 290 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major IWANAKA, Japanese Army, Camp Commandant.

✓

Date and place of commission of alleged crime.

Between July 1944 and February, 1945.

Los Banos Internment Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

Ill-treatment of civilian internees.

a. Breach of the Geneva Prisoners of War Convention 1929, Article 2.

b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Victim died at Los Banos from beri beri induced by inadequate diet.

Source: War Crimes Office, Washington, (Case No. 41-31).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME



PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Raymond G. Sudhoff.

Witness knew that victim died as a result of starvation and malnutrition.

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

By November 1944, 50% of the internees had indications of starvation and by February 1945 70% were suffering from malnutrition. The greater number of deaths resulted from malnutrition. The starvation policy began after the Accused took over command of the camp.

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P.238/US/T/201

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IWANAKA

Date Submitted

Decision of Committee I

14 FEB 1946

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5 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 291 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major IWANAKA, Camp Commandant at time of offense.

Date and place of commission of alleged crime.

February 1945.
Los Banos Internment Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

Ill-treatment of Civilian Internees.
a. Breach of the Geneva Prisoners of War Convention 1929, Article 2.
b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Victim became insane and died in February 1945. A United States doctor certified that he died of malnutrition. An official notice of his death was placed on the camp bulletin board.

Victim: John Edwards.

Source: War Crimes Office, Washington, (Case No. 41-36).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

- 3 -
PARTICULARS OF EVIDENCE IN SUPPORT

WITNESSES AND EVIDENCE.

1. Tom B. Irvin.
Original statement in another file. Saw the body and attended the funeral.
2. Fred J. Passmore.
Original Statement in another file.

- 4 -
NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

By November 1944, 50% of the internees had indications of starvation and by February 1945 70% were suffering from malnutrition. The greater number of deaths resulted from malnutrition. The starvation policy began after the Accused took over command of the camp.

P.239/US/J/202

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IWANAKA

Date Submitted

Decision of Committee I

14 FEB 1946

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P.239/US/J/202

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Date of receipt in Secretariat.

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8 FEB 1946

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

~~CHARGES AGAINST~~

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 292 J *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Major IWANAKA, Japanese Army, camp commandant.</p>
<p>Date and place of commission of alleged crime.</p>	<p>February 1945. Los Banos Internment Camp, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Ill-treatment of civilian internees.</p> <p>a. Breach of the Geneva Prisoners of War Convention 1929, Article 2.</p> <p>b. Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

The victim became insane and died of malnutrition. Official notice on the bulletin board indicated that he died of starvation.

Victim: Mr. Moak (Mock).

Source: War Crimes Office, Washington, (Case No. 41-37).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME



PARTICULARS OF EVIDENCE IN SUPPORT

WITNESSES AND EVIDENCE

1. Tom B. Irvin.
Original statement in another file.
2. Fred J. Passmore.
Original statement in another file.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

By November 1944, 50% of the internees had indications of starvation and by February 1945 70% were suffering from malnutrition. The greater number of deaths resulted from malnutrition. The starvation policy began after the Accused took over command of the camp.

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IWANAKA

Date Submitted

Decision of Committee I

14 FEB 1946

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8 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 293 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Major IWANAKA, Japanese Army, Camp Commandant

Date and place of commission of alleged crime.

February 1945.

Los Banos Internment Camp, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of civilian internees.

References to relevant provisions of national law.

a. Breach of the Geneva Prisoners of War Convention 1929, Article 2.

b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

An old retired Spanish-American War veteran died at Los Banos in February, 1945, from malnutrition.

Source: War Crimes Office, Washington, (Case No. 41-38).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME



PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Tom B. Irvin.
Original statement in another file. Attended the funeral.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

By November 1944, 50% of the internees had indications of starvation and by February 1945 70% were suffering from malnutrition. The greater number of deaths resulted from malnutrition. The starvation policy began after the Accused took over command of the camp.

P. 241/US/J/204

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NARUSAWA

Date Submitted

Decision of Committee I

14 FEB 1946

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CARDS CHECKED

P. 241/US/J/204

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Registered Number.

Date of receipt in Secretariat.

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8 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 294 J *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Lt. Colonel NARUSAWA, Commandant of Los Banos Internment Camp at time of offense.</p> <p>✓</p>
<p>Date and place of commission of alleged crime.</p>	<p>Between March and August 1943.</p> <p>Los Banos Internment Camp, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>a. Torture of Civilians.</p> <p>b. Ill-treatment of Civilian internees.</p> <p>a. Breach of the Geneva Prisoners of War Convention 1929, Article 2.</p> <p>b. Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

Victim and his family fled to the hills around Manila at the outbreak of hostilities. He finally surrendered to the Japanese in March 1943, and was forced under threats of harm to his family to induce other Americans to surrender. He was unsuccessful in this and was taken to Los Banos where he was forced to work as "houseboy" for the Commandant and beaten from time to time. In August 1943 Spalding was permitted to visit his family in Manila for four days after which he returned to Los Banos and was never heard of again.

Victim: H.R. Spalding.

Source: War Crimes Office, Washington, (Case No. 41-42).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Leona S. Jaramillo, 202 Parkside Drive, Peoria, Illinois.
States facts set forth herein.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P.242/US/J/205

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1. HOMMA
to 3.

Date Submitted Decision of Committee I

14 FEB 1946

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P.242/US/J/205

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8 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 295 J.

*

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<ol style="list-style-type: none"> 1. General Masaharu HOMMA, Supreme Commander of Japanese Forces in the Philippine Islands. 2. A. KODAKI, Japanese Civilian in charge of Civilian Affairs at Santo Tomas Internment Camp. 3. FUJIWAMA.
<p>Date and place of commission of alleged crime.</p>	<p>During May 1943.</p> <p>Enroute from Santo Tomas, Internment Camp to Los Banos Internment Camp, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War.</p> <p>Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 3, 13 and 26.</p>

SHORT STATEMENT OF FACTS.

About 800 male Prisoners of War and 12 United States Navy Nurses, were suddenly transported from Santo Tomas Internment Camp to Los Banos Internment Camp in overcrowded unsanitary box cars. No food or water was provided during the trip which lasted about five hours from 0800 or 0900 hours to 1300 or 1400 hours. From 60 to 70 people were loaded in each car, about the size of an American freight car, or about 30' x 8' as described by one victim. The ventilation was inadequate, causing some to become sick and others to faint from the stifling heat. No sanitation facilities were provided and the train was not stopped during the trip. The victims were not given an opportunity to prepare for the trip and many remained sick for a long period of time as a result of this inhuman treatment.

Victims: John J. Hunter; Lt. Helen Gorzelanski; Julian Westcott Guillot; Herbert Kenneth Edwards; Fred J. Passmore; George A. Goynes Jr; Nathaniel Walker White; Edward John Parrish, Jr; Morris Carl Scherer; and approximately 800 other unnamed Prisoners of War.

TRANSMITTED BY Source: War Crimes Office, Washington, (Case No. 40-225).

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(For the Use of the Secretariat)

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Registered Number.

Date of receipt in Secretariat.

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P.242/US/J/905

8 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 295 J. *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. General Masaharu HOMMA, Supreme Commander of Japanese Forces in the Philippine Islands. 2. A. KODAKI, Japanese Civilian in charge of Civilian Affairs at Santo Tomas Internment Camp. 3. FUJIWAMA.</p>
<p>Date and place of commission of alleged crime.</p>	<p>During May 1943. Enroute from Santo Tomas, Internment Camp to Los Banos Internment Camp, Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War. Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 3, 13 and 26.</p>

SHORT STATEMENT OF FACTS.

About 800 male Prisoners of War and 12 United States Navy Nurses, were suddenly transported from Santo Tomas Internment Camp to Los Banos Internment Camp in overcrowded unsanitary box cars. No food or water was provided during the trip which lasted about five hours from 0800 or 0900 hours to 1300 or 1400 hours. From 60 to 70 people were loaded in each car, about the size of an American freight car, or about 30' x 8' as described by one victim. The ventilation was inadequate, causing some to become sick and others to faint from the stifling heat. No sanitation facilities were provided and the train was not stopped during the trip. The victims were not given an opportunity to prepare for the trip and many remained sick for a long period of time as a result of this inhuman treatment.

Victims: John J. Hunter; Lt. Helen Gorzelanski; Julian Westcott Guillot; Herbert Kenneth Edwards; Fred J. Passmore; George A. Goynes Jr; Nathaniel Walker White; Edward John Parrish, Jr; Morris Carl Scherer; and approximately 800 other unnamed Prisoners of War.

TRANSMITTED BY Source: War Crimes Office, Washington, (Case No. 40-225).

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESSES AND EVIDENCE.

1. John J. Hunter. 3626 South 23rd St., Omaha, Neb.
Signed and Sworn Statement. One of 800 men and 12 Navy Nurses moved from Santo Tomas Camp by truck to Manila R.R. depot. There searched, and personal papers and some personal belongings removed by Japanese. Loaded in box cars, about 50 in each, at 1000 hours. Car filthy, previously used for hauling fish, no food or water, provisions, no sanitary facilities. Navy nurses put in with men.
2. Lt. Helen Gorzelanski, U.S. Navy Nurse, No. 64806. 534 S. 50th Ave., Omaha, Neb.
Signed and Sworn Statement. One of 60 in one box car, 58 men and 2 nurses. One Japanese guard in each car. No food furnished.
3. Julian Westcott Guillot. 301 W. Moreno St., Pensacola, Fla.
Signed and Sworn Statement. One of about 50 in box car. Residue of animal excretion on floor about 2 inches deep. Excessive heat.
4. Herbert Kenneth Edwards. 1202 E. Twenty-first St., Erie, Penna.
Signed and Sworn Statement. One of 800 men, 13 Navy Nurses, transported by Army trucks to R.R. depot at Manila. About 40 persons to the box car. Trip about 4 hours. No food or water furnished. No deaths but several faintings from heat. Room only to squat down. Refuse (animal) on floors. Two nurses in each car.
5. Fred J. Passmore. Elindale, Kansas.
Signed and Sworn Statement. One of 70 (approximately) placed in box car of steel construction. Stifling heat. No food or water furnished.
6. George A. Goynes, Jr., c/o Mrs. N.R. Newman, Taft, Tex.
Signed and Sworn Statement. One of 800 internees transported that day from Santo Tomas to Los Banos. 60 to 70 in each box car. Unsanitary and filthy cars. Several overcome by heat, became sick and vomited. Trip about 4 hours. Names Kodaki, Japanese Civilian described as medium build and height, gray hair, pointed nose, weight about 140 lbs, who was in charge of civilian affairs at Camp Santo Tomas.
7. Nathaniel Walker White. 1515 Carteret, Pueblo, Colo.
Signed and Sworn Statement. One of 800 including 13 Naval Nurses.
8. Edward John Parrish, Jr., 1122 Westover Ave., Norfolk, Va.
Signed and Sworn Statement. 50 or 60 in each car. Names Fujiwama as responsible.
9. Morris Carl Scherer. 1114 Olive St., Texarkana, Tex.
Signed and Sworn Statement. One of 800, 8 Navy Nurses.

- 4 -
NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Accused No. 1 was Supreme Commander of Japanese Forces and is presumed to have had knowledge of the atrocities and abominable treatment which were accorded to Prisoners of War under his control and for which he cannot escape responsibility. Accused No. 2 was in charge of loading these transportees at Santo Tomas Internment Camp and it appears that Accused No. 3 was responsible for them on the journey.

P.245/US/J/206

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1. NOGI

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Date Submitted

Decision of Committee I

7 MAR 1946

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P.245/US/J/206

(For the Use of the Secretariat)

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Date of receipt in Secretariat.

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21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINSTJAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 296 J

*

Name of accused, his rank and unit, or official position. (Not to be translated.)	1. Captain NOGI, Japanese Army, Commandant of Bilibid Prison at time of offense. 2. Japanese Guards, Names unknown, one a Sergeant of the Guard.
Date and place of commission of alleged crime.	July 1943. Bilibid Prison.
Number and description of crime in war crimes list. References to relevant provisions of national law.	Ill-treatment of Prisoners of War. Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 46, and 54.

SHORT STATEMENT OF FACTS.

While at Bilibid in July 1943, victim was accused of communicating with the outside (admittedly true), for which he was tried and placed in solitary confinement for 24 days on reduced rations of 3 small rice balls per day (about size of golf ball) and every third day 1½ cube inches of soup in canteen cup. He lost 26 lbs. During the first three days, victim was beaten three different times. The first two beatings were administered by unidentified guard. The third, by an unnamed Sergeant of Guard. This latter beating reduced victim to a state of semi-consciousness. These beatings allegedly were inflicted to elicit from victim names of other prisoners communicating with the outside. Accused No.1 was aware of the cruelties perpetrated by his subordinates and sanctioned them.

Victim: Sanford Jack Blau, T/5, 10300261.

TRANSMITTED BY Source: War Crimes Office, Washington (Case No.40-189).

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF ALLEGED CRIME

[The following text is extremely faint and illegible, appearing to be a list of details or a narrative account.]

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Sanford Jack Blau, T/S, 10300261. 3672 Rayment Blvd. University Heights, Ohio.
Signed and sworn deposition. States facts substantially as set forth herein. Was victim; released from Bilibid 4 February 1945.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

P.246/US/J/207

1714

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1. Commandant, Bilibid Prison Hospital
to 4.

Date Submitted

Decision of Committee I

7 MAR 1946

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4: C



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(For the Use of the Secretariat)

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21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 297 J

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. ^{V. CO.} Commandant of Bilibid Prison Hospital between December 1943 and April 1944 (believed to be Captain Nogi, Japanese Army).
2. Suki HARI, Sergeant of the Guard, Japanese Army.
3. Corporal of the Guard, Japanese Army, nicknamed by prisoners "Slapsy-Maxey".
4. Japanese Guards, names and ranks unknown.

Date and place of commission of alleged crime.

Between December 1943 and April 1944.
Bilibid Prison Hospital, Manila, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 50, and 54.

SHORT STATEMENT OF FACTS.

Source: War Crimes Office, Washington, (Case No. 40-285).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) Wt.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

Sometime between December 1943 and April 1944 a United States Marine by the name of Parker, first name unknown, described as being then about 26 years of age, 5'9" in height, brown hair and eyes, fair complexion, attempted to escape by crawling under a wire fence barrier. His escape was frustrated and for his attempted escape he was beaten by Japanese guards (unidentified), using rifle butts and sabers. Parker, at the time he was being beaten, had his hands tied behind him. Later, on the same day, he was placed in Building No.9, Hospital Area, where he was seen the following day with his hands still tied and in a bloody and bruised condition. On the third day following the beating at about 0900 hours, Parker was taken away and was not seen again at Bilibid. Accused No.1 sanctioned brutalities on the part of his subordinates; Accused Nos 2 and 3 were directly in charge of the guards (Accused No.4) who actually beat the victim.

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESSES AND EVIDENCE.

1. James Francis McGee, Pfc., 59th Coast Artillery, Sec. No. 13024513.
518 Whiteford Ave., Baltimore, Md.
Statement.
2. William E. Watson, Sgt., 19050879. 205 W. Fourth St., Hanford,
California.
Signed and sworn Statement. Saw victim after he was beaten and
states that victim had marks pretty well over his body, his face
out and bleeding.
3. Henry P. Latham, S/Sgt., ASN 38012327, Sterling City, Texas.
Signed and Sworn Statement. Eyewitness to the beating.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

1. The non-commissioned officer who, as Sergeant of the Guard, had charge of the beating of the victim, is named in as Suki Hari, whose Army title was Gun So. He is described as follows: About 35 years of age, about 5'9" height, 190 lbs. weight; 3 gold teeth in upper fore part of his mouth; blustering, loud talking, little education; also had a moustache.
2. The assistant, or Corporal of the Guard, is described as follows: About 26 years of age, 5'5" height; 150 lbs. weight; "dumpy" physique; several upper and lower gold teeth; arrogant and cruel. He was nicknamed "Slapsy-Maxey" by the Prisoners of War.
3. Currently available information indicates that Captain Nogi was at the time of the offense herein the Commandant of Bilibid Prison Hospital. The commanding officer is described as follows: About 35 years of age, heavy build, 150 lbs., 5'4" height; no gold teeth, very large nose and was nicknamed "Button Nose."

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NOGI

Date Submitted	Decision of Committee I		CARDS CHECKED
7 MAR 1946	A	B	

P.247/US/J/208

(For the Use of the Secretariat)

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Registered Number.

Date of receipt in Secretariat.

P. 247/VS/J, 205

21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 298 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Captain NOGI, Japanese Army, Commandant of Bilibid Prison at time of offense.

Date and place of commission of alleged crime.

1 August 1942 to 10 November 1942. Bilibid Prison.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 10, 11, 13, and 16.

SHORT STATEMENT OF FACTS.

Joseph Edward Breuer, Jr., Pvt., was incarcerated in a cell along with several other unnamed prisoners. This cell was inadequately ventilated, had damp walls and sewage backed up on to the floor. This confinement continued during the period between 1 August and 10 November 1942. He was fed grass soup twice a week and a "little rice three times a day", and was not afforded medical attention. This treatment was imposed for failure of victim to disclose to the Japanese which of the prisoners could operate radio range-finder equipment. Accused knew that prisoners of war were being treated in this fashion.

Victims: Joseph Edward Breuer, Jr., Pvt., and other unnamed Prisoners of War.

Source: War Crimes Office, Washington, (Case No. 40-320).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Joseph Edward Breuer, Jr., Pvt. 1403 N. River Blvd., Independence,
Mo.
Sworn Statement of victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

P.248/US/J/209

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I. NOGI

to 4.

Date Submitted

Decision of Committee I

7 MAR 1946

1-4: A

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P.248/US/J/209

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Registered Number.

Date of receipt in Secretariat.

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21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 299 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Captain NOGI, Japanese Army, Commandant of Bilibid Prison during time of offense.
2. Major TAKASAKI, Japanese Army.
3. Sergeant SATO, Japanese Army.
4. Sergeant SUKAHARI, Japanese Army.

Date and place of commission of alleged crime.

Between May 1942 and September 1944.
Enroute from Bilibid Prison to Cabanatuan Prisoner of War Camps, Manila, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 13, 25 and 26.

SHORT STATEMENT OF FACTS.

On several occasions Prisoners of War were transferred from Bilibid to Cabanatuan, in small box cars, the number loaded into each ranging from 80 to 125, often with standing room only, no or little food, scanty water rations, inadequate or no sanitation facilities, for a trip lasting from 8 to 20 hours. Upon arrival at depot, the victims were forced to march 10 to 15 miles to prison camps, and those who fell out were severely beaten. The property of several was confiscated without receipt and others were robbed. Accused No. 1 was aware of the conditions under which Prisoners of War were transported on these trips. The accused 2-4 took part in the above operations.

Victims: 1. Sgt. Joseph K. Stanford, 2. Sgt. Joseph P. Keys, 3. Jack A. Comstock, Major, 4. Clyde Austin Huffstickler, Captain, 5. James Hall Berry, Sgt., 6. Frank N. Curtis, M/Sgt., 7. Harry Hill, T/5, 8. John Henry Bailey, Cpl., 9. John Sidney Alford, Cpl., 10. Glen Hagstrom, Sgt., 11. Darvin Oliver Patrick, M/Sgt.,

TRANSMITTED BY Source: War Crimes Office, Washington (Case No. 40-332).

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORTWITNESSES AND EVIDENCE.

1. Joseph K. Stanford, Sgt., ASN 6976788. 124 Vernon Drive, Pittsburg, Pa.
Statement. Victim of eight-hour trip, packed in steel boxcars with no room to lie down, no food, and one can of water. No latrine facilities amid numerous dysentery cases. Forced to march 15 miles from depot to Cabanatuan Prison carrying Japanese pack and own while suffering malaria and beri-beri. Major Takasaki responsible. August 1944 date of occurrence.
2. Joseph Paul Keys, Sgt., ASN 7022764. 1303 Bidwell St., Pittsburgh, Pa.
Statement. Japanese work details sent from Bilibid to Cabanatuan, (120 km) in box cars with 100 men in each, one rice ball (size of baseball) for food, one canteen of water, no latrine and no relief stops. About 22 hour trips. Names Dr. Nogi, Sgt. Sato and Sgt. Sukahari as responsible. Transferred from Bilibid to Cabanatuan 2 September 1944 date of occurrence.
3. Jack A. Comstock, Major, (Med.Corps) O-400866. 1603 4th St., Boulder, Colo.
Statement. Loaded in box car, sitting room only for small portion, no ventilation, no water, from 6:30 A.M. to 12 Noon. Confined in compound with unsanitary conditions, subjected to looting, 31 May 1942 date of occurrence.
4. Clyde Austin Huffstickler, Captain, O-890276. 323 Waco Road, Kings Mountain, N.C.
Signed and Sworn Statement. One of 100 loaded into small box car for transportation from Bilibid to Cabanatuan. Standing room only, stifling hot, no sanitary facilities; most were sick. Witness was suffering from malaria and shrapnel wound in head. Approximately 8 hours. Medicine, mess kit and other articles confiscated without receipt, 26 June 1942 occurrence. No named accused.
5. James Hall Berry, Sgt., 18009483. Lampasas, Texas.
Signed and Sworn Statement. One of many (number unknown) packed in box car for transportation from Bilibid to Cabanatuan Camp No.1, requiring 8 or 9 hours. Majority required to stand. 2nd or 3rd of June 1942 date of occurrence. No named accused.
6. Frank N. Curtis, M/Sgt., ASN R-592080. 426 Wharton Ave., San Antonio, Texas.
Signed and Sworn Statement. On or about May 29, 1942, transferred from Bilibid to Cabanatuan Camp No.3. Fainted from exhaustion of marching one hour, remaining unconscious until following day. Was beaten with bamboo stick while unconscious and was saved from bayoneting by 4 Marine Prisoners of War. No named accused.
7. Harry Hill, T/5, ASN 38007534. Rt. 2 Box 269, Arvada, Colo.
Signed and Sworn Statement. One of about 100 men crowded into box car for transportation from Bilibid to Cabanatuan Camp No.1. Standing room only. Many sick, no sanitation facilities. About 1 July 1942, date of occurrence. No named accused.
8. John Henry Bailey, Cpl., 13038318. 1726 McCullough St., North Side, Pittsburg, Pa.
Signed and Sworn Statement. One of 125 placed in box car $\frac{1}{2}$ as large as American type for transportation from Bilibid Hospital to Cabanatuan. Standing room only, insufficient ventilation. June 1944 date of occurrence.
9. John Sidney Alford, Cpl., 14013408. 1619 E. Mallory St., Pensacola, Fla.
Signed and Sworn Statement. One of 100 Prisoners of War loaded in box car for transportation from Bilibid to Cabanatuan. Doors closed, poor ventilation, no latrines, inadequate water supply. About 11 hour trip. April 1944 date of occurrence. No named accused.

/Continued on Page 4/

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

/Continued from Page 3/

10. Glen Hagstrom, Sgt., 19006224. 1020 Summit Blvd., Spokane, Wash. Signed and Sworn Statement. One of 1500 United States Prisoners of War transported in box cars from Bilibid Prison to Cabanatuan No. 2 Camp. Standing room only, closed doors, filthy car, one rice ball for food, many ill. Thirteen hour trip. 27 May 1942 date of occurrence. No named accused.
11. Darwin Oliver Patrick, M/Sgt., 7020985. 48 E. High St., Hummelstown, Pa. Statement. One of unstated number of duty officers and enlisted personnel of General Hospital No. 2, Bilibid Prison, who, on 29 May 1942 were transferred to Cabanatuan in small metal box cars. They were crowded in uncomfortable positions. The heat was intense, and the cars unventilated, and no food or water provided. Some victims (unnamed) fainted. At Cabanatuan the Prisoners of War were bivouaced in the hot sun causing one sunstroke (unnamed) victim. The following day, victims were required to march from 0600 until about 1700, without rest periods, without food excepting cooked rice wrapped in banana leaves which was thrown at the prisoners. Only a few prisoners received any food. The water supplied was insufficient. Those who were unable to continue marching were severely beaten and left on road to be picked up by truck which followed.

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I. NOGI

to 4.

Date Submitted Decision of Committee I

7 MAR 1946

1, 2 : A
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CARDS CHECKED

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P.249/US/J/210

21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 300 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Captain NOGI, Japanese Army, Commandant of Bilibid Prison Camp at time of offense.
2. Lieutenant KAKODA, Japanese Army.
3. First Lieutenant, Japanese Army, (member of Japanese Military Intelligence Service).
4. Japanese Investigators, (names and ranks or status unknown).

Date and place of commission of alleged crime.

During September 1943.
Bilibid Prison Camp.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929,
Article 2.

SHORT STATEMENT OF FACTS.

During the course of questioning victim for information concerning the survivors of a sunken ship who were shot by guerrillas at Ilocos Norte in July 1942, the victim was beaten many times with a baseball bat from which he suffered three fractured ribs. The beatings were administered by a First Lieutenant in the Japanese Military Intelligence Service, name unknown, who had for an assistant a Lieutenant **kakoda**. These beatings occurred in the afternoons of 12, 13, and 14 September 1943, in a room next door to the American Personnel Office at Bilibid Prison Camp. On 2 October 1943, victim was hanged by the wrists and left suspended for eighteen hours at the G-2 Section, General Headquarters, Manila, Philippine Islands, and no food was given the victim during those 18 hours.

Victim: Thomas Sylvester Jones, Major, O-336942.

Source: War Crimes Office, Washington, (Case No. 40-932).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE .

1. Thomas Sylvester Jones, Major, O-336942, 75 Grove St., Albany, N.Y.
Signed and Sworn Statement. This witness is victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

It is apparent that at least two separate offenses were committed, one, the beatings administered 12, 13, 14 September 1943, at Bilibid Prison Camp, and two, the suspension of victim by his wrists on 2 October 1943. Apparently, different accuseds are responsible for the latter than those responsible for the former. An unknown First Lieutenant of the Japanese Military Intelligence Service and his assistant, a Lt. **Kakoda**, are named by victim as responsible for the first beatings. Two unknown and unidentified investigators are named by victim as responsible for mistreatment on 2 October 1943.

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P. 251/US/J/212

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1. Commanding Officer, Corregidor Island
- 2.

Date Submitted

Decision of Committee I

7 MAR 1946

1: A
2: C

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CARDS CHECKED

P. 251/US/J/212

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21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 302 J *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Commanding Officer of Japanese Army Forces on Corregidor Island, Philippine Islands during time of offense. 2. Japanese Non Commissioned Officer, Japanese Army, name and rank unknown.</p>
<p>Date and place of commission of alleged crime.</p>	<p>June 1942. Fish Market Prison Camp, Corregidor, Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War. Breach of the Geneva Prisoners of War Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

Victim was the United States Commanding Officer of the Fish Market Prison Camp, Corregidor, from about 28 May 1942 until 1 July 1942. One night in June 1942, about 2300, victim was awakened by a Japanese sentry with the message that victim was wanted at the desk. At the desk, victim was confronted by Accused, No.2 asked if he were the "Capitan", and upon the affirmative answer, victim was struck many times about the head and face by Accused No.2. Victim's lip was cut and his eye blackened.

Victim: John Edward Brinkmeyer, Lt., Col., ASN 0167015, Finance Dept.

Source: War Crimes Office, Washington, (Case No.40-163).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) WLP.252/4 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) WLP.1183/17 5,000 10/45

(For the Use of the Secretariat)

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Registered Number.

Date of receipt in Secretariat.

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21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 302 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Commanding Officer of Japanese Army Forces on Corregidor Island, Philippine Islands during time of offense.
2. Japanese Non Commissioned Officer, Japanese Army, name and rank unknown.

Date and place of commission of alleged crime.

June 1942.
Fish Market Prison Camp, Corregidor, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Victim was the United States Commanding Officer of the Fish Market Prison Camp, Corregidor, from about 28 May 1942 until 1 July 1942. One night in June 1942, about 2300, victim was awakened by a Japanese sentry with the message that victim was wanted at the desk. At the desk, victim was confronted by Accused, No.2 asked if he were the "Capitan", and upon the affirmative answer, victim was struck many times about the head and face by Accused No.2. Victim's lip was cut and his eye blackened.

Victim: John Edward Brinkmeyer, Lt., Col., ASN 0167015, Finance Dept.

Source: War Crimes Office, Washington, (Case No.40-163).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. John Edward Brinkmeyer, Lt. Col. ASN 0167015, 601 Lamont, San Antonio, Texas.
Signed and Sworn Statement. This witness is victim.

- 4 -
NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

Currently available information indicates that an officer named "Nagawast" (phonetic), rank unknown, was the Commanding Officer of Japanese forces on Corregidor for eight months after the surrender of United States forces there. Available records of Japanese officers do not list any officer under the name as spelled above.

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1. Commanding Officer, Corregidor Island
to 3.

Date Submitted

Decision of Committee I

7 MAR 1946

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P.252/05/J/213

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21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 303 J *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<ol style="list-style-type: none"> 1. Commanding Officer of Japanese Army Forces on Corregidor Island, Philippine Islands during time of offense. 2. Japanese Officers, Japanese Army, names and ranks unknown. 3. Japanese Soldiers, Japanese Army, names and ranks unknown.
<p>Date and place of commission of alleged crime.</p>	<p>May 1942 to October 1944. Corregidor, Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Employment of prisoners of war on unauthorized works. Breach of the Geneva Prisoners of War Convention 1929, Article 31.</p>

SHORT STATEMENT OF FACTS.

United States prisoners on Corregidor compelled to collect scrap iron, arms and ammunition and load them on trucks and ships and carry Japanese guns and ammunition into Corregidor. Some Prisoners of War required to repair guns and installations.

- | | | |
|-----------------|-------------------------------|----------------------|
| <u>Victims:</u> | William D. Gibson, 1st Lt. | Artelus Ardoin. |
| | William Frederick Bratt, Col. | John J. Manley, Sgt. |
| | Sgt. Pines. | David Owen Dodds. |
| | Cleveland Henriquez, Cpl. | |

and many other unnamed and unidentified Prisoners of War.

Source: War Crimes Office, Washington, (Case No. 40-230).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.
(29655) Wt.P.252.4 5,000 5/45 A.& E. W.Ltd. Gp.685
(30449) Wt.P.1183.17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

WITNESSES AND EVIDENCE.

1. William D. Gibson, 1st Lt., Signal Corps, ASN 0-890565, Leonard St., Stamford, Conn.
Statement. Eyewitness account. This witness is one of victims. Time: 6 June 1942, to 6 June 1943. Was one of about 30 officers and 47 enlisted men required to collect scrap iron, arms and ammunition and load them on boats for the Japanese - $6\frac{1}{2}$ million rounds of .30 cal. ammunition were collected.
2. William Frederick Bratt, Col., ASN 15017064, 730 Oak St., East Liverpool, Ohio.
Signed and Sworn Statement. Forced to assist carrying guns and ammunition for Japanese.
3. Cleveland Henriquez, Cpl., 20434463, 529 Bahama St., Key West, Fla.
Signed and Sworn Statement. Eyewitness victim. Worked for Japanese sometime after May 26, 1942, loading scrap iron on ships and moving ammunition to Malina on Corregidor. Type of ammunition - 155 MM A.A. shells.
4. John J. Manley, Sgt., 18048988, 1503 $\frac{1}{2}$ Dunlavy, Houston, Tex.
Signed and Sworn Statement. This witness forced to load food, ammunition and supplies on Japanese boats.
5. Herman N. Archer, Maj., F.A., 0-206909.
Saw prisoners being sent from Cabanatuan to Corregidor to repair guns and installations about October 1944.
6. David Owen Dodds, Cpl., Med. Corps, 19017907, 135 N. Grotto St., St. Paul, Minnesota.
Signed and Sworn Statement. Forced to handle artillery shells, powder, bombs and 150 caliber ammunition for Japanese between May 1942 and October 1942.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Currently available information indicates that the name of the Commander of the Japanese forces on Corregidor following the surrender of the United States forces was a "Nagawat" (phonetic), rank unknown. However, a check of the list of known Japanese Military personnel does not disclose any officer by that name as spelled.

P.253/US/J/214

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Commanding officer, Corregidor Island

Date Submitted

Decision of Committee I

7 MAR 1946

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P.253/US/J/214

(For the Use of the Secretariat)

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21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 304 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Commanding Officer of Japanese Army Forces on Corregidor Island, Philippine Islands during time of offense.

Date and place of commission of alleged crime.

2 July 1942
Enroute from Fort Mills, Corregidor, Philippine Islands, to Bilibid Prison, Manila, Philippine Islands.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

a. Ill-treatment of Prisoners of War.
b. Ill-treatment of civilians.
a. Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 13 and 25.
b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On 2 July 1942, an unstated number of patients, nurses and other Prisoners of War, one of whom was Joseph Edward Breuer, Jr., were loaded on an inter-island steamer for transfer from Fort Mills to Old Bilibid. During the loading process at the docks, Fort Mills, a large number of patients were exposed to the hot sun. On the transport the prisoners were "extremely over-crowded", and no facilities were provided for taking care of the sick and wounded. In the process of transferring the Prisoners of War from Fort Mills to Old Bilibid the greater portion of all medical supplies, equipment and personal property belonging to the Prisoners of War were either lost or stolen by the Japanese. On arrival at Manila, all who were able to stand were forced to walk three miles.

Victims: Joseph Edward Breuer, Jr., Pvt. and Unidentified patients, nurses and other Prisoners of War.

TRANSMITTED BY Source: War Crimes Office, Washington, (Case No. 40-319).

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) W.P.2524 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) W.P.11-3.17 5,000 10/45

(For the Use of the Secretariat)

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Registered Number.

Date of receipt in Secretariat.

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21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 304 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Commanding Officer of Japanese Army Forces on Corregidor Island, Philippine Islands during time of offense.

Date and place of commission of alleged crime.

2 July 1942
Enroute from Fort Mills, Corregidor, Philippine Islands, to Bilibid Prison, Manila, Philippine Islands.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

a. Ill-treatment of Prisoners of War.
b. Ill-treatment of civilians.
a. Breach of the Geneva Prisoners of War Convention 1929, Articles 2, 13 and 25.
b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On 2 July 1942, an unstated number of patients, nurses and other Prisoners of War, one of whom was Joseph Edward Breuer, Jr., were loaded on an inter-island steamer for transfer from Fort Mills to Old Bilibid. During the loading process at the docks, Fort Mills, a large number of patients were exposed to the hot sun. On the transport the prisoners were "extremely over-crowded", and no facilities were provided for taking care of the sick and wounded. In the process of transferring the Prisoners of War from Fort Mills to Old Bilibid the greater portion of all medical supplies, equipment and personal property belonging to the Prisoners of War were wither lost or stolen by the Japanese. On arrival at Manila, all who were able to stand were forced to walk three miles.

Victims: Joseph Edward Breuer, Jr., Pvt. and Unidentified patients, nurses and other Prisoners of War.

TRANSMITTED BY Source: War Crimes Office, Washington, (Case No. 40-319).

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT
WITNESS AND EVIDENCE.

1. Joseph Edward Breuer, Jr., Private, ASN 17000645, 1403 N. River Blvd., Independence, Mo.
Statement. Signed and Sworn affidavit. This witness is one of victims.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Currently available information indicates that a Japanese officer, rank unknown, called "Nagawast", was commander of the Japanese forces on Corregidor for 8 months after the surrender of United States forces there. The spelling is phonetic and available records of Japanese officers do not list any officer under name as spelled above.

P.254/US/J/215

1749 ~~2584~~

I. YOSHIWARA

to 24.

Date Submitted

Decision of Committee I

7 MAR 1946

1-24- A

B CARDS CHECKED

P.254/US/J/215

P.254/US/J/215

1749 ~~1954~~

I. YOSHIWARA

to 24.

Date Submitted

Decision of Committee I

7 MAR 1946

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P.254/US/J/215

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21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS

WAR CRIMINALS

CASE No. 305 J

Name of accused, his rank and unit, or official position.	<ol style="list-style-type: none"> 1. Lt. YOSHIWARA, Japanese Army, Garrison Camp Commandant as well as member of 131st Airfield Battalion. 2. Capt. KOJEMA, Japanese Army, Commanding Officer 131st Airfield Battalion. 3. Lt. TSUNO, Japanese Army, Member of 131st Airfield Battalion. 4. Lt. YAMAMOTO, Japanese Army, Member of 131st Airfield Battalion. 5. Sgt. SHINODA, Japanese Army, Member of 131st Airfield Battalion. 6. Pvt. UCHIDA, Japanese Army, Member of 131st Airfield Battalion. 7. Pvt. YAMASHITA, Japanese Army, Member of 131st Airfield Battalion. 8. Pvt. SUZUKI, Japanese Army, Member of 131st Airfield Battalion. 9. Pvt. HAMADA, Japanese Army, Member of 131st Airfield Battalion. 10. Pvt. YOSHIDA, Japanese Army, Member of 131st Airfield Battalion. 11. Pvt. TSUNAJIMA, Japanese Army, Member of 131st Airfield Battalion. 12. Pvt. TAKUBO, Japanese Army, Member of 131st Airfield Battalion. 13. Pvt. BIDO, Japanese Army, Member of 131st Airfield Battalion. 14. Pvt. WATANABE, Japanese Army, Member of 131st Airfield Battalion. 15. Pvt. TAKASAKI, Japanese Army, Member of 131st Airfield Battalion.
(Not to be translated.)	/Continued on Page 4 /
Date and place of commission of alleged crime.	14 December 1944. Puerto Princessa Prisoner of War Camp, Palawan, Philippine Islands.
Number and description of crime in war crimes list.	a. Murder and Massacre. b. Torture and Ill-treatment of Prisoners of War.
References to relevant provisions of national law.	a. Breach of the Laws and Customs of War. b. Breach of the Geneva Prisoners of War Convention 1929.

SHORT STATEMENT OF FACTS.

The victims were herded into air raid shelters and then tortured, burned alive, shot down with rifle and machine gun fire, clubbed and bayoneted to death. Only 10 men out of 150 survived. The accused are those identified by name as among the Japanese who participated in this abominable act.

Source: War Crimes Office, Washington, (Case No. 47-1).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

In December 1944 there were 150 United States Prisoners of War at the Prisoners of War Camp at Puerto Princessa, working on Japanese airfields. There had been many air raids from 19 October 1944 on. On 14 December 1944 it is reported the Japanese had sighted a convoy and feared an attack. At any rate, about noon all hands were called in from work details and placed in the compound. There was an air raid alarm. About 2 p.m. two P-38's went over and then all Prisoners of War were compelled to get into the air raid shelters. These were three large shelters and several foxholes in the corner of the compound. At the same time guards were increased. Almost immediately the Japanese attacked the shelters, throwing in buckets of gasoline and lighting it with torches. Men who tried to escape by running out, many on fire, were shot down with rifle and machine gun fire, or clubbed and bayoneted to death. About 40 succeeded in one way or another (including crawling through an "escape hatch" leading from one shelter outside the compound) in getting down over a cliff to the beach. Here they either hid or tried to get away by swimming. The Japanese hunted down and shot all they could catch. So far as is known every man was killed except ten who successfully hid until night and then swam the bay.

Victims: 150 United States soldiers, sailors and marines, all Prisoners of War. 10 of the victims are known to have escaped alive. All others were killed.

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESSES AND EVIDENCE.

1. Douglas W. Bogue, Sgt., USMC. 526 S. Union Drive, Los Angeles.
Excerpts of a joint statement with McDole.
2. Glen W. McDole, Pfc, USMC. 1515 11th St., Des Moines, Iowa.
Signed and Sworn Statement. Excerpts of ^ajoint statement with Bogue.
Eyewitness, one of the ten who escaped; he also witnessed torture
of one unnamed man on the beach. Knew rank but not names of officers
at the camp.
3. Fern J. Barta, RM 1/c, USN. 312 S. 4th East St., Salt Lake City, Utah.
Signed and Sworn Statement. Statement accompanied by hand sketch of
compound showing shelters. Was also eyewitness, and one of the ten
who escaped.
4. William J. Balchus, Sgt., ASN 7021049. Washington Valley Rd.,
Martindale, N.Y.
Signed and Sworn Statement. Eyewitness and one of the ten to escape.
5. Edwin A. Petry, S/Sgt. ASN 39226323. 490 Santa Clara Ave., Venice, Calif.
Signed and Sworn Statement.
6. Eugene Nielson, Col., ASN 19010856. 274 East 1st S. St., Logan, Utah.
Signed and Sworn Statement.
7. Alberto D. Pacheco, Sgt., ASN 20842523. 215 S. Ruby St., Denning,
New Mexico.
Signed and Sworn Statement.
8. John Koblos, Col., ASN 6575869. 2514 East 82nd St., Chicago, Illinois.
Signed and Sworn Statement. Eyewitness.
9. Lee W. Moore, Cpl. ASN 18001751. 3533 Vine St., Denver, Colo.
Signed and Sworn Statement.
10. Lawrence Robinson, Cpl. 15043739. Wayland, Kentucky.
Signed and Sworn Statement..
11. Tomisakuro Sawa, Prisoner of War, 186-3 (PTF-3), Superior Pvt,
former member of 131st Airfield Battalion.
Statement verbal. Names Japanese responsible for massacre. Claims
he did not participate in it.
12. War Crimes Office has film of interview of Nielson and others taken
at Morotai. Also film showing shots taken at Puerto Princesa after
United States occupation, showing camp, shelters, and exhumation
of bodies.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

/Continued from Page 1 /

16. Japanese Officer (Captain) Japanese Army, Commanding Officer of
✓ The Ogawa Tai Construction Unit and nicknamed "Weasel".
17. Lt. SATO, Japanese Army, Member of The Ogawa Tai Construction Unit.
18. Lt. CHINO, Japanese Army, Member of The Ogawa Tai Construction Unit.
19. Master Sergeant OGAWA, Japanese Army, Member of The Ogawa Tai
Construction Unit.
20. Pfc. HAIKA, Japanese Army, Member of The Ogawa Tai Construction Unit.
21. Pvt. SUGURABI, Japanese Army, Member of The Ogawa Tai Construction Unit.
22. Pvt. TANAKA, Japanese Army, Member of The Ogawa Tai Construction Unit.
23. Pvt. KAWAKIMI, Japanese Army, Member of The Ogawa Tai Construction Unit.
24. Pvt. SHUBAKI, Japanese Army, Member of The Ogawa Tai Construction Unit.

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KINOSHITA

Date Submitted	Decision of Committee I	D	CARDS CHECKED
7 MAR 1946	A		

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Registered Number.

Date of receipt in Secretariat.

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21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 306 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Captain Kinoshita, Japanese Army, Commanding Officer of Camp Puerto Princesa, Palawan, Philippine Islands, on or about 1 July 1943.

Date and place of commission of alleged crime.

On or about 1 July 1943.
Puerto Princesa, Palawan, Philippine Islands.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On the 27th or 28th of June 1943, White and Wilson escaped and were captured about four days later. They were locked in a dungeon and then taken by truck to the airfield where they were executed by shooting. Accused, as Commanding Officer, must be held responsible for the treatment accorded these victims under his control.

Victims: Sheldon T, White, USMC.
Wilson, USN.

Source: War Crimes Office, Washington, (Case No. 47-5).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A.& E., W.Ltd. Gp.695
(30449) Wt.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESSES AND EVIDENCE.

1. Douglas W. Bouge.
Signed and Sworn Statement. States that the victims are supposed to have been shot. States that Filipinos in the neighbourhood know where the graves of the victims are located.
2. Glen W. Mc Dole.
Signed and Sworn Statement. Joint statement with Bouge.
3. Fern J. Barta, 312 S. 4th East St., Salt Lake City, Utah.
Signed and Sworn Statement. States that the two victims were captured after an escape and that they were taken out of the camp on a truck which returned without the two men.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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1759 ~~1764~~

I. KISHAMOTO

4 2.

Date Submitted

Decision of Committee I

7 MAR 1946

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(For the Use of the Secretariat)

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Date of receipt in Secretariat.

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES	CHARGES AGAINST	JAPANESE WAR CRIMINALS
	CHARGES AGAINST	WAR CRIMINALS

CASE No. 307 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Captain KISHAMOTO, Japanese Army.
2. NISHITONI, Japanese Army, first name and rank unknown.

Both stationed at Puerto Princesa Palawan, Philippine Islands, between 1 August 1942 and 14 December 1944.

Date and place of commission of alleged crime.

Between 1 August 1942 and 14 December 1944.
Puerto Princesa, Palawan, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929,
Article 2.

SHORT STATEMENT OF FACTS.

Captain Kishamoto ordered that no fruits or coconuts were to be picked by the prisoners in and around the compound. Bigelow and Farmer were seen picking a papaya from a tree in the compound. As punishment for this, Nishitoni, struck each man with an iron bar, breaking their left arms, and then beat them about the buttocks with the iron. The beatings were condoned by Accused No. 1.

Victims: Sergeant Bigelow, USMC.
Private First Class Farmer.

Source: War Crimes Office, Washington, (Case No. 47-6).

TRANSMITTED BY

*Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) Wt.P.1183/17 5,000 10/45

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORTWITNESSES AND EVIDENCE.

1. Douglas W. Bouge.
Signed and Sworn Statement. Eyewitness.
2. Glen W. Mc Dole.
Signed and Sworn joint statement with witness Bouge. Saw the arms broken and the beating which followed. Did not see the victims pick the papaya.
3. Fern J. Barta. 312 S. 4th East St., Salt Lake City, Utah.
Signed and Sworn Statement. Was told about the incident and saw the victims after the beating.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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I. KISHAMOTO

4 2.

Date Submitted

Decision of Committee I

7 MAR 1946

Both A

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21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 308 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Captain KISHAMOTO, Japanese Army.
2. NISHITONI, Japanese Army, first name and rank unknown.

Both stationed at Puerto Princesa, Palawan, Philippine Islands, during time of offense.

Date and place of commission of alleged crime.

Between March 1943 and December 1944.
Puerto Princesa, Palawan, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Bingham complained to Nishitoni about the quality of the food, and Nishitoni threw boiling tea at him, inflicting third degree burns on his feet. Bingham received no medical attention for the burns. Accused No. 1 condoned this kind of treatment on the part of his subordinates.

Victim: Bingham, USN.

Source: War Crimes Office, Washington, (Case No.47-7).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESSES AND EVIDENCE.

1. Douglas W. Bouge.
Signed and Sworn Statement. Eyewitness.
2. Glen W. Mc Dole.
Joint Signed and Sworn Statement with above witness Bouge.
3. Extract copy of State Department protest of this incident.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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I. KISHAMOTO

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Registered Number.

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21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 309 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Captain KISHAMOTO, Japanese Army.
2. Sergeant Major TOMIOKO, Japanese Army, nicknamed by prisoners "The Bull".

Both stationed at Puerto Princesa, Palawan, Philippine Islands in December 1942.

Date and place of commission of alleged crime.

December 1942.
Puerto Princesa, Palawan, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

In December 1942, the Japanese discovered that the victims had stolen some corned beef. The victims were forced to stand with their arms around coconut trees while they were beaten with a small iron wire whip and a pole. After the beating at the trees, Tomioko forced the men to stand at attention while he beat them with a pole. The six men were later sent to Manila for trial. Accused No. 1 condoned brutality on the part of his subordinates.

Victims: Jack Taylor, James Barna, Robert Bacon, USMC.
Yoder, Freeman, Laidlow, USN.

Source: War Crimes Office, Washington, (Case No. 47-21).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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Page 2

PARTICULARS OF ALLEGED CRIME

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-3-
PARTICULARS OF EVIDENCE IN SUPPORT

WITNESSES AND EVIDENCE.

1. Douglas W. Bouge.
Signed and Sworn Statement.
2. Glen W. Mc Dole,
Signed and Sworn Statement. Eyewitness. Joint Statement with above witness Bouge. States that three of the victims were beaten because they had talked to a Filipino, and the others because they had stolen corned beef.
3. Fern J. Barta., 312 S. 4th St. East, Salt Lake City, Utah.
Corroborates above witnesses.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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I. KISHAMOTO

4 2.

Date Submitted

Decision of Committee I

7 MAR 1946

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Date of receipt in Secretariat.

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21 FEB 1948

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS

WAR CRIMINALS

CASE No. 310 J

*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Captain KISHAMOTO, Japanese Army.
2. ITO, Japanese Army, first name and rank unknown.

Both stationed at Puerto Princesa, Palawan, Philippine Islands at time of offense.

Date and place of commission of alleged crime.

3 and 4 February 1943.
Puerto Princesa, Palawan, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Prisoners of War Convention 1929,
Articles 2, 46, 47, 50 and 54.

SHORT STATEMENT OF FACTS.

On the night of 2 February Schloat and other Prisoners of War escaped from the Puerto Princesa camp and Schloat was recaptured the following morning. Taken back to the camp, Schloat was questioned about the others who escaped. During the questioning, which lasted for two days, Schloat was beaten and thrown to the floor several times, by Accused No.2, suffering cuts and bruises on the face and body. Accused No.1 condoned brutalities on the part of his subordinates.

Victim: Don T. Schloat.

Source: War Crimes Office, Washington, (Case No. 47-25).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(20655) W.P.252/4 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) W.C.P.1153/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Don T. Schloat. 2650 W. Pico Blvd., Los Angeles, Calif.
Signed and Sworn Statement. Victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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P.260/US/J/221

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I. HOMMA

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Date Submitted	Decision of Committee I		CARDS CHECKED
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(For the Use of the Secretariat)

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Registered Number.

Date of receipt in Secretariat.

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21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 311 J. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. General Masaharu HONMA, Supreme Commander of Japanese Forces
in Philippine Islands.
2. Colonel SAITO, Japanese Army, Commandant of Santiago Prison,
Manila, Philippine Islands.

Date and place of commission of alleged crime.

3 January 1942 to 3 May 1943.
Santiago Prison, Manila, Philippine Islands.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

~~Ill treatment of Prisoners of War.~~
Torture of civilians; internment of civilians under inhuman conditions.
 Breach of the Geneva Prisoners of War Convention 1929,
 Articles 2, 10 and 11.

SHORT STATEMENT OF FACTS.

Source: War Crimes Office, Washington, (Case No. 40-71).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

On 3 January 1942, Roy C. Bennett, Manager of the "Manila Bulletin" was arrested at Manila, Philippine Islands. For three months (approximate) he was held at the University of the Philippines, Villamor Hall for questioning about articles which he had written against Japan. For the succeeding 389 days he was imprisoned in Santiago Prison and there mistreated. He was kept in a barren cell with 15 other men. The cell was 12' x 13' in size, having no bedding or furniture. Only sanitation facilities was a box overturned over a hole in the floor. He was forced to sit on the floor day after day. The food given consisted of one **serving** of rice daily, an occasional smattering of sweet potato top, stale fish or poor scraps. No shaving or bathing facilities were provided, and he was not permitted to have word of the welfare of his family. His personal belongings, including eye glasses were taken from him and he lost weight from 160 lbs. to 90 lbs. His after physical condition and appearance evinced considerable physical abuse. In view of the length of principal victim's confinement, Accused No. 1 must be presumed to have had knowledge of and sanctioned the treatment accorded this and other victims in like circumstances.

Victims: Roy C. Bennett, Manila, Philippine Islands (Manager of the Manila Bulletin), and 15 unnamed persons, 2 of whom might possibly be Theo Rogers and McCulloch Dick, both of whom are believed to have been newspaper publishers of Manila, Philippine Islands

PARTICULARS OF EVIDENCE IN SUPPORT

1. Roy C. Bennett, civilian. Manila, Philippine Islands.
Newspaper article by victim. This victim is Manager of Manila Tribune. His newspaper statement deals with general conditions as well as some general acts of mistreatment accorded him.
2. Charles W. Folsom, Lt. Col., M.C. 1205 Douglas Road, Miami, Fla.
Copy of signed and sworn affidavit. Reports that Bennett's mistreatment consisted of being chained to cell floor, below water level, under unsanitary conditions.
3. Michael Joseph O'Hara. 1632 Dartford Road, Burkleigh Manor, Essex, Md.
Signed and Sworn Statement. Reports he was told by Bennett of his mistreatment and loss of weight from 160 lbs. to 90 lbs.
4. Marie Adams, Field Director, ARC. 517 W. 8th St., Aberdeen, Wash.
Saw victim when he was brought to Santo Tomas after release from Santiago, and described his condition as follows: Appeared about 85 years old (though age about 50), suffering from ber-beri, symptoms of dysentery, strikingly pale, and his skin drawn tightly over his bones. His abdomen distended horribly.
5. Anna Eleanor Willaims, 1st Lt., ANC, Ser. No. N-703407. 1324 N. 15 St. Harrisburg, Penna.
Signed and Sworn Statement.
Nursed at Santo Tomas. Saw Theo Rogers and McCulloch Dick at Philippine General Hospital, Manila, and observed their condition. Does not mention the name of Bennett.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Propositor

P.261/US/J/222

1784 ~~1785~~

1. Commanding Officer, Fort Santiago
to 3.

Date Submitted

Decision of Committee I

7 MAR 1946

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CARDS CHECKED

P.261/US/J/222

(For the Use of the Secretariat)

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Date of receipt in Secretariat.

P.261/US/J/222

1 FEB 1948

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
 CHARGES AGAINST WAR CRIMINALS

CASE No. 312 J *

Name of accused, his rank and unit, or official position.	1. Commanding Officer, Japanese Army, of Fort Santiago, Philippine Islands, during January and February 1945. 2. Japanese Officers, Japanese Army, names and ranks unknown. 3. Japanese Soldiers, Japanese Army, names and ranks unknown.
(Not to be translated.)	
Date and place of commission of alleged crime.	Exact dates unknown - prior to February 24, 1945. Fort Santiago, Philippine Islands.
Number and description of crime in war crimes list.	a. Murder. b. Ill-treatment of Prisoners of War.
References to relevant provisions of national law.	a. Breach of the Laws and Customs of War. b. Breach of the Geneva Prisoners of War Convention 1929.

SHORT STATEMENT OF FACTS.

Shortly after a United States Infantry Regiment's attack on February 23 - 24, 1945, at Fort Santiago, 50 bodies were found piled in a room measuring 12 feet by 15 feet, the bodies showing evidence of starvation or extreme malnutrition and of having been repeatedly shot in the back. Their hands had been tied behind them. In a near-by stone building 15 feet square, 40 additional bodies were found. In another dungeon having stone walls five feet thick with steel doors seven feet high, and with its only window boarded from the inside and rocks piled against the outside, the starved bodies of nearly 300 men and women were found. The bodies were in a cage having iron bars, the cage measuring 15 feet by 18 feet.

Victims: Unidentified Prisoners of War numbering approximately four hundred persons.

Source: War Crimes Office, Washington, (Case No.40-151).

TRANSMITTED BY _____

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

0070

Page 2

1786 ~~1781~~

PARTICULARS OF ALLEGED CRIME

Ref 779 8

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESSES AND EVIDENCE.

1. War Department, Bureau of Public Relations, Press Branch, Release of April 17, 1945, entitled "Statement on Japanese Atrocities in Manila".
2. The New York Times, Item published 18 April 1945.
3. The New York Times, Item published 2 April 1945.

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESSES AND EVIDENCE.

1. War Department, Bureau of Public Relations, Press Branch, Release of April 17, 1945, entitled "Statement on Japanese Atrocities in Manila".
2. The New York Times, Item published 18 April 1945.
3. The New York Times, Item published 2 April 1945.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P.262/US/J/223

1789 ~~1794~~

I. NAGAHAMA

to 4.

Date Submitted

Decision of Committee I

7 MAR 1946

1-3: S
4: C

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CARDS CHECKER

(For the Use of the Secretariat)

1790 ~~1795~~

Registered Number.

Date of receipt in Secretariat.

P. 262/US/J/223

21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 313 J

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Colonel Akira NAGAHAMA, Japanese Army.
2. Colonel Jiro SAITO, Japanese Army.
3. Lt. KAKODA, Japanese Army.
4. Japanese Soldiers, names and ranks unknown.

At various times during the period in question, one or another of Accused Nos. 1, 2 and 3 was in Command of the Japanese Military Police at Fort Santiago, Philippine Islands.

Date and place of commission of alleged crime.

Sometime during October and November 1943.
Fort Santiago, Philippine Islands.

Number and description of crime in war crimes list.

- a. Torture of Civilians.
- b. Ill-treatment of Civilian Internees.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929.

SHORT STATEMENT OF FACTS.

Source: War Crimes Office, Washington, (Case No. 40-365).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) W.P. 2524 5,000 5/45 A. & E. W. Ltd. Gp. 685
(30449) W.C.P. 1183.17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

Sometime about October 1943, victim was arrested by the Japanese and taken to Fort Santiago where the first day she was questioned about eight hours. During this questioning, whenever her interrogators, Japanese Military Police, misunderstood her answers, she was slapped. She was placed in a cell that night, and the following morning again questioned, after which she was made to kneel on a bamboo rack, about 18 inches high and 2 or 3 feet square. The top of the rack was made of sharp edged slats. This treatment cut her legs, causing infection and blood poisoning. She was also whipped with a leather belt while so kneeling. This occurred several times. The cell in which she was placed was about 5 feet wide and about 8 feet long and 6 feet high, in which were also confined 7 other women. They gave her about a teacup saucer of boiled rice, sometimes twice a day, sometimes 3 times a day. For four days of her confinement she was placed in solitary confinement and fed only rice, but given no water. Victim suffered a nervous breakdown and a badly infected leg. Victim was released after 30 days.

Victim: Margaret M. Utinsky.

PARTICULARS OF EVIDENCE IN SUPPORTWITNESSES AND EVIDENCE.

1. Alfred C. Oliver, Jr., Col. ChC, US Army, No. O-9678. 1220 Flora, S.W.
Washington, D.C.
Statement indicates that victim helped smuggle food, medical supplies,
money and letters into Cabanatuan Camp No.1, where this witness was
confined between 2 June 1942 and 30 January 1945. Does not disclose
more definite date. States victim "later" became guerilla Lieutenant.
2. Margaret M. Utinsky. 1220 Flora, S.W., c/o Colonel Alfred C. Oliver,
Washington, D.C.
Signed and Sworn Statement. This witness is the victim. Testimony
substantially as indicated herein.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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1794

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I. NAGAHAMA

to 4.

Date Submitted	Decision of Committee I	3	CARDS CHECKED
7 MAR 1946	1-3-S 4-C		

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(For the Use of the Secretariat)

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Registered Number.

Date of receipt in Secretariat.

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21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 314 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Colonel Akira NAGAHAMA, Japanese Army.
2. Colonel Jiro SAITO, Japanese Army.
3. Lt. KAKODA, Japanese Army.
4. Japanese Soldiers, names and ranks unknown.

At various times during the period in question, one or another of Accused Nos. 1, 2 and 3 was in Command of the Japanese Military Police at Fort Santiago, Philippine Islands.

Date and place of commission of alleged crime.

Between 7 January 1942 and 11 January 1942.
Fort Santiago, Manila, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Civilian Internees.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929.

SHORT STATEMENT OF FACTS.

Source: War Crimes Office, Washington, (Case No.40-555).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.2524 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) Wt.P.1183.17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

On 7 January 1942 James Paul Howard was taken by the Japanese to Fort Santiago and there held as an internee until 11 January 1942. The mistreatment accorded him by the Japanese Military Police is described by him as follows: His hands were tied behind his back and his ankles tied together with wet rope. Then his hands and feet were tied together, pulling his feet as far up toward his back as possible. In this condition, he was placed in a cell along with between 12 and 18 others, (None of whom are identified) until he was released on 11 January 1942. His wrist was broken as a result of being tied in above fashion, and the ropes cut into his arms. He bears scars therefrom. His food consisted of a glass of water and one rice ball once daily. He was compelled to silence. A like treatment was accorded the other men in his cell, many of whom were beaten with rubber mallets, sword scabbards, blackjacks, and gun butts. No medical attention was given.

Victims: James Paul Howard, and other unidentified United States Internees.

PARTICULARS OF ALLEGED CRIME

On 7 January 1942 James Paul Howard was taken by the Japanese to Fort Santiago and there held as an internee until 11 January 1942. The mistreatment accorded him by the Japanese Military Police is described by him as follows: His hands were tied behind his back and his ankles tied together with wet rope. Then his hands and feet were tied together, pulling his feet as far up toward his back as possible. In this condition, he was placed in a cell along with between 12 and 18 others, (None of whom are identified) until he was released on 11 January 1942. His wrist was broken as a result of being tied in above fashion, and the ropes cut into his arms. He bears scars therefrom. His food consisted of a glass of water and one rice ball once daily. He was compelled to silence. A like treatment was accorded the other men in his cell, many of whom were beaten with rubber mallets, sword scabbards, blackjacks, and gun butts. No medical attention was given.

Victims: James Paul Howard, and other unidentified United States Internees.

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. James Paul Howard, 1119 North 3rd St., Temple, Texas.
Signed and Sworn Statement. This witness is victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Witness describes the Chief of Japanese Military Police as follows: A Lieutenant Colonel, about 50 years of age, wearing shell-rimmed glasses. Had a long face. Weight about 150 lbs. Height about 5 feet 8 or 9 inches. He further states his picture appeared 2 or 3 times weekly in the Manila Tribune and also appeared several times in a publication called the "Military Journal".

Witness describes the assistant (or adjutant) as follows: Very large, weight about 200 lbs. Height 6 feet. About 30 years of age. Round face; large neck. Does not wear glasses. This witness believed this person to be half Japanese and half Formosan.

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I. NAGAHAMA
to 4.

Date Submitted

Decision of Committee I

7 MAR 1946

1-3: S
4: C

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CARDS CHECKED

P.264/US/T/225

(For the Use of the Secretariat)

Registered Number.

Date of receipt in Secretariat.

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21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 315 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Colonel Akira NAGAHAMA, Japanese Army.

2. Colonel Jiro SAITO, Japanese Army.

3. Lt. KAKODA, Japanese Army.

4. Japanese soldiers, names and ranks unknown.

At various times during the period in question, one or another of Accused Nos. 1, 2 and 3 was in Command of the Japanese Military Police at Fort Santiago, Philippine Islands.

Date and place of commission of alleged crime.

Between April 1942 and 20 June 1942.

Fort Santiago, Manila, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of civilian internees.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929.

SHORT STATEMENT OF FACTS.

During the period of imprisonment of victim, between about 11 April 1942 and about 20 June 1942, at Fort Santiago, Manila, Philippine Islands, he was beaten several times, slapped vigorously across the face, beaten with a sword still in its scabbard across the back and shoulders, and with a board across the kidneys. He was also forced to kneel on an open sharp-edged grocery box, for one-half hour with his bare shins in contact with the wood, which produced great pain. On another occasion, he was forced to kneel with his feet thrust straight out behind him, causing him great pain. Japanese Military Police at this Fort perpetrated these cruelties.

Victim: Joseph Garrick Eisenberg.

Source: War Crimes Office, Washington, (Case No. 40-818).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF ALLEGED CRIME

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1802 ~~1807~~

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Joseph Garrick Eisenberg. 2391 Davidson Ave., Bronx, N.Y., N.Y.
Statement. This witness is victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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1804 ~~1888~~

I. NAGAHAMA
to 4.

Date Submitted

Decision of Committee I

7 MAR 1946

1-3: S
4: C

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(For the Use of the Secretariat)

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Registered Number.

Date of receipt in Secretariat.

P.265/US/J/226

21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 316 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. ✓ Colonel Akira NAGAHAMA, Japanese Army.
 2. ✓ Colonel Jiro SAITO, Japanese Army.
 3. ✓ Lt. KAKODA, Japanese Army.
 4. Japanese soldiers, names and ranks unknown.
- At various times during the period in question, one or another of Accused Nos. 1, 2, and 3 was in Command of the Japanese Military Police at Fort Santiago, Philippine Islands.

Date and place of commission of alleged crime.

Between 5 April 1943 and 23 April 1943.
Fort Santiago, Manila, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929,
Article 2.

SHORT STATEMENT OF FACTS.

Source: War Crimes Office, Washington, (Case No.40-875).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

On 5 April 1943, victim was taken as a prisoner of war to the Japanese Military Police Headquarters at Fort Santiago, Manila, Philippine Islands, where he was imprisoned with seventeen unidentified Filipino prisoners in a cell about ten feet square, having no lights, no toilet facilities, no outside openings and only one air vent about eight inches square. He was given no food until the second day and then only a watery gruel of rice water and refuse from the guards' meal served in a wooden trough on the door twice a day. During the period of his imprisonment at Fort Santiago, victim was taken on three different occasions to an "interrogation room" for questioning by the Japanese Military Police, during the course of which questioning he was subjected to progressive degrees of physical punishment. During the first questioning, on 8 April 1943, he was slapped in the face and a lighted cigarette was extinguished on his bare chest. Following this ordeal, he was confined in solitary in a camp cell and required to sleep on a damp floor. During the second questioning which followed the first by about two days, he was slapped and beaten with fists in the face, kicked about the face and body, placed under a battery of lamps, and given the "water cure" three times interspersed with further slapping and beating. During the third questioning, victim was again slapped and beaten with fists, and suspended from the ceiling by his thumbs for about three hours. He was then lowered, revived, questioned again, and again suspended by his thumbs for about three hours. Victim was suspended twenty-four times by his thumbs on this third occasion, with his hands bound alternately in front and behind. On the twenty-third and twenty-fourth suspension, water was permitted to drop on his forehead at intervals of about five seconds for a period of about three hours. Victim was released on 23 April 1943 and delivered to Bilibid Prison, Manila. Before being released he signed, under threat of continued torture, a statement to the effect that he had not been afforded any inhumane treatment.

Victim: Miles A. Taulbee, 2nd Lt., ASN, O-2007806.

PARTICULARS OF ALLEGED CRIME

On 5 April 1943, victim was taken as a prisoner of war to the Japanese Military Police Headquarters at Fort Santiago, Manila, Philippine Islands, where he was imprisoned with seventeen unidentified Filipino prisoners in a cell about ten feet square, having no lights, no toilet facilities, no outside openings and only one air vent about eight inches square. He was given no food until the second day and then only a watery gruel of rice water and refuse from the guards' meal served in a wooden trough on the door twice a day. During the period of his imprisonment at Fort Santiago, victim was taken on three different occasions to an "interrogation room" for questioning by the Japanese Military Police, during the course of which questioning he was subjected to progressive degrees of physical punishment. During the first questioning, on 8 April 1943, he was slapped in the face and a lighted cigarette was extinguished on his bare chest. Following this ordeal, he was confined in solitary in a camp cell and required to sleep on a damp floor. During the second questioning which followed the first by about two days, he was slapped and beaten with fists in the face, kicked about the face and body, placed under a battery of lamps, and given the "water cure" three times interspersed with further slapping and beating. During the third questioning, victim was again slapped and beaten with fists, and suspended from the ceiling by his thumbs for about three hours. He was then lowered, revived, questioned again, and again suspended by his thumbs for about three hours. Victim was suspended twenty-four times by his thumbs on this third occasion, with his hands bound alternately in front and behind. On the twenty-third and twenty-fourth suspension, water was permitted to drop on his forehead at intervals of about five seconds for a period of about three hours. Victim was released on 23 April 1943 and delivered to Bilibid Prison, Manila. Before being released he signed, under threat of continued torture, a statement to the effect that he had not been afforded any inhumane treatment.

Victim: Miles A. Taulbee, 2nd Lt., ASN, O-2007806.

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Miles A. Taulbee, 2nd Lt. ASN O-2007806, 1319 Coal Ave., Albuquerque, N.M.
Signed and Sworn Statement. This witness is victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

MISSING

REGISTERED

NOS.

227

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1809 . ~~1814~~

I. NAGAHAMA

To 4.

Date Submitted

Decision of Committee I

7 MAR 1948

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CARDS CHECKED

P.267/US/J/228

(For the Use of the Secretariat)

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Registered Number.

Date of receipt in Secretariat.

P. 267/US/J/228

21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 318 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Colonel Akira NAGAHAMA, Japanese Army.

2. Colonel Jiro SAITO, Japanese Army.

3. Lt. KAKODA, Japanese Army.

4. Japanese Officers, names and ranks unknown.

At various times during the period in question, one or another of Accused Nos. 1, 2 and 3 was in Command of the Japanese Military Police at Fort Santiago, Philippine Islands.

Date and place of commission of alleged crime.

August 1942.

Fort Santiago, Manila, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Civilian Internees.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929.

SHORT STATEMENT OF FACTS.

During August 1942, victim was beaten on several occasions by Japanese officers at Fort Santiago. On one occasion, he was severely beaten by Japanese Military Police Officers using their fists. On another occasion, victim was subjected to the water cure.

Victim: Mr. Rodriguez (former governor of Rizal Province, Philippine Islands).

Source: War Crimes Office, Washington, (Case No. 40-1043).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(20653) Wt.P.258/4 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) Wt.P.1183.17 5,000 10/45

1811

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Ralph Moritz Conrad. 3741 Woodruff Ave., Oakland, Calif.
Signed and Sworn Statement. Eyewitness to the cruelties.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P.268/US/J/229

1814 ~~1818~~

TOYOURA

Date Submitted

Decision of Committee I

7 MAR 1946

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B

CARDS CHECKED

P.268/US/J/229

(For the Use of the Secretariat)

1815 ~~1820~~

Registered Number.

Date of receipt in Secretariat.

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21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 319 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Mr TOYOURA (member of Japanese Police at Fort Santiago, Philippine Islands).

Date and place of commission of alleged crime.

October or November 1943.
Fort Santiago, Manila, Philippine Islands.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

a. Ill-treatment of civilian internees.
b. Torture of civilians.
a. Breach of the Geneva Prisoners of War Convention 1929.
b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

In October or November 1943, victim was arrested and questioned by the Accused concerning the placing of a microphone in a Mr. Berg's home. Victim was incarcerated in a small room at Fort Santiago with 15 other prisoners, all of whom were required to sit on the floor with hands on their knees for two days, during which time complete silence was compelled. No food was given victim the first day, and only a handful of rice the second day. On the third day, victim was forced to witness the "water cure" administered by the Japanese to a Filipino, following which victim was again questioned by Accused. During the course of this questioning, Accused burned the back of victim's head with a lighted cigar, the scar from which remains. Victim was released on the third day upon condition that he spy on his neighbors.

Victim: Manuel Herman.

Source: War Crimes Office, Washington, (Case No. 40-1117).
TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.258/4 5,000 5/45 A.& E. W.Ltd. Gp.685
(30449) Wt.P.1183/17 5,000 10/45

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1816 ~~1884~~

PARTICULARS OF ALLEGED CRIME

Victim
was
killed
by
a
bullet
from
a
gun

Victim

is :scr

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Manuel Herman 4850 Winthrop, Chicago, Ill.
Signed and Sworn Statement. This witness is victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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1819 ~~1824~~

I. NAGAHAMA

to 4.

Date Submitted

Decision of Committee I

7 MAR 1946

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4: A



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Registered Number.

Date of receipt in Secretariat.

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21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 320 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Colonel Akira NAGAHAMA, Japanese Army.
2. Colonel Jiro SAITO, Japanese Army.
3. Lt. KAKODA, Japanese Army.
4. KOBAYASHI, an Official at Fort Santiago at time of offense.
At various times during the period in question, one or another of Accused Nos. 1, 2 and 3 was in Command of the Japanese Military Police at Fort Santiago, Philippine Islands.

Date and place of commission of alleged crime.

February 1944.
Fort Santiago, Manila, Philippine Islands.

Number and description of crime in war crimes list.

- a. Ill-treatment of Civilian Internee.
- b. Torture of Civilians.

References to relevant provisions of national law.

- a. Breach of the Laws and Customs of War.
- b. Breach of the Geneva Prisoners of War Convention 1929.

SHORT STATEMENT OF FACTS.

About 6 February 1944, victim was arrested by the Japanese Military Police at Fort Santiago (individuals unidentified) and incarcerated at Fort Santiago. She was held one week before being first questioned, during which week her only food was a small saucer full of stale rice three times daily. Victim was questioned three times during the approximate one month of her confinement. During the first questioning she was compelled to kneel on two narrow boards for about 6½ hours. At the second questioning she was beaten between the shoulders and hips with a leg of a chair, and also slapped in the face. At the third questioning she was burned on the arms and back in three places with lighted cigarettes. As a result of the mistreatment, victim lost thirty-two pounds weight, suffered black and blue marks and a swollen face from the beatings.

Victim: Mabel June Heise.

Source: War Crimes Office, Washington, (Case No. 40-1128).
TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORTWITNESS AND EVIDENCE.

1. Mabel June Heise. 486, Bldg. 60 Candlestick Ave., San Francisco, Calif. Signed and Sworn Statement. This witness is victim. Victim states that most of the beatings and burnings administered her were by a Japanese investigator in civilian clothes (otherwise unidentified). According to victim, Kobayashi, first name and rank unknown, was a "big shot" to whom all the Japanese bowed, but she does not state that he was the commandant at Fort Santiago during the time herein. Kobayashi was present during some of the interrogation and mistreatment of victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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P.270/us/5/231

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YOSHIKOSHI

Date Submitted

Decision of Committee I

7 MAR 1946

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CARDS CHECKED

P.270/us/5/231

(For the Use of the Secretariat)

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Registered Number.

Date of receipt in Secretariat.

P.270/US/J/231

21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 321 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Lt. YOSHIKOSHI, Japanese Army, Camp Commandant, stationed at Nielson Field, Philippine Islands between March and October 1943, (nicknamed by prisoners "Mickey Mouse").

Date and place of commission of alleged crime.

Between March and October 1943.
Nielson Field, Philippine Islands.

Number and description of crime in war crimes list.

Employment of prisoners of war on unauthorized works.

References to relevant provisions of national law.

a. Breach of the Geneva Prisoners of War Convention.
b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

The victims were required to do manual labor from 7:00 a.m. to 7:00 p.m. daily including pick and shovel work, handling of gasoline, bombs and ammunition. Accused was in charge of this camp during the time the offenses occurred and is responsible.

Victims: Edwin Charles Raynor T/Sgt, A.S.N. 6669263.
1440 West Fourth Ave.
Gary, Indiana
and Three hundred unidentified United States prisoners of war.

Source: War Crimes Office, Washington, (Case No. 40-389).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) W.L.P. 252 4 5,000 5/45 A. & B. W.Ltd. Gp. 685
(30449) W.L.P. 1183 17 5,000 10/45

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

P.271/US/J/232

1829 ~~1834~~

1. YOSHIKOSHI

a 2.

Date Submitted

Decision of Committee I

7 MAR 1946

Both A



CARDS CHECKED

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Registered Number.

Date of receipt in Secretariat.

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21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
 CHARGES AGAINST WAR CRIMINALS

CASE No. 322 J *

Name of accused, his rank and unit, or official position.
 (Not to be translated.)

1. Lt. YOSHIKOSHI, Japanese Army, Camp Commandant, nicknamed by prisoners "Mickey Mouse".
 2. Shino ZAKISAN, Three Star Private, Japanese Army.

Both stationed at Nielson Field, Philippine Islands in August 1943.

Date and place of commission of alleged crime.

August 1943.
 Nielson Field, Philippine Islands,

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Fifteen United States Prisoners of War were putting on a show and singing in barracks. Accused No. 2 took them out and beat them severely, in front of the Camp Commander, Accused No. 1.

Source: War Crimes Office, Washington (Case No. 40-409).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. T/Sgt. Edwin C. Raynor, 1440 West 4 Ave., Gary, Indiana
Signed and Sworn Statement. Eyewitness.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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1834

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I. TAGASTA

to 6.

Date Submitted

Decision of Committee I

7 MAR 1946

1-6: A

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CARDS CHECKED

(For the Use of the Secretariat)

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Registered Number.

Date of receipt in Secretariat.

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1 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST JAPANESE WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 323 J *

<p>Name of accused, his rank and unit, or official position. <i>(Not to be translated.)</i></p>	<ol style="list-style-type: none"> 1. TAGASTA (TAKISA or AGAYSTA) Warrant Officer Japanese Army, Commander of Camp. 2. Corporal NAGAYAMA, Japanese Army, Assistant to Camp Commander. 3. Corporal YOKAMOTO, Japanese Army, Assistant to Camp Commander. 4. NAGRIMURI, an Official of this camp (nicknamed by prisoners "Hog Jaws") 5. Tony MARRO, interpreter at this camp. 6. FUKOYOKO, interpreter at this camp.
<p>Date and place of commission of alleged crime.</p>	<p>December 1942 to September 1944. Lipa Airfield, Batangas Province, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<ol style="list-style-type: none"> a. Ill-treatment of Prisoners of War. b. Employment of Prisoners of War on unauthorized works. c. Forced labor of civilians on unauthorized works. <ol style="list-style-type: none"> a. Breach of the Geneva Prisoners of War Convention 1929. b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

7 civilian internees
 Prisoners of War were compelled to work on the airfield at Lipa. The food ration was always inadequate. Frequent beatings and torture were inflicted upon the prisoners. The food ration was reduced and Red Cross packages were confiscated because of the escape of two men in January 1944.
All the accused have taken part in these crimes.
 Victim: Between 500 and 600 United States Prisoners of War.

Source: War Crimes Office, Washington, (Case No. 41-29).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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(30449) W.P.1183 17 5,000 10/45

PARTICULARS OF EVIDENCE IN SUPPORTWITNESSES AND EVIDENCE.

1. Philip K. Strong. Box 75, Laurens, N.Y.
Signed and Sworn Statement. Victim; forced to work on the airfield.
2. Zoeth Skinner.
Victim. Worked on airfield.
3. Howard D. Wilkinson. 314 14th St., Sioux City, Iowa.
Signed and Sworn Statement. Witnessed torture and beating.
4. Ordean B. Kittleson. 49 E. George St., St. Paul, Minn.
Signed and Sworn Statement. Witnessed beatings of about 500 prisoners between January 1943 and March 1944.
5. Ernest T. Field. Reedsville, W. Va.
Signed and Sworn Statement. Worked on airfield.
6. Frank N. Curtis. 426 Whatton Ave., San Antonio, Texas.
Signed and Sworn Statement. Prisoners were forced to work on the airfield.
7. Sister Mary of Saint Dominica. Good Shepherd Convent, Philadelphia, Pa.
Signed and Sworn Statement.
8. John H. Bailey. 1726 Mc Cullough St., Pittsburgh, Pa.
Signed and Sworn Statement. Victim. Red Cross boxes confiscated after escape of two prisoners in January 1944.
9. Karl Dancak. c/o 690 Market St, San Francisco, Calif.
Signed and Sworn Statement. Civilian internee. Forced to work on the airfield.
10. Charles J. Graboski. 1319 W. Roosevelt Blvd, Philadelphia, Pa.
Signed and Sworn Statement. Forced to work on the airfield; inadequate food.
11. James P. Hall. Box 146, Jonesboro, N. Carolina.
Signed and Sworn Statement. Worked on the airfield.
12. Ordean B. Kittleson. 49 E. George St., St. Paul, Minn.
Worked on the airstrip.
13. William F. Schoeffler.
States that the prisoners were taken by forced draft as labores from Cabanatuan.
14. Anthony J. Petrich. Box 488, Chilsholm, Minn.
Signed and Sworn Statement. Confiscation of Red Cross packages because of the escape of 2 men in December 1943. Beatings for failure to complete a prescribed amount of work. Forced to work on the airfield. Inadequate food from December 1943 to March 1944.
15. Faustin Salazar. Sapello, New Mexico.
Signed and Sworn Statement. Worked on the airfield.
16. Odell C. Paul. 314 S. Thomas, Atlanta, Ga.
Signed and Sworn Statement. Victim of group punishment. Rations reduced for 14 days in January 1944 because of the escape of 2 men.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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P.273/US/J/234

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ITCHI MARO

Date Submitted	Decision of Committee I		CARDS CHECKED
7 MAR 1946	Adjourn	B	
14 MAR 1946	A	B	

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(For the Use of the Secretariat)

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Registered Number.

Date of receipt in Secretariat.

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21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 324 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Captain ITCHI MARO, Japanese Army, stationed at Camp 10B, Lipa, Luzon, Philippine Islands, April 1944.

Date and place of commission of alleged crime.

April 1944.
Camp 10B, Lipa, Luzon, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Captain Itchi Maro informed Lt. Derricks that he and his men did not work hard enough and beat him on the face with his fists.

Victim: Lt. Derricks.

Source: War Crimes Office, Washington, (Case No. 41-44).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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(30449) WLP.1183/17 5,000 10/45

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Date of receipt in Secretariat.

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21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 324 J *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Captain ITCHI MARO, Japanese Army, stationed at Camp 10B, Lipa, Luzon, Philippine Islands, April 1944.</p>
<p>Date and place of commission of alleged crime.</p>	<p>April 1944. Camp 10B, Lipa, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War.</p> <p>Breach of the Geneva Prisoners of War Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

Captain Itchi Maro informed Lt. Derricks that he and his men did not work hard enough and beat him on the face with his fists.

Victim: Lt. Derricks.

Source: War Crimes Office, Washington, (Case No. 41-44).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Howard D. Wilkinson, 314 14th St., Sioux City, Iowa.
Signed and Sworn Statement. Eyewitness.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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1844 ~~1848~~

I. MATSUNAGA

to 3.

Date Submitted	Decision of Committee I		CARDS CHECKED
7 MAR 1948	1-3 : A	B	

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS.
WAR CRIMINALS

CHARGES AGAINST

CASE No. 325 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Lt. Col. MATSUNAGA, Japanese Army, Commander of this camp.
2. Captain OIDA, Japanese Military Police.
3. Lt. SUZUKI, Japanese Army.

All stationed at Tacloban, Leyte, Philippine Islands, in July 1942.

Date and place of commission of alleged crime.

July 1942.
Tacloban, Leyte, Philippine Islands.

Number and description of crime in war crimes list.

- a. Murder.
- b. Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

- a. Breach of the Laws and Customs of War.
- b. Breach of the Geneva Prisoners of War Convention, 1929.

SHORT STATEMENT OF FACTS.

Source: War Crimes Office, Washington, (Case No. 42-1).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29665) WLP.2524 5,000 5/45 A. & E. W. Ltd. Gp. 685
(30449) WLP.1183 17 5,000 10/45

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Registered Number.

Date of receipt in Secretariat.

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21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS.
WAR CRIMINALS

CHARGES AGAINST

CASE No. 325 J *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Lt. Col. MATSUNAGA, Japanese Army, Commander of this camp. 2. Captain OIDA, Japanese Military Police. 3. Lt. SUZUKI, Japanese Army.</p> <p>All stationed at Tacloban, Leyte, Philippine Islands, in July 1942.</p>
<p>Date and place of commission of alleged crime.</p>	<p>July 1942. Tacloban, Leyte, Philippine Islands.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>a. Murder. b. Ill-treatment of Prisoners of War.</p> <p>a. Breach of the Laws and Customs of War. b. Breach of the Geneva Prisoners of War Convention, 1929.</p>

SHORT STATEMENT OF FACTS.

Source: War Crimes Office, Washington, (Case No. 42-1).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Lt. Bullock was interned at Leyte High School. In early June 1942 he decided to try to escape, and hid under the schoolhouse to await an opportunity to evade the guards. However, he decided to abandon this plan and returned to his quarters inside the school. The Japanese somehow learned that someone had planned to escape, but did not know who. All the prisoners were taken to Tacloban for questioning. When Lt. Bullock learned that the other prisoners were being beaten as a means of obtaining information as to which one of them was planning to escape, he admitted that he was the one. He was then placed in solitary confinement and about ten days later rejoined the other prisoners. Nothing further happened until early July when the Japanese took Bullock away, telling the other prisoners that Bullock was to be executed because he was still thinking about escaping. When the guards returned to the camp they stated that they had executed Bullock. On the following day, Filipinos who claimed to have witnessed the execution reported that Bullock was required to kneel beside an open grave and was then beheaded. Accused No 1 was Commander of the Camp and responsible for the beatings and the execution. Accused Nos. 2 and 3 participated in the questioning and beating of the prisoners as well as the reported execution of the victim.

Victim: Lt. James J. Bullock, USN

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESSES AND EVIDENCE.

1. George W. Greene.
Signed and Sworn Statement. Was a fellow prisoner of Bullock. Did not witness the execution, but has first hand information of the events leading up to the execution. Places the time as the early part of July 1942.
2. Leonard S. Hogenboom, Findley Lake, N.Y.
Was a prisoner with Bullock at Tacloban. Knows of the execution. States that the execution occurred about 6 July 1942.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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1849 ~~1854~~

Commanding Officers & Officers i/c P.O.W.

Date Submitted

Decision of Committee I

7 MAR 1946

Adjourn

14 MAR 1946

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CARDS CHECKED

P.275/US/J/236

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Date of receipt in Secretariat.

21 FEB 1946

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS

WAR CRIMINALS

CASE No. 326 J *

Name of accused, his
rank and unit, or
official position.

(Not to be translated.)

1. Japanese Commanding Officer and Officers in charge of
Prisoners of War at Olongapo, Zambales, Philippine
Islands, Naval Base in April 1942.Date and place of
commission of al-
leged crime.Between 14 April 1942 and 25 April 1942.
Olongapo, Zambales, Philippine Islands, Naval Base.Number and descrip-
tion of crime in war
crimes list.

Employment of Prisoners of War on unauthorized works.

References to rele-
vant provisions of
national law.a. Breach of the Geneva Prisoners of War Convention 1929.
b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Between 14 April 1942 and 25 April 1942, while S/Sgt. William Edward Gately was a Prisoner of War held at this base. He and Arthur S. Hagins, and several other United States Prisoners of War were ordered on a work detail to load ammunition, scrap iron, food, and supplies on Japanese ships.

Victims: S/Sgt. William Edward Gately, 20842706,
Arthur S. Hagins, 59th CAC
And other unnamed United States Prisoners of War.

Source: War Crimes Office, Washington, (Case No. 40-988).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

1851

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. William Edward Gately, S/Sgt. 20842706. R.F.D. No.2, Greenbrier, Ark. Signed and Sworn Statement. This witness is victim and was one of the Prisoners of War ordered to the work detail. He effected his escape 19 May 1942 from this base.

Case No. 1001

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)



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Date Submitted

Decision of Committee I

7 MAR 1946

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Registered Number.

Date of receipt in Secretariat.

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS

WAR CRIMINALS

CASE No. 327 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. ONOY, Three Star Private, Japanese Army, interpreter
/ at Camp Murphy, Philippine Islands.

Date and place of commission of alleged crime.

July 1944.
Camp Murphy, Philippine Islands.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929,
Article 2.

SHORT STATEMENT OF FACTS.

Victim was made to kneel in cinders, and was beaten severely with fists and clubs by the Accused.

Victim: Cpl. Harry A. Stone.

Source: War Crimes Office, Washington, (Case No. 40-1049).

TRANSMITTED BY

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(30449) Wt. P. 1183 17 5,000 10/45

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Col. Harry A. Stone, 17016383, 718 Baugh Avenue East St. Louis, Illinois.
Statement by victim.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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1859 ~~1864~~

I. WATANABE

4 2.

Date Submitted

Decision of Committee I

7 MAR 1948

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2: C

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CARDS CHECKED

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(For the Use of the Secretariat)

Registered Number.

Date of receipt in Secretariat.

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21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 328.J *

Name of accused, his rank and unit, or official position. (Not to be translated.)	1. WATANABE, Japanese Naval Warrant Officer, in charge of ✓ work details at Los Pinas Airfield, Philippine Islands at time of offense. 2. Japanese laborer, name and rank or status unknown, stationed at Los Pinas Airfield, Philippine Islands at time of offense.
Date and place of commission of alleged crime.	Between September 1943 and July 1944. Los Pinas Airfield, Philippine Islands.
Number and description of crime in war crimes list. References to relevant provisions of national law.	Ill-treatment of Prisoners of War. Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

At some time between September 1943 and July 1944 the victim was working on the Los Pinas airfield with one Rules, another Prisoner of War. A Japanese laborer, Accused No.2 attached to the Japanese Military Forces under Accused No.1 and who was apparently working on or supervising the activities at the airfield walked by the victim and Rules and said something to the victim and Rules. Rules repeated what he said. The laborer accused victim of repeating statement and when victim denied this he was struck several times by the laborer. Victim tried to ward off the blows and was struck on the little finger of the right hand. An examination later disclosed this finger to have been broken.

Victim: William H. Goodwin, Corporal, ASN 3304883.

Source: War Crimes Office, Washington, (Case No. 40-1055).
 TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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 (30449) Wt.P.1183.17 5,000 10/45

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(For the Use of the Secretariat)

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Date of receipt in Secretariat.

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21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 328 J *

Name of accused, his rank and unit, or official position.	1. WATANABE, Japanese Naval Warrant Officer, in charge of work details at Los Pinas Airfield, Philippine Islands at time of offense.
(Not to be translated.)	2. Japanese laborer, name and rank or status unknown, stationed at Los Pinas Airfield, Philippine Islands at time of offense.
Date and place of commission of alleged crime.	Between September 1943 and July 1944. Los Pinas Airfield, Philippine Islands.
Number and description of crime in war crimes list.	Ill-treatment of Prisoners of War.
References to relevant provisions of national law.	Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

At some time between September 1943 and July 1944 the victim was working on the Los Pinas airfield with one Rules, another Prisoner of War. A Japanese laborer, Accused No.2 attached to the Japanese Military Forces under Accused No.1 and who was apparently working on or supervising the activities at the airfield walked by the victim and Rules and said something to the victim and Rules. Rules repeated what he said. The laborer accused victim of repeating statement and when victim denied this he was struck several times by the laborer. Victim tried to ward off the blows and was struck on the little finger of the right hand. An examination later disclosed this finger to have been broken.

Victim: William H. Goodwin, Corporal, ASN 3304883.

Source: War Crimes Office, Washington, (Case No. 40-1055).
TRANSMITTED BY

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(30449) Wt.P.1183.17 5,000 10/45

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PARTICULARS OF ALLEGED CRIME

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1862 ~~1867~~

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PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. William H. Goodwin, Corp. ASN 33044883. 326 Hatton St., Portsmouth,
Virginia.
Signed and Sworn Statement. Witness is victim.

1863

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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1864

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I. SASSAKI

+ 2.

Date Submitted • Decision of Committee I

7 MAR 1948

1: A
2: C

B

CAPTS CHECKED

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(For the Use of the Secretariat)

Registered Number.

Date of receipt in Secretariat. ~~SECRET~~

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21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 329 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. 2nd Lt. SASSAKI, Japanese Army.
2. Japanese Soldiers, names and ranks unknown.

Date and place of commission of alleged crime.

April 1943.
At Foot of Mt. Samat near Balanga, Philippine Islands.

Number and description of crime in war crimes list.

- a. Murder and Massacres.
- b. Torture of Civilians.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

In April, 1943, unidentified Japanese soldiers indiscriminately selected twelve Filipino civilians from the town of Balanga, tied them up and placed them in a covered truck, and drove them to the foot of Mt. Samat. They were then unloaded and untied. Two Filipinos attempted escape, one of whom was successful and the other of whom was shot. The remainder were forced to dig shallow graves, during which time they were beaten. Mosquito punks were placed on their stomachs, genital organs and other tender parts of their bodies. Some had mosquito punks put into their nose and ears. Others were hung to the trees by their thumbs and beaten with rifles. The torture administered was for the purpose of securing confessions of sabotage acts. Failing in their efforts to secure such confessions, the Japanese, under the direction of Accused No. 1, killed the victims by shooting, bayoneting and beheading.

Victims: Eleven unidentified Filipino (civilians).

TRANSMITTED BY Source: War Crimes Office, Washington, (Case No. 40-1072).

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

~~1866~~

PARTICULARS OF ALLEGED CRIME

1866

1866

PARTICULARS OF EVIDENCE IN SUPPORT

WITNESS AND EVIDENCE.

1. Paul Louis Ashton, Major, Med. Corps, O-397788. 1114 Vicentia St.,
Cormona, Calif.
Signed and Sworn Statement. This witness was an eyewitness to the
acts. He was one of several United States soldiers who were eye-
witnesses. The names of other witnesses are not disclosed.

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(For the Use of the Secretariat)

Registered Number.

Date of receipt in Secretariat. ~~1850~~

P. 278/US/J/239

21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 329 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. 2nd Lt. SASSAKI, Japanese Army.
2. Japanese Soldiers, names and ranks unknown.

Date and place of commission of alleged crime.

April 1943.
At Foot of Mt. Samat near Balanga, Philippine Islands.

Number and description of crime in war crimes list.

- a. Murder and Massacres.
- b. Torture of Civilians.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

In April, 1943, unidentified Japanese soldiers indiscriminately selected twelve Filipino civilians from the town of Balanga, tied them up and placed them in a covered truck, and drove them to the foot of Mt. Samat. They were then unloaded and untied. Two Filipinos attempted escape, one of whom was successful and the other of whom was shot. The remainder were forced to dig shallow graves, during which time they were beaten. Mosquito punks were placed on their stomachs, genital organs and other tender parts of their bodies. Some had mosquito punks put into their nose and ears. Others were hung to the trees by their thumbs and beaten with rifles. The torture administered was for the purpose of securing confessions of sabotage acts. Failing in their efforts to secure such confessions, the Japanese, under the direction of Accused No. 1, killed the victims by shooting, bayonneting and beheading.

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TRANSMITTED BY Source: War Crimes Office, Washington, (Case No. 40-1072).

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

~~1866~~

PARTICULARS OF ALLEGED CRIME



1866

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P.279/US/5/240

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KOMEAR

Date Submitted

Decision of Committee I

7 MAR 1948

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CARDS ONE SET

P.279/US/5/240

(For the Use of the Secretariat)

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Registered Number.

Date of receipt in Secretariat.

P.279/US/J/240

1 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 330 J

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Colonel KOMEAR, Japanese Army, Commandant of Bridge Detail at Lumban, Laguna Province, Luzon, Philippine Islands.</p>
<p>Date and place of commission of alleged crime.</p>	<p>12 June 1942. Lumban, Laguna Province, Luzon, Philippine Islands.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Murder.</p> <p>a. Breach of the Laws and Customs of War. b. Breach of the Geneva Prisoners of War Convention 1929.</p>

SHORT STATEMENT OF FACTS.

In May 1942 a detail of Prisoners of War was sent from Camp O'Donnell to Lumban, Laguna Province, Luzon, to work on a bridge. On the night of 11 June 1942 the Japanese guards were attacked by a force of native guerrillas, and during the attack one member of the detail escaped. On the following day, 12 June 1942, the ten victims were selected by the Japanese and executed by a firing squad in reprisal for the escape of the one man.

Victims: Sergeants Bernard C. Knopick, Isaac Landry, James Lewis Turner, Corporals Stanton R. Betts, David A. Reas, John B. Wieszorek. Privates First Class Oscar Gordon, Percival H. Hollyman, Wade H. Rodgers. Private John Dudash.

Source: War Crimes Office, Washington, (Case No.41-24).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

1871

Page 2

1871

~~1878~~

PARTICULARS OF ALLEGED CRIME



PARTICULARS OF EVIDENCE IN SUPPORT

WITNESSES AND EVIDENCE.

1. Theodore C. Bigger, York, S. Carolina.
Signed and Sworn Statement. Eyewitness. Gives the names and serial numbers of the victims. Names Col. Komear as responsible.
2. Jack M. Donohoe, 779 W 5th St, Reno, Nevada.
Signed and Sworn Statement. Member of the detail, Eyewitness of the execution.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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P.280/US/J/241

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I. WATANABE

to 3.

Date Submitted	Decision of Committee I		
7 MAR 1948	1-3: A	B	CARD CHECK

P.280/US/J/241

(For the Use of the Secretariat)

1876 1500

Registered Number.

Date of receipt in Secretariat.

P.280/US/J/241

21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

JAPANESE WAR CRIMINALS
WAR CRIMINALS

CASE No. 331 J *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Lt. Colonel WATANABE, Commanding Officer in the area of the offense at time of offense.
2. Captain TARASAKI, Japanese Army.
3. Captain MORATO, Renegade Filipino attached to Japanese Army.

Date and place of commission of alleged crime.

19 to 21 December 1943.
Katipunan, Capiz Province, Panay, Philippine Islands.

Number and description of crime in war crimes list.

- a. Murder and massacres.
- b. Torture of civilians.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Source: War Crimes Office, Washington, (Case No. 44-1).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) WLP.252/4 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) WLP.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

All of the victims, except Lt. Albert King, the Clardy Family and the Filipinos, were United States missionaries and members of their families who fled to the hills about two or three kilometers from Katipunan to escape the Japanese. Lt. Albert King had been previously captured by the Japanese and was forced to lead a Japanese patrol to the hiding place of the victims. Having captured victims, the Japanese remained in the vicinity searching for others, and during that time tortured and killed the captives by bayoneting or decapitation, together with many Filipino women and children living in the neighbourhood. Lt. King, who apparently had been forced to act as guide by the Japanese was also killed.

Victims: Mark Clardy, Mrs. Fern Clardy, Terry Clardy, John Clardy, Rev. Erle F. Rounds, Mrs. Erle Rounds, Earl Douglas Rounds, Rev. James H. Covell, Mrs. James Covell, Dr. Francis Rose, Mrs. Francis Rose, Dr. Frederick W. Meyer, Mrs. Frederick Meyer, Miss Jennie C. Adams, Miss Dorothy A. Dowell, Miss Signe A. Erickson, Albert W. King and an unknown number of Filipino civilians.

PARTICULARS OF EVIDENCE IN SUPPORT
WITNESSES AND EVIDENCE.

1. Clarence D. Beardon, Pfc.
Did not witness the atrocities but visited the site shortly after the Japanese left and saw the results. Says the Japanese patrol consisted of approximately 30 Bureau of Constabulary men and 5 Japanese and some civilians, commanded by a Japanese officer and a Filipino who was a pre-war Bureau of Constabulary officer.
2. Holly Hendrickson, Jr.
Joint statement with the above witness.
3. Mrs. H.G. Schuring,
Report of interview with State Department Agent. Gives names of Captain Tarasaki and Captain Morato as leaders of the Japanese patrol.
4. Henry G. Schuring. Lived near the victims, but escaped capture. Did not see the executions, but through field glasses saw the Japanese capture some of the victims. Learned the facts of the executions from natives in the vicinity.
5. Cyril L. Spencer. Signed Statement,
Statement includes pen & ink sketch of the location. Did not witness the actual executions, but watched the Japanese approach until necessary to change position. Learned the facts through his Filipino orderly, who viewed the bodies. Remains indicated that the victims had been tortured.
6. Thomas J. Ford. 303, E. San Fernando St., San Jose, California.
Report of interview with State Department Agent. Not an eyewitness; lived with a family about 3 miles from the scene. Obtained facts from natives. Names Captain Tarasaki. Heard that all victims were tortured, women raped.
7. Barney Foust. RFD No. 1, Sarcoxie, Missouri.
Signed and Sworn Statement. Regarding the torture and killing of the Clardy family.
8. Copies of State Department protests to the Japanese Government.
9. Newspaper accounts and photographs of victims.

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Despite the lack of eyewitnesses, the death of the victims is proved. Statements of the witnesses identify the victims as present, capture by the Japanese and the dead bodies. Torture is indicated from the condition of the remains.

1874

P.280/US/J/241

~~1884~~

I. WATANABE

to 3.

Date Submitted

Decision of Committee I

7 MAR 1948

1-3: A

B

CARD CHECKED ✓

P.280/US/J/241

No. 1875 NOT RECORDED
BECAUSE OF MACHINE ERROR

(For the Use of the Secretariat)

1876 15280

Registered Number.

Date of receipt in Secretariat.

P.280/US/J/241

21 FEB 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

JAPANESE WAR CRIMINALS
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(29655) Wt.P.252/4 5,000 5/45 A.& E., W.Ltd. Gp.685
(30449) Wt.P.1183/17 5,000 10/45

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UNITED NATIONS ARCHIVES		CAMERA OPERATOR'S REPORT AND CERTIFICATE	REEL NO. 26
PRODUCTION DATA		INDEXING DATA	
STARTED 25 June 1986		United Nations War Crimes Commission Charge Files and Related Material submitted by Member Governments PAG-3/133-136	CODE NO.
FINISHED 27 June 1986			
TOTAL NUMBER OF IMAGES 1879			
		<u>Australia vs. Japanese</u> Registered Nos. 1 - 19 <u>France vs. Japanese</u> Registered No. 1 <u>United Kingdom vs. Japanese</u> Registered Nos. 1 - 28 <u>USA vs. Japanese</u> Registered Nos. 1 - 241	
		----- END OF REEL No. 26 -----	
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CERTIFICATION

I certify that the micrographs appearing in this reel of film are true copies of the original records described above.

Date: 27 June 1986

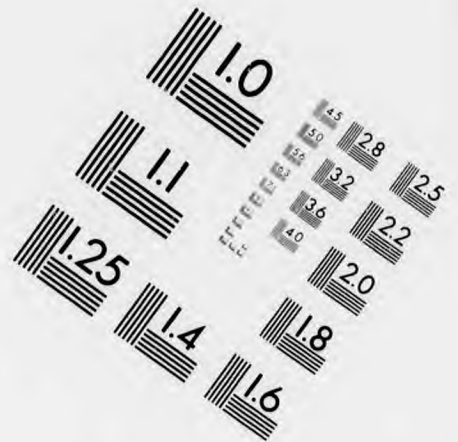
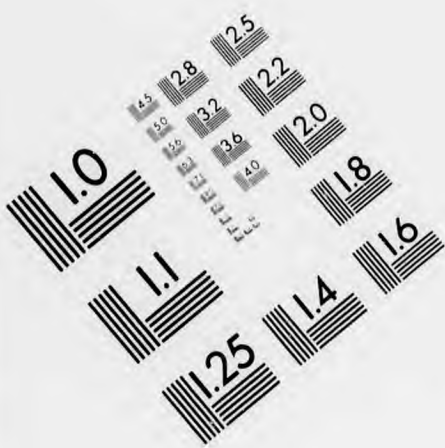
Signature of
Camera Operator:

M. E. John Lewis

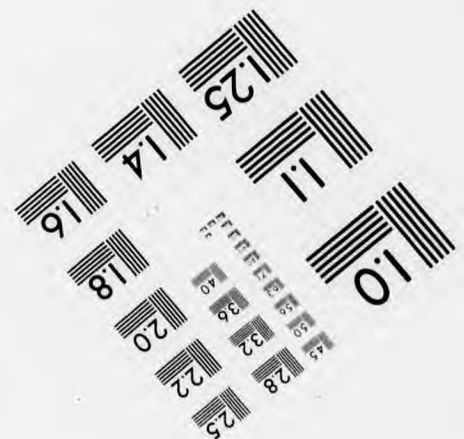
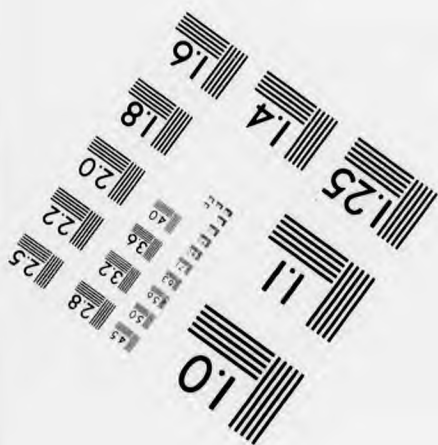
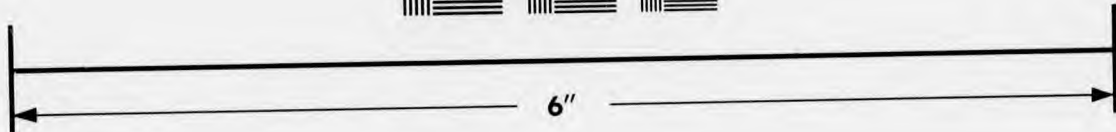
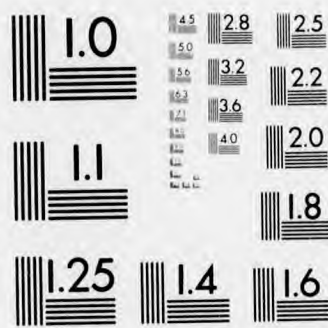


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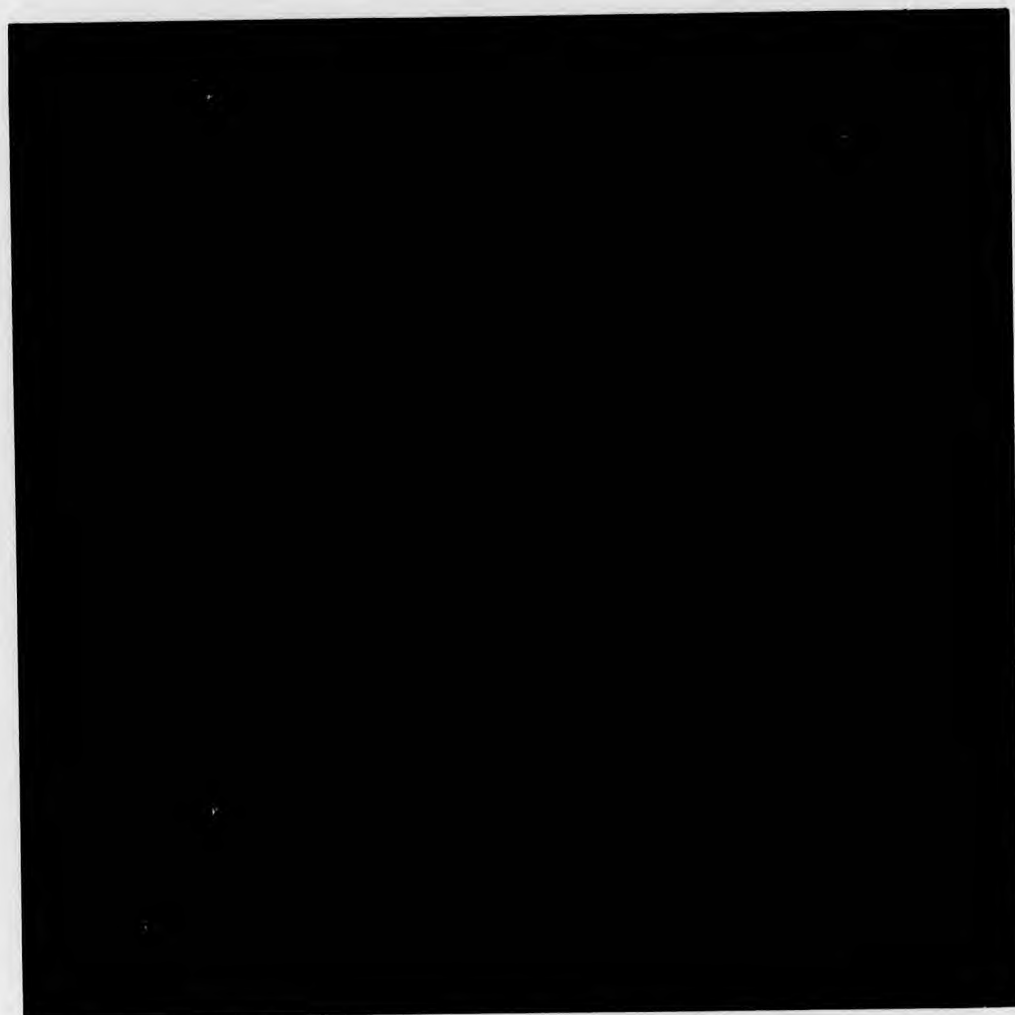


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