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# War Stories (5): Judgment at Yokohama

(March 10 — May 9, 1947)

戦史 (5) — 横浜裁判

(1947年3月10日～5月9日)

Karen Ann TAKIZAWA

滝沢 カレン・アン

祖父は、バターン半島とコレヒドール島における戦闘期間の体験及び戦争捕虜としての体験を手記に残したが、これに加えて、多量の他の資料も残した。その中に、捕虜輸送に関わった9人を裁いた1947年横浜裁判の895ページにわたる裁判記録がある。この9人は、祖父を含む1,619人の捕虜が、1944年12月13日に鴨緑丸でマニラを立ち、1945年1月30日にブラジル丸で門司に到着したまでの期間の輸送を担当した。祖父は、その横浜裁判に自らは出廷しなかったが、証拠となった供述書を送った。この裁判が本論文の題材である。

In addition to his manuscript about his experiences during the Bataan and Corregidor campaign and as a prisoner of war (POW) during World War II, my grandfather left behind a stack of additional material, including an 895-page transcript of the 1947 war crimes trial of nine of the Japanese men who were assigned to escort the draft of 1,619 POWs that left Manila on the Oryoku Maru on December 13, 1944, and arrived in Moji on the Brazil Maru on January 30, 1945. He did not attend the trial in Yokohama in person, but he did send a statement that was submitted as evidence. This trial will be the subject of this article.

On the transcript of the trial and some of the other documents, there are some handwritten marks. For example, on p. 1 of SCAP File No. 014.13, the following sentence is underlined: The Japanese themselves refused to keep a record and later forced an American medical officer to sign more than a thousand death warrants to the effect that the prisoners had succumbed due to natural causes, and in the left margin there is a squiggle, the word “me,” and my grandfather’s initials “CMS.” I have no sample of my grandfather’s handwriting, but it is very likely that he wrote this as he read the pages carefully and with great interest.

## 1. International Military Tribunals

Article 10 of the Potsdam Declaration of July 26, 1945, stated that:

We do not intend that the Japanese shall be enslaved as a race or destroyed as a nation, **but stern justice shall be meted out to all war criminals, including those who have visited cruelties upon our prisoners.** The Japanese Government shall remove all obstacles to the revival and strengthening of democratic tendencies among the Japanese people. Freedom of speech, of religion, and of thought, as well as respect for the fundamental human rights shall be established. (emphasis my own)

On August 15, 1945, the Showa Emperor announced that Japan would surrender unconditionally, and the fighting ended in the Pacific Theater; the reckoning for the Axis Powers began shortly afterward. The first International Military Tribunal was held in Nuremberg, Germany, to prosecute, punish, and leave a historical record of the “crimes against peace,” “conventional” war crimes, and “crimes against humanity” committed by the Nazi political, military, and economic leaders of the war in Europe. The first and most well known of the Nuremberg trials, for 23 major German war criminals, had four presiding judges (from France, the Soviet Union, the United Kingdom, and the United States). It began on November 20, 1945, and ended a little more than ten months later when the sentences were read on October 1, 1946. Three of the top Nazi leaders—party leader Adolf Hitler, military commander Heinrich Himmler, and propaganda minister Joseph Goebbels—were never tried because they had all committed suicide in April and May of 1945.

The second one, the International Military Tribunal for the Far East, was held in Tokyo for the same reasons to prosecute Class A (major) Japanese war criminals. On April 29, 1946, the Showa Emperor’s birthday, indictments were issued for 28 defendants, a list that did not include the emperor himself. The opening statements for the prosecution were made on May 3, 1946, and the defense finally rested its case almost two years later on April 18, 1948. The panel of 11 judges, including nine from nations that had signed the Instrument of Surrender—Australia, Canada, China, France, the Netherlands, New Zealand, the Soviet Union, the United Kingdom, and the United States—plus India and the Philippines, then spent another seven months making their judgments. During the trial, two defendants died and one was declared mentally incompetent. On November 12, 1948, about 31 months after the trial began, all of the remaining 25 defendants were found guilty, including General Tojo Hideki, the prime minister at the time of the attack on Pearl Harbor, who had attempted, but failed, to commit suicide at his home on September 8, 1945, the day he was

served with a warrant for his arrest.

Between 1945 and 1951, trials for roughly 5,700 minor Japanese war criminals in Classes B and C were held by various countries—Australia, Britain, China, France, the Netherlands, the Philippines, the Soviet Union, and the United States—in their own occupied territories in Asia according to their own laws. Formally, Class B war criminals were those who had committed “conventional” atrocities or “crimes against humanity,” and Class C war criminals were those who had been involved in planning, ordering, authorization, or failure to prevent such transgressions. Approximately three-fourths of all Class B and Class C trials dealt with cruelties to prisoners of war. In Japan, during the American Occupation, the Class B and Class C trials were held in Yokohama under the authority of General Douglas MacArthur, the Supreme Commander for the Allied Powers (SCAP) in Japan.

One of the aims of the International Military Tribunals held in Germany and in Japan was to establish the individual responsibility of the war criminals through a legal process. This was done to psychologically separate them from the majority of the population in both the eyes of the local people and the eyes of the rest of the world, and to allow the countries to move forward in a new direction. It was more easily accomplished, however, for Class A—the military and political leaders who had led those countries into the war—than for those tried for Class B and Class C war crimes. Futamura (2008) has this to say about Japan:

The tribunal’s individual criminal punishment was not applied to the Emperor, the Supreme Commander of the war. The extent to which the Emperor played an actual and vital role in planning and waging the wars of aggression has been fiercely debated. However, it is undeniable that the Japanese fought the war in the name of the Emperor, and all orders followed by soldiers during the war were given in his name. Many of those tried under Class B and C war crimes trials were soldiers from the battlefield who had followed orders from an immediate superior, which were taken as orders from the divine Emperor. (pp. 120-121)

General MacArthur and others in charge of running the Occupation of Japan, in consultation with President Harry Truman, decided that the most effective policy for getting the country back on its feet would be to retain the Showa Emperor in his position rather than symbolically executing him for the war crimes of all Japanese. For the Class B and Class C war criminals, this meant that “just following orders when fighting for the Emperor” was not a mitigating circumstance in their defense. It also meant, as Dower (1999) said in *Embracing Defeat*, that the trials in Yokohama were “another example of how, in war and peace, individuals lower in the hierarchy of authority had to pay for the

misdeeds of men with real power” (p. 449).

## **2. The trial of the escort guard of the draft of 1,619 POWs who boarded the Oryoku Maru on December 13, 1944, in the Philippines bound for Japan**

The trial began on March 10, 1947, in the Yokohama Courthouse. Present were five U.S. judges, three U.S. prosecutors, three U.S. defense attorneys, five Japanese lawyers, three interpreters, and one reporter. The nine defendants, all of whom had served in or were employed by the Imperial Japanese Army, were being held at that time in Sugamo Prison in Tokyo and were also present. They were:

- First Lieutenant Toshino Junsaburo (age 43; guard commander for this draft of prisoners of war)
- Sergeant Hattori Sho (age 38; second in command; guard)
- Lance Corporal Aihara Kazutane (age 38; guard )
- Superior Private Kobayashi Risaku (age 40; guard)
- Private Ueda Jiro (age 35; guard)
- Private Yoshida Hisao (age 37; guard)
- Sergeant Major Tanoue Suketoshi (age 30; medical non-commissioned officer)
- Captain Kajiyama Shin (age 46; civilian; ship master for the Brazil Maru)
- Wada Shusuke (age 41; civilian employee of the Japanese Imperial Army; the official interpreter for Lieutenant Toshino)

(Note: rank or status in the Imperial Japanese Army at the time the events took place; age at the time of the trial)

On the second day of the trial, each of the nine defendants was charged with violating the Laws and Customs of War; all pleaded “Not guilty.” The number of specifications for this charge for each one of the defendants varied from 18 for Toshino to one each for Tanoue, Kobayashi, Ueda, and Yoshida; to all the specifications, all pleaded “Not guilty.”

The main issues covered in the trial were 1) how the plan and the orders for the transport of these 1,619 POWs from the Philippines to Japan were made, 2) why so many of these POWs died as a result of being transported, 3) who gave the orders for the execution of 15 of these POWs at San Fernando, La Union, on or about December 23, 1944, and 4) the role of Wada, the official interpreter. Only two of the accused (Toshino and Wada) were mentioned by name in my grandfather’s manuscript. The ship master (Kajiyama) was also mentioned, but not by name, and it

is not clear from the manuscript whether or not my grandfather had any direct knowledge of any of the other men, though one assumes that he must have seen some or all of them. My grandfather did not mention the execution of the 15 prisoners at San Fernando, La Union, though he did say that some of the weak and wounded prisoners were taken into the school building after they arrived there, and Wada talked to him about sending some prisoners of war back to Bilibid Hospital for treatment.

The trial lasted about two months. After testimony from the nine defendants and 31 other witnesses, including five former POWs who were part of this draft of 1,619, and a review of 63 documents that had been submitted in evidence, including one from my grandfather, the trial ended on May 2, 1947. The judges deliberated for one week, and on May 9, 1947, the verdicts and sentences were announced.

### **3. The accusations**

All nine men were charged with violating “the Laws and Customs of War,” i.e., “conventional” war crimes as defined by the Third Geneva Convention of 1929. The specifications for the charges were related to Articles 12-16 in Part II: General Protection of Prisoners of War and to Articles 21-48 (Quarters, Food and Clothing of Prisoners of War) and Articles 29-32 (Hygiene and Medical Attention) in Part III: Captivity.

Toshino, the senior ranking military officer and guard commander for this draft of 1,619 prisoners of war, had the longest list of specifications. Nos. 1-5 dealt with his responsibility for the prisoners of war during the time they spent on the Oryoku Maru, and Nos. 6-7 dealt with the time they spent at Olongapo Naval Base after the sinking of that ship. Nos. 8-13 dealt with the time the prisoners of war spent at San Fernando, Pampanga, and San Fernando, La Union, and Nos. 14-18 dealt with the time the prisoners spent on the Enoura Maru and the Brazil Maru. Some of the specifications charged Toshino with the deaths of specific men who were named in specific incidents, such as No. 9, which dealt with the execution of the 15 POWs in the cemetery at San Fernando, Pampanga. No. 5 dealt with the mistreatment of the group as a whole on the Oryoko Maru and is representative of the charges against Toshino:

Specification 5. That between 13 December 1944 and 15 December 1944, inclusive, aboard the Japanese Troop Transport “Oryoku Maru”, the accused Junsaburo Toshino, then and there being the Prisoner of War Guard Commander, did willfully and unlawfully mistreat, abuse and cause intense mental and physical suffering, temporary insanity, impairment of health, injury and death to numerous other

American and Allied Prisoners of War, by:

- a. Neglecting and refusing to provide adequate quarters;
- b. Neglecting and refusing to provide adequate food;
- c. Neglecting and refusing to provide adequate drinking water;
- d. Neglecting and refusing to provide adequate ventilation;
- e. Neglecting and refusing to provide adequate sanitary and hygienic facilities;
- f. Neglecting and refusing to provide adequate medical attention;
- g. Neglecting and refusing to provide reasonable measures for protection from the hazards of war;
- h. Shooting them;
- i. Ordering Military personnel under his command to mistreat, abuse, beat and shoot them and neglecting to restrain military personnel under his command from abusing, beating and shooting them;
- j. Neglecting and refusing to make reasonable provisions for the safe debarkation of the said Prisoners.

(United States of America vs. Junsaburo Toshino, p. 3)

There were 16 specifications listed against Wada, the official interpreter for this draft of prisoners of war for the entire journey from the Philippines to Japan. As in Toshino's case, some referred to his role in the deaths of specific men in specific situations and others dealt with his role in the mistreatment of the group as a whole. Specification No. 8 dealt with Wada's actions on the night of the execution of the 15 POWs at the cemetery in San Fernando, Pampanga. No. 2, the example below, dealt with the death of a POW who had been shot by a guard on the Oryoku Maru and whose gangrenous arm had to be amputated with a mess kit knife and no anesthetic while the POWs were being kept on the tennis court at Olongapo Naval Base after the sinking of the ship, an incident which was recorded in SCAP File No. 014.13 and Proceedings of a Military Commission (pp. 120-121), but not in my grandfather's manuscript. The charges listed here are representative of those against Wada:

Specification 2. That between 15 December 1944 and 22 December 1944, inclusive, aboard the Japanese Troop Transport "Oryoku Maru", the accused, Shusuke Wada, then and there being the assistant of and the official interpreter for the Prisoner of War Guard Commander, did willfully and unlawfully cause the death of Corporal Eugene Specht, an American Prisoner of War by:

- a. Neglecting to restrain Japanese military personnel subject to his supervision

and control from shooting said Corporal Specht;

- b. Refusing on his own responsibility and neglecting and refusing to transmit to his superiors, requests for adequate quarters, food, drinking water, clothing, sanitary and hygienic facilities and medical treatment.

(United States of America vs. Shusuke Wada, p. 2)

There were five specifications against Aihara, all of them accusing him of committing acts of violence against the prisoners of war on the Oryoku Maru, Enoura Maru, and Brazil Maru. No. 4 dealt with his actions on the night of the execution of the 15 POWs at the cemetery in San Fernando, Pampanga. No. 5 is representative of the charges against Aihara:

Specification 5. That between 27 December 1944 and 30 January 1945, aboard the Japanese Troop Transport “Enoura Maru” and “Brazil Maru”, the accused, Kazutane Aihara, did willfully and unlawfully mistreat and abuse numerous American and Allied Prisoners of War by beating them.

(United States of America vs. Kazutane Aihara, p. 2)

There were four specifications against Hattori. No. 3 dealt with the execution of the 15 POWs at the cemetery in San Fernando, Pampanga; the others dealt with his actions on the Oryoku Maru and the Brazil Maru. No. 2 is representative of the charges against Hattori:

Specification 2. That between 13 December 1944 and 15 December 1944, inclusive, aboard the Japanese Troop Transport “Oryoku Maru”, the accused, Sho Hattori, did willfully and unlawfully cause serious injury and death to numerous American and Allied Prisoners of War by shooting them, by ordering Japanese military personnel subject to his supervision and control to shoot them, and by neglecting and refusing to restrain Japanese military personnel subject to his supervision and control from shooting them.

(United States of America vs. Sho Hattori, p. 2)

There were two specifications against Kajiyama, the ship master of the Brazil Maru. The first one contained a long list of the names of men who were known to have died on that ship; the second one is representative of the charges against Kajiyama:

Specification 2. That between 27 December 1944 and 30 January 1945, inclusive,



aboard the Japanese Troop Transport “Brazil Maru”, the accused, Shin Kajiyama, did willfully and unlawfully mistreat and abuse and cause intense mental and physical suffering, impairment of health and death to numerous other American Prisoners of War by:

- a. Neglecting and refusing to provide adequate quarters;
- b. Neglecting and refusing to provide adequate food;
- c. Neglecting and refusing to provide adequate drinking water;
- d. Neglecting and refusing to provide adequate sanitary and hygienic facilities.

(United States of America vs. Shin Kajiyama, p. 2)

There was one specification each for Tanoue, Ueda, Yoshida, and Kobayashi, all of whom were present at the execution of the 15 POWs at the cemetery in San Fernando, Pampanga.

Specification 1. That on or about 23 December 1944, at or near San Fernando, Pampanga, Luzon, Philippine Islands, the accused, Suketoshi Tanoue / Jiro Ueda / Hisao Yoshida / Risaku Kobayashi, did, in conjunction with other persons, willfully and unlawfully kill Lieutenant Dwight D. Edison, Lieutenant John W. Elliot, Lieutenant Colonel Samuel W. Freeny, Pharmacist’s Mate Second Class Deenah R. McCurry, Lieutenant Colonel Ulysses J. L. Peoples, Jr., Second Lieutenant Herman W. Sherman, Major Wendell F. Swanson, and eight other unidentified American Prisoners of War by stabbing and decapitating them.

(United States of America vs. Suketoshi Tanoue, p. 2)

(United States of America vs. Jiro Ueda, p. 2)

(United States of America vs. Hisao Yoshida, p. 2)

(United States of America vs. Risaku Kobayashi, p. 2)

#### **4. How was the plan for the transport of these 1,619 POWs from the Philippines to Japan made, and how were the orders given?**

Information about the origin of the plan to transport this draft of 1,619 prisoners of war from the Philippines to Japan in December 1944 was found in the testimony of Colonel Odashima, the Vice Director of the Prisoner of War Information Bureau (PWIB) in Tokyo under General Hamada, chief of the PWIB, during the war. In March 1944, Odashima was ordered to visit all prisoner of war camps in Japan and in Formosa, Hong Kong, Siam, Malaya, Java, and the Philippines. He arrived in Manila on April 18, 1944, and conferred with General Kou, the main camp commandant, and Major

General Kawase, the other POW Chief. General Kou advised Odashima that all POWs should be removed from the Philippines as quickly as possible because the situation was becoming tense. Odashima sent a radiogram to General Hamada in Tokyo, who consulted with General Tojo, the prime minister of Japan at that time, and a policy was formulated. The order to evacuate non-officer POWs from the Philippines was issued in Tokyo in July 1944, and the order to evacuate the officer-level POWs was issued in September 1944. Lieutenant General Ikeda of the Kwangtung Army in Manchuria and Major General Ihara of the Korean Army agreed, in September 1944, to accept the officer-level POWs.

On or about December 16, 1944, General Kou sent a radiogram to Odashima that the draft of POWs had been shipped from Manila on the *Oryoku Maru*, and he kept Tokyo informed each step of the way as the various disasters hit. General Kou also requested supplies. Odashima testified that he was there in Moji when the *Brazil Maru* arrived on January 30, 1945. He boarded the ship and was shown around by Toshino. He noted the poor condition of the surviving POWs, and he personally recommended that they temporarily be sent to POW camps run by the Western Army in various parts of the island of Kyushu to recover before being sent to work at camps in Manchuria and Korea.

As for the logistics of this plan, it was possible to establish the chain of command for organizing the transport of this draft of 1,619 prisoners of war from the testimony of four witnesses, Nukada, Isoya, Inada, and Toyama. According to them, it was follows: The order to send a draft of about 1,600 prisoners of war to be used as labor in Manchuria and Korea originated in Tokyo. It went down from General Sugiyama, the War Minister, to Major General Nukada, the Chief of the Third Bureau of Transportation and Communication, to General Saiki of the Shipping Command, and finally to Isoya, the Chief of Staff of the Shipping Command. From there it went out to General Yamashita, the head of the 14<sup>th</sup> Area Army in the Philippines, and then to Inada, who was head of the Third Shipping Transport Command in Manila. Toyama, who was in the Operation and Planning Section of the Third Shipping Transport Command, made the actual plan to use the *Oryoku Maru* to ship this draft of prisoners of war, and Inada approved Toyama's plan. The order then went down to Lieutenant Colonel Morishita, the Anchorage Commander, who allocated the number of men to be kept in each hold of the *Oryoku Maru*. He placed a requisition for food and water to the Provisions Depot of the 14<sup>th</sup> Area Army and to the ship's captain, who was to send a report to the Anchorage Headquarters as to the amount of supplies already on the ship.

Only after all of the above preparations had been made was the order then given to Toshino, who had been working in the office at Cabanatuan Prisoner of War Camp in the Philippines, to be in charge of the escort guard for this draft of prisoners. The following testimony by Toshino explains the order as he received it:

Q: *Now, Lieutenant, who gave you your orders appointing you guard escort commander for this trip from Manila to Moji?*

A: *From the Prisoner of War Transporting Commander who was the commanding officer of the prisoner of war camps, Lieutenant General Kou.*

Q: *What did those orders command you to do?*

A: *The order was to transport approximately 1,600 prisoners of war to Taiwan and to the home country. We were supposed to transport thirty prisoners of war to the Taiwan Army, 580 to the home country, 450 to Korean Army, and 550 to the Manchurian Army. My order was to turn over these POWs when we reached Moji.*

Q: *Were these orders oral or written?*

A: *I received a written order in the main camp on December 5.*

. . .

Q: *Could you have refused assignment as guard escort commander?*

A: *As to this order assignment I could not refuse it.*

Q: *Now, were there any regulations available to you which set forth the duties of a guard escort commander?*

A: *There was no regulation as to the duties; however, at the Philippine Prisoner of War Main Camp there was a report and diary of the previous transport commander. I read this report and diary and followed it.*

Q: *And was this the first time you had ever served as a guard escort commander?*

A: *Yes.*

(Proceedings of a Military Commission, pp. 682-683)

## **5. Why did so many of the POWs in this draft die as a result of being transported?**

Among the miscellaneous papers found with the transcript of the war crimes trial was the following short letter from my grandfather to the Officer in Charge in the Casualty Section at the Pentagon, dated February 4, 1948:

Sir:

I have very carefully studied the mimeographed list of American prisoners of war reported killed in the bombing and sinking of Japanese prison ship "Oryoku Maru" on December 15, 1944.

I am definitely able to state the dates of death in the following tabulated list. The causes of death are rather difficult to state, as there are many contributing factors. However, in those cases not listed as “killed by bombing” the primary causes of death were starvation, dehydration, dysentery, and exposure.

Very truly yours,  
Carey M. Smith  
Rear Admiral (MC) USN, ret.

The 1,619 men in this draft of prisoners of war left Manila on December 13, 1944, 425 (26%) were alive when they reached Moji, Japan, on January 30, 1945, and only 285 (18%) were left six weeks after their arrival. The reasons more than 1,300 of these men died as a result of being transported to Japan are, as my grandfather wrote, “rather difficult to state, as there were many contributing factors.” Certainly, injuries sustained in the “friendly fire” attacks by American planes and submarines, a lack of equipment and supplies to treat those injuries, and other health problems, such as dysentery, were factors. According to the information in the previous section on planning, a ship—the Oryoku Maru—had been found to transport the draft of 1,619 POWs from the Philippines to Japan, and food and other supplies had been requisitioned by the people who organized the journey. The testimony in the trial, however, revealed that the supplies of food and water that were actually obtained for them were very inadequate, or nonexistent, and this lack of supplies greatly contributed to the number of deaths.

The Oryoku Maru lacked something in its accommodations and amenities for the prisoners of war, and according to Toshino’s testimony, from the beginning, it also lacked adequate supplies:

Q: *Now, if you will look at sub-paragraph b of Specification 5. Will you tell us what, if anything, you did relative to food aboard the Oryoku Maru?*

A: *As for food, the time when I boarded the ship I made an immediate connection with the purser, as to the prisoner of war’s quantity of food, amount of serving, and water. Furthermore, I gave him my opinion.*

Q: *What amount of food did you order for the prisoners of war per person?*

A: *In answering that question I would have to explain.*

Q: *Before you explain, will you tell the Commission whether or not they got the amount of food that you ordered? Answer yes or no to that.*

A: *No.*

(Proceedings of a Military Commission, p. 686)

Toshino goes on to explain that the attitude of the purser on the Oryoku Maru toward him was very cold, and his requests for more food and water for the prisoners of war were denied. He then consulted with the liaison officer on the ship about the food situation, but shortly afterwards, the bombing of the Oryoku Maru in Subic Bay began and whatever supplies there were went down with the ship. The surviving POWs made their way to the shore and were herded onto the tennis court by the guards, and Toshino dispatched Private Kenjo from Olongapo to Manila to report the situation to General Kou, the main camp commandant:

Q: *What were your instructions to Kenjo?*

A: *I ordered Kenjo to go to Manila and meet the main camp commandant and to report the following: the bombing incident on December 14<sup>th</sup> and December 15<sup>th</sup>, the casualties we received and also the bombing we received while disembarking, and to report that the prisoners of war were temporarily housed in the tennis court, and also the food was not available in Olongapo. I ordered him to send food, clothing, medical supplies, and a medical officer and to send an additional guard right away to Olongapo.*

Q: *Now until relief came from Manila was there any food available for the prisoners of war on the tennis court?*

A: *No.*

Q: *Had you made any effort to obtain food for them from the Navy?*

A: *Yes.*

Q: *And had they refused?*

A: *At first we were refused, but I contacted the Army guard unit and had them consult with the Navy and under agreement that the Army will return the amount that was furnished to the prisoners of war we obtained four bags of rice, sixty kilos per day, and two bags of salt.*

Q: *Was it possible to have the rice cooked?*

A: *No.*

Q: *Why?*

A: *I requested to the Navy to cook our food but their kitchen was bombed. This, I personally saw. The Navy was eating their food uncooked also. Then I went to the Army unit to have them cook our food but they were evacuating about ten kilos into the mountains and each soldier was cooking his food in his mess kit. . . .*

(Proceedings of a Military Commission, pp. 696-697)

Tanoue and another non-commissioned officer arrived from the main camp and handed Toshino an order from General Kou to transport the prisoners of war from Olongapo to San Fernando, Pampanga, which he did:

Q: *As regards the food, what would you say the condition was as regards the feeding of the prisoners of war at Pampanga?*

A: *At Pampanga we furnished the food that was brought from the Main camp and Lieutenant Kimura ordered Sergeant Shoji to buy all the food he could from the vicinity, so I cannot say that the food was abundant. However, I think it was enough to get along.*

Q: *Was it cooked or uncooked?*

A: *It was cooked food.*

(Proceedings of a Military Commission, p. 700)

Lieutenant Urabe arrived in San Fernando, Pampanga, from Manila and handed Toshino an order from General Kou, the main camp commandant, to transport the prisoners of war by train from San Fernando, Pampanga, to San Fernando, La Union, and from there, to escort them on an available ship to Japan, as originally planned:

Q: *Were they given food while they were being carried by rail from San Fernando, Pampanga, to San Fernando, La Union?*

A: *No.*

Q: *Why?*

A: *According to the schedule we were supposed to depart from San Fernando, Pampanga, at 10:00 AM and they all had their lunch. If the train reached San Fernando, La Union, as scheduled we would reach around 7:00 or 8:00 PM that evening and the food would be available to them after they reached their destination. But the schedule was interfered with by the air raids and when we departed San Fernando, Pampanga it was 1:00 PM and between San Fernando, Pampanga, and San Fernando, La Union, there was no station in between where they would permit us to eat so we could not obtain any food and the time we reached San Fernando, La Union, was on December 25<sup>th</sup> around 2 AM.*

(Proceedings of a Military Commission p. 707)

During the few days they stayed at San Fernando, La Union, the prisoners of war were kept

at a schoolhouse and on a beach:

Q: *Now, what about food and water at the schoolhouse?*

A: *As for food, a cooked rice ball and some sort of sustenance food, which I have forgotten, was supplied by the Army unit. As for water, about eighty meters from the schoolhouse there was a well there and they were able to obtain abundant water from that well.*

(Proceedings of a Military Commission p. 708)

At first, under written orders from Anchorage Headquarters, all the prisoners of war were to be transported to Japan aboard the Brazil Maru. That order was then changed to the Enoura Maru, most likely due to the objections of Kajiyama, the ship master of the Brazil Maru. About three hundred of the POWs were loaded on the Brazil Maru anyway, for reasons that were never clarified in the trial. No members of the escort guard were put on board the Brazil Maru, and Toshino testified that he did not know about the quarters, food, water, clothing, and sanitary facilities on that ship. About food on the Enoura Maru, he said, “On board the Enoura Maru the ship master and the rest of the crew were very good to the prisoners of war compared to other ships. They tried to give them as much water and food as possible. The prisoners that I contacted were very pleased” (Proceedings of a Military Commission p. 711).

When the ships arrived in Takao, Formosa, Toshino testified that he made a request to Anchorage Headquarters to disembark the prisoners of war on January 1, 1945, but this was denied. On January 6, he received an order to transfer the prisoners from the Brazil Maru to the Enoura Maru, then, on January 9, there was the attack of “friendly fire” on the Enoura Maru. On January 10, Toshino went to Takao Anchorage Headquarters to make a report, request first aid, and request that the bodies of the approximately 400 POWs who had died be removed. On January 11, the dead bodies were unloaded, and they were buried nearby on Chijin Island on January 12 and 13. All surviving POWs were transferred to the Brazil Maru on January 13. Toshino testified that he put in requests for clothing and medical supplies at the Takao Anchorage Headquarters, the Fortress Command, the Supply Depot, the Taiwan Army Headquarters, and the Taiwan Prisoner of War Camp, but was not able to get even one item.

The following testimony related to food refers to unauthorized dealings between the prisoners of war and the crew of the Brazil Maru during the voyage from Takao to Moji:

Q: *Did you ever on that phase of the voyage tell the captain or his crew to keep away from the POWs on pain of being shot if they didn't?*

A: *I did not state they will be shot.*

Q: *Did you threaten them in any way?*

A: *I would have to explain the answer to that question.*

Q: *Go ahead.*

A: *After the embarkation of the Brazil Maru, I don't recall whether it was the 17<sup>th</sup> or the 18<sup>th</sup>, but the ship crew of the Brazil (Maru) were sleeping next to the hold in which the prisoners of war were in, and I received a report that the ship crew were exchanging food, cigarettes with prisoner of war personal items such as rings and watches. I personally saw this myself. And in order to put a stop to this act I called the liaison officer and the ship crew into the saloon and asked that the quarters of these ship crew be changed. At the same time I asked that the persons who were not authorized in the hold not be permitted to go in. This request was made through the liaison officer to the ship. And at that time, I also stated if the persons were caught in exchanging with prisoners of war again they would be court-martialed.*

(Proceedings of a Military Commission p. 740)

In the testimony of Kajiyama, the ship master of the Brazil Maru, he mentioned the following suggestion that he made to Toshino on the voyage from Takao and Moji:

Q: *When you were near Shanghai did you communicate with the convoy commander with reference to leaving the convoy and going into Shanghai?*

A: *Are you referring did I communicate with the convoy commander?*

Q: *Yes.*

A: *Yes.*

Q: *What was the subject of the communication?*

A: *I informed him that the conditions of the POWs on board my ship was very bad and if they were to continue this voyage up to Moji there is fear that all prisoners would die and I asked him to permit me to enter the Shanghai harbor, and further informed him if there was permission from the troop commander I would go into the port of Shanghai.*

Q: *What reply did Toshino give to your suggestion?*

A: *His reply was that there was no sense in going into Shanghai because there was no place to quarter the prisoners of war there and he also stated that the death rate of the prisoners was gradually going down and the prisoners of war also wanted to reach Japan as soon as possible because they could recuperate. He further stated he was*



*following the International law in handling the prisoners of war, so there is nothing to worry about, and he asked me to perform my duty as ship master and put in every effort so that we could reach the destination as soon as possible.*

(Proceedings of a Military Commission p. 869)

It was all too much for Kajiyama. At San Fernando, La Union, he had vigorously protested taking the POWs aboard the Brail Maru because of inadequate supplies of food and water and having a dirty and damaged ship. He was told, "All you have to do is carry out the order and make this voyage"; in other words, he was threatened with court-martial if he didn't comply. At Takao, he couldn't get supplies, Toshino refused to stop in Shanghai to try to get some there, and the trip from Takao to Moji took much longer than usual, all of which exacerbated the misery of the POWs and increased the number of deaths. At Moji, he made a report on the voyage to the military authorities and requested his immediate dismissal as ship master of the Brazil Maru. He also told the officer in charge of unloading the sugar at Moji harbor that he knew the prisoners of war were stealing some, but he did nothing to stop them, and if the Army wanted to punish anyone for this matter, he would take the responsibility.

In Toshino's final statement before the court, he said:

*A: Transporting of the prisoners of war at that time was a difficult task. Various requests that I received concerning to water, food and clothing, the requests which were made by senior prisoner of war officer Colonel Beecher, Pyzick, Englehart, and various other prisoners of war which were made to me directly or through Interpreter Wada were not fully satisfied. Even though myself, Wada, Hattori and my other subordinates put in their utmost efforts. While in the harbor, after receiving these requests, we made various requests to Japanese units but were always rejected, stating that "Did we know or realize the conditions of the war?" I sincerely regret that the requests which were sent in by the prisoners of war were not fulfilled. . . ."*

(Proceedings of a Military Commission, p. 763)

## **6. Who gave the orders for the execution of 15 POWs at San Fernando, La Union, on or about December 23, 1944?**

SCAP File No. 014.13, Summary No. 510, describes the execution of these 15 POWs as follows:

About 1800 P.M. on the 23<sup>rd</sup> of December<sup>1</sup> Wada came to the two group commanders and wanted the 15 sickest men to be selected for return to Manila for hospitalization. Among the group selected were Lieutenant Dwight D. Edison, Lieutenant John W. Elliot, Lieutenant Colonel Samuel W. Freeny, Pharmacists Mate 2/c Deenah R. McCurry, Lieutenant Colonel Ulysses J. L. Peoples, Jr., Second Lieutenant Herman V. Sherman, Major Wendell F. Swanson and eight other unidentified American Prisoners of War.

About 1900 a truck was brought to where the group was waiting and the sick men were driven in the truck to a small cemetery on the outskirts of San Fernando, Pampanga. When they arrived at the cemetery there were a group of soldiers who had dug a hole about 15 feet square. When the guards on the truck had dismounted they took up positions about the hole. Two of the guards brought one of the prisoners to the hole. He was told to kneel at the edge of the hole and take a position as though in prayer. The prisoner was then decapitated, and allowed to fall into the hole. Another prisoner was brought to the hole and he was bayoneted and decapitated. This procedure was followed until all fifteen of the prisoners had either been decapitated or bayoneted. It is alleged that at this execution both Wada and Toshino were present, that they supervised and took part in it. (pp. 6-7)

Clearly, the execution of these 15 men was a violation of Article 13 of the Third Geneva Convention: “Prisoners of war must at all times be treated humanely. **Any unlawful act or omission by the Detaining Power causing death or seriously endangering the health of a prisoner of war in its custody is prohibited**, and will be regarded as a serious breach of the present Convention. . . .” (emphasis my own)

The order to execute the fifteen POWs originated in Manila in the office of General Kou, the main camp commandant. Lieutenant Urabe, who worked under General Kou in that office, was given the assignment of relaying the order to Lieutenant Toshino in San Fernando, Pampanga, and seeing that it was carried out. The following excerpt is from Toshino’s testimony:

Q: *Lieutenant, will you look now at Specification 9; at Pampanga was any selection made of certain of the prisoners of war who were critically ill to be placed aboard a truck?*

A: *Yes.*

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<sup>1</sup> For the record, Toshino testified at the trial that this execution took place on the night of December 22, 1944.

Q: *What was the purpose of their being placed aboard that truck?*

A: *The reason that the ill prisoners of war that were placed on the truck was to be decapitated under the order of the main camp commandant.*

Q: *Who did you talk with relative to this decapitation?*

A: *The order was passed down to me from Lieutenant Urabe.*

Q: *Tell the Commission that conversation.*

A: . . . *Lieutenant Urabe passed the order which was from the main camp commandant that the sick and injured prisoners of war were to be executed here at San Fernando. . . . I asked him to send these prisoners back to the Manila Hospital. There Lieutenant Urabe told me that when he left Manila he was informed by Lieutenant General Kou that the sick and injured prisoners of war would interfere with transportation, and also stated that "if they were to be taken back to Manila, on the way back through the long hours of the voyage on a truck they will suffer and it will be more pitiful, and furthermore if the injured prisoners of war were taken back to Manila the incident of Olongapo would be known in Manila. It is a pitiful thing. However, tell Lieutenant Toshino to carry out the execution at that place with the mercy of a knight." . . .*

(Proceedings of a Military Commission, pp. 701-702)

All of the accused at this trial, with the exception of Kajiyama, the ship master of the Brazil Maru, were charged with taking part in this execution, and they were closely questioned about the events that took place that night. This account was given by Tanoue, a non-commissioned officer in the medical section of the main prisoner of war camp who often traveled between there and Bilibid; Captain Nogi was Tanoue's immediate superior. According to Tanoue:

Q: *A few days prior to December the 23<sup>rd</sup> 1944 did you receive an order from Captain Nogi to go any place?*

A: *Yes.*

Q: *What did Captain Nogi tell you?*

A: *He stated that he received a word that Lieutenant Toshino's guarding the prisoners of war received a bombing from the American planes and they were at Olongapo without anything so he ordered me to take a medical supply which I was to receive from the Bilibid Hospital, and after turning over the medical supplies he told me I was under Lieutenant Toshino's order and was to help transporting prisoners.*

(Proceedings of a Military Commission, p. 551)

Tanoue went on to explain that he picked up about 15 boxes of American Red Cross medical supplies from Bilibid and left Manila with four officers and 20 or 30 soldiers and civilian army employees (*gunzoku*) in a convoy of approximately 30 trucks. Lieutenant Urabe, General Kou's assistant, left Manila the next day. At Olongapo, they loaded 1,200 to 1,300 POWs on the trucks and traveled to San Fernando, Pampanga. On Urabe's orders, the POWs were placed in a theater and the provincial jail there. During the time they were in San Fernando, Pampanga, four of the POWs died:

Q: *What did you do in reference to their burial?*

A: *With the help of the guard we took the dead body (sic) to the San Fernando cemetery and buried them one by one.*

Q: *Did you do anything after that?*

A: *After burying the bodies I picked a wild flower around there and placed it on their grave, gave a prayer, and then left the cemetery.*

(Proceedings of a Military Commission, p. 553)

On December 23, 1944, Tanoue received an order to report to Lieutenant Urabe's office:

Q: *What did you do?*

A: *I went to Lieutenant Urabe's place.*

Q: *When you arrived at Lieutenant Urabe's office who was present?*

A: *As far as I can recall, Lieutenant Urabe, Lieutenant Kimura, and Lieutenant Toshino, and Sergeant Nakanishi was there.*

Q: *Now tell us in your own words just what was said in Lieutenant Urabe's office after you got there, what did you do, and what did anyone else in the office do? Tell it in your own words.*

A: *Yes.*

Q: *Go ahead.*

A: *I went into Lieutenant Urabe's quarters, stood in front of him and gave a salute. After this, Lieutenant Urabe told me to sit in the chair. I sat down and at this time it seems to me that Lieutenant Toshino left the room. He told me that the fifteen most serious prisoners of war that could not make the trip will be executed tonight and told me, "Sergeant Tanoue will used (sic) your sword and execute this fifteen prisoners of war." After I heard that fifteen prisoners of war will be executed I was so stunned at that time I could not say (anything) for a while. For a few minutes I just sat there. Then I*

*told Lieutenant Urabe that I was a medical sergeant and up to the present moment I never cut anyone yet and I also told him that my duty as a medical of (sic) sergeant was not that there was an enemy or friend and my duty was to help anyone and I asked him to have someone else perform this duty and furthermore I asked Lieutenant Urabe to send these fifteen sick prisoners of war to Bilibid Hospital for treatment. . . . The answer was that they could not be sent and he stated that if we send these sick prisoners of war to Manila the incident, the bombing incident, and the condition that occurred at Olongapo will be known to the prisoners of war in Manila, so therefore we could not send them.*

(Proceedings of a Military Commission, p. 554)

In his testimony the next day, Tanoue continued answering questions about the execution:

*A: Then Lieutenant Urabe mentioned to me that the execution is tonight, and I was to receive the detailed orders from Lieutenant Toshino and further stated that this execution is top secret to other non-commissioned officers or the soldiers. Then Lieutenant Urabe stated that the severe patients will be brought out by Lieutenant Toshino, through Interpreter Wada, and Master Sergeant Tanoue will go in front of the theater when the patients are brought out. . . . For a few minutes I just sat there; then I asked Lieutenant Urabe two times whether this was an official order. . . . In the Japanese Army when you receive an official order you stand to attention and receive the order. The reason I asked Lieutenant Urabe twice whether this was an official order is because Lieutenant Urabe was sitting in a chair and I was sitting in a chair; therefore, I asked him twice if there (sic) was an official order.*

*Q: What did Urabe say?*

*A: In a strong voice he told me it was an order; then I left Lieutenant Urabe's room.*

(Proceedings of a Military Commission, p. 556)

That evening, Tanoue went to the cemetery in the truck with Lieutenant Toshino, Wada, the guards, and the 15 prisoners of war. On arrival, Lieutenant Toshino ordered him to carry out the execution, and Tanoue asked to have someone else do it. Toshino's answer was "What's the matter, you are an active service senior non-commissioned officer, so carry it out." As a non-commissioned officer, Tanoue did not carry a rifle, pistol, or revolver, but his uniform did include a sword, which he then used to decapitate seven or eight prisoners of war near the hole that had been dug there. He was in such a state of mental strain by that time that he went back to where Lieutenant Toshino

was standing a few meters away and asked him to have someone else continue the job. This request was granted, and he stayed with Toshino until all 15 of the prisoners of war had been killed, then he went back to help fill in the hole, now the grave of the 15 POWs, with dirt. Lieutenant Toshino, Wada, Tanoue, and the guards immediately returned to San Fernando, Pampanga, in the truck. Tanoue's testimony continues:

Q: *After you returned to San Fernando, Pampanga, did you make a report to Lieutenant Urabe in any way?*

A: *Yes, I did.*

Q: *Where was Lieutenant Urabe at that time?*

A: *He was in his own quarters.*

Q: *What did you say to Lieutenant Urabe?*

A: *I reported that the fifteen sick prisoners of war were executed and stated to him I never had such an unpleasant job as this.*

Q: *Did you say anything further to him?*

A: *No.*

Q: *Where did you go from there?*

A: *He thanked me for my trouble, then I left Lieutenant Urabe's quarters and I am not sure but I think I washed my sword and went back to my quarters and to rest.*

(Proceedings of a Military Commission, p. 563)

Other sections of Tanoue's testimony dealt with his training in the Imperial Japanese Army:

Q: *Tanoue, were you taught as a member of the Japanese Army anything about an inferior obeying a superior officer's order?*

A: *Yes.*

Q: *Tell the Commission what you were taught in reference to the question I have asked.*

A: *First of all, when we joined the Army, the first thing we learn is order(s) and anything that pertains to order(s); next, the Emperor's Mandates; next, the interior Army Regulations, Army criminal law, then the power of court-martial. These are all the things that we learned.*

Q: *What have you learned in reference to refusal to obey a superior's order during war time, if anything?*

A: *Yes; if you refuse the superior officer's order, you will be tried by army court-martial and the sentence will be the death penalty.*

(Proceedings of a Military Commission, pp. 563-564)

After returning to Manila, Tanoue told the court that he made a report about the execution of the 15 POWs at San Fernando, Pampanga, to Captain Nogi, his immediate superior, and the topic of obeying orders came up again:

Q: *Didn't they teach you in the Japanese Army that a soldier did not have to obey an illegal order given by his superior officer?*

A: *No.*

Q: *Lieutenant Urabe gave you an order not to talk when you got back to Manila, didn't he?*

A: *Yes, he did say that to me when I was in San Fernando.*

Q: *You disobeyed the order quick enough when you got back to Manila, didn't you?*

A: *It is not disobeying an order, because whatever we do we would have to report to the direct superior officer. And in the Japanese Army we would have to make a report and also a repetition of an order or message.*

(Proceedings of a Military Commission, pp. 589-590)

Toshino's testimony also contained some information on the way the POWs were executed and the cultural significance of executing someone by decapitation:

Q: *Did Urabe give you orders in writing from General Kou that these POWs were to be executed?*

A: *No, it was verbal.*

Q: *Did Urabe tell you that it was General Kou's order that the prisoners of war should be bayoneted before they were beheaded?*

A: *I have heard from Lieutenant Urabe to decapitate or bayonet the prisoners of war.*

Q: *Didn't you say the other day that they were to be executed with what you called "the mercy of a knight"?*

A: *I have heard from Lieutenant Urabe that Lieutenant General Kou ordered it in such a manner.*

Q: *And did that, in your opinion, include other methods of execution than beheading?*

A: *What I heard from Lieutenant Urabe is that the order was to decapitate or bayonet and not to let the prisoners of war suffer.*

Q: *Now, isn't it a fact in Japan it is considered an honorable way to die by being*

*beheaded?*

A: *As I recall, this decapitation is one way to relieve a person. In other words, when a person is suffering and is close to death they are decapitated to relieve them from suffering.*

Q: *It wasn't the custom in Japan or in the Japanese Army to relieve a person from suffering by bayoneting him, was it?*

A: *In Japan, bayoneting is considered in connection with the knights. Also, in the Army it depends on the time and occasion when the bayonet would be used to execute.*

(Proceedings of a Military Commission, p. 754)

One part of Wada's testimony about his own actions on the night of the execution of the 15 POWs was of particular interest:

Q: . . . *Now, I want you to tell this Commission, and you can go into detail on this, everything you did on this particular day and this particular night—the day and night of the execution.*

A: *Lieutenant Urabe told me that the sick prisoners of war were to be sent to Manila Hospital so he told me to select these prisoners of war. . . .*

Q: *After you were told by Lieutenant Urabe to perform a mission, what did you do?*

A: *I don't recall exactly what time it was but it was still day time. I first went to this provincial jail and met Lieutenant Colonel Englehart and asked him how many wounded and sick prisoners of war were in that jail. When I inquired about these wounded and sick prisoners of war I was referring to the very serious patients who would have to receive medical treatment in Bilibid Hospital. There Lieutenant Englehart consulted with the prisoner of war medical officer and told me there were three very serious sick prisoners of war. I received the list of names of these seriously sick prisoners of war. Then I went to this theater which was about one mile from this jail. I don't think I met Colonel Beecher at that time. However, the person I met was the senior prisoner of war officer who was at Bilibid. It may have been because of the shock he received at Olongapo but he didn't seem to understand what I was trying to say. Therefore I called another medical officer. There I told this medical officer that twelve very serious sick prisoners of war were to be sent to Manila to the Bilibid Hospital for treatment and asked him to select them. At that time I don't recall whether I told him to have a physically fit medical doctor attend with them.*

Q: *Well, did they select any sick prisoners of war from the theater and turn them over to*



*you?*

A: *Yes.*

(Proceedings of a Military Commission, p. 787)

This testimony interested me because of some handwritten marks on this page of the transcript. In the right-hand margin, two names, **Joses** and **Hayes**, were written next to the sentence, “However, the person I met was the senior prisoner of war officer who was at Bilibid.” In the left-hand margin, there was a bracket around the sentences, “Therefore I called another medical officer. There I told this medical officer that twelve very serious sick prisoners of war were to be sent to Manila to the Bilibid Hospital for treatment and asked him to select them” with the word “**me**” written beside the bracket. If, as I suspect, these words were written by my grandfather, it means that he had an unwitting hand in choosing the men who died later that night.

## **7. What was the role of Wada, the official interpreter?**

In the opening statement of the prosecution on March 11, 1947, there was the following paragraph:

The Commission will also note that the specifications against Wada are almost parallel with those against Toshino. This was done because the Prosecution intends to prove that although Wada’s official position was that of a civilian interpreter, his authority, powers, and activities were those of an administrative assistant to the Guard Commander; that he had the assimilated rank of a commissioned officer, wore a military uniform with insignia of rank and enjoyed all the privileges of commissioned rank so far as quarters, mess and authority and respect were concerned; that he actually had the authority to and did issue orders and grant or deny requests of the Prisoners on his own responsibility. The evidence will show that Toshino remained for the most part quite aloof from the Prisoners, leaving the dirty work to the able hands of Mr. Wada. (Proceedings of a Military Commission, p. 15)

It is clear from the transcript of this trial that the POWs had more dealings with Wada than with any other member of the escort guard. He supervised the work of the other guards and received and replied to the prisoners’ requests. In the charges against Wada, Specifications 1-7 and 9-15 contained the phrase “by refusing on his own responsibility and neglecting and refusing to transmit to his superiors requests for . . . .” During the trial, an effort was made to determine how much authority he actually had. Perhaps the most useful information about this came from the

testimonies of Toshino and the guard Aihara. According to Toshino:

Q: *Lieutenant Toshino, during the course of this trial there have been constant references to Wada directing the loading of the prisoners aboard the Oryoku Maru and directing the transfer of the prisoners at Takao and directing the prisoners off the boat at Moji. Now, were these things done under your orders or by Wada on his own initiative?*

A: ***Interpreter Wada had no authority to order anyone.*** *I passed him the orders and he merely carried out as to the directing. However, he could not even direct the guards or the soldiers. The only persons he could direct are the prisoners of war. The orders and directions pertaining to the prisoners of war would have to be explained.*

Q: *Where did these orders and directions come from?*

A: *As for this order, I passed all the orders. And there was a time when I directly contacted Colonel Beecher through Interpreter Wada and passed the order down. There were other occasions when Wada would carry my order and pass it to Colonel Beecher himself and in turn Colonel Beecher would pass the order down to the prisoner of war senior officers.*

(Proceedings of a Military Commission, p. 719; emphasis my own)

In SCAP File No. 014.13, Aihara was described as “the most hated guard at Cabanatuan. The prisoners nicknamed him ‘Air Raid,’ and he was said to have been very vicious.” While he was on the stand, he was cross-examined about inconsistencies in his written and oral statements. This section of his testimony included some information about Wada and Toshino:

Q: *You were then asked, “We know all through the trip, right up to Moji, Wada took responsibility on himself and gave orders to the soldiers; that is true, isn’t it?” To which you replied, “We treated Wada as an officer . . . . He gave us orders and we listened to him as an officer.” Is that correct?*

A: *No, I did not mention anything that we received direct orders from Wada for what I meant was that the order that was given down from Toshino was carried out by Wada. . . . We treated Wada and respected him because he was older than the rest of us. Another thing I would like to mention is that Wada was the one that directly contacted the prisoners of war. This, he had to do because Lieutenant Toshino did not contact with the prisoners of war. This is the reason why the prisoners of war misunderstood that they thought Wada was giving the orders.*

. . . .

Q: *You were asked, at the same time and place, “As a matter of fact, throughout the entire voyage Wada gave you more orders than Toshino did, didn’t he?” To which you replied, “Yes, instead of receiving orders from Lieutenant Toshino we would rather have them from Wada because we didn’t like Toshino. He used to stay up on the bridge so I didn’t see him so much, so whenever Wada gave an order we would think it was directly from Toshino.” Is that right?*

A: *Yes.*

(Proceedings of a Military Commission, pp. 664-665)

In his manuscript, my grandfather never offered a direct opinion of Wada’s English ability or of his character. He did, however, refer to Wada by name three times, and two of those times he used a certain phrase, “a Mr. Watta (*sic*).” I can hear his voice saying “a Mr. Watta” with a certain inflection, and the nuance is that he did not admire him. During the trial, three of the former POWs who testified were specifically asked questions about Wada’s language ability, and they all said that his English was difficult to understand and sometimes he spoke quite rudely to them. Mr. Threatt, a civilian prisoner of war who had been captured at the fall of Bataan, testified as follows:

Q: *And Wada would talk to the group commanders in the English language, wouldn’t he?*

A: *He would talk to the group commanders in English—usually it took another interpreter to interpret what he said, though.*

Q: *Are you trying to tell this Commission that Wada’s English is not understandable?*

A: *That that he used with us was atrocious.*

Q: *And you testified that Colonel Beecher had many conversations with Wada; you have testified that others had many conversations with Wada. Do you mean to say now that they had difficulty in understanding his English?*

A: *Colonel Beecher and the other commanders always had one of the POW interpreters near; they possibly could understand what Mr. Wada said, I don’t know. I only speak for the conversations I heard.*

Q: *Mr. Threatt, do you mean to say that when Wada was talking with Colonel Beecher that either Mr. Bolney or Mr. Lynch was always present?*

A: *Mr. Bolney and Mr. Lynch — I would not say that Mr. Bolney or Mr. Lynch were always present but either Bolney, Lynch, Major Pyzick or Colonel Englehart or one of the other interpreters was usually with him.*

Q: *In what language during these times would Wada speak?*

A: *He spoke in English but if something came up which he couldn't put over in English he would turn to the American interpreter and tell him in Japanese.*

(Proceedings of a Military Commission, p. 244)

Captain Mittenthal, who was captured on Bataan and endured the Death March, said the following about Wada on the Oryoku Maru after the bombing:

Q: *Did the men at that time shout up to him for aid?*

A: *The only thing I heard the men holler up was asking for food and water and water (sic) and what he would say was "Shut up – I don't care if you all die."*

(Proceedings of a Military Commission, p. 254)

Schwartz, the doctor from the U.S. Army Medical Corps who amputated Specht's arm on the tennis court at Olongapo, reported the following about Wada after evacuating the Oryoku Maru:

Q: *What were Wada's activities at that time?*

A: *Wada appeared at the tennis court several times daily; at each of his appearances, requests were made to him with no results. The morning after the first night on the tennis court, Colonel Beecher and I interviewed Mr. Wada at his first appearance at the tennis court. We talked to him through the wire netting near the entrance to the tennis court. Colonel Beecher described our crowded conditions on the tennis court, which were very evident, he described the terrific cold we had endured the previous night, laying on the concrete of the tennis court, requested food since we had had nothing to eat for over 36 hours, and requested clothes. I, in turn, requested that the sick and wounded be evacuated to a hospital, or failing in that, we be issued medical supplies which at that time had been completely exhausted. Mr. Wada said that many medical supplies had been on board the ship but had been sunk with the ship; he said that we had to wait where we were until they received instructions from Manila and then tore into a tirade about our lot being the result of our own American bombers. This statement I heard innumerable times from him. His attitude and demeanor was very unsympathetic and hostile.*

(Proceedings of a Military Commission, p. 358)

Compare this to the testimony of Colonel Montgomery, who had known Wada at Davao Penal Colony in somewhat calmer circumstances. He testified that Wada was on good terms there with a

Colonel Olson:

Q: *Can you tell this Commission whether or not Colonel Olson and Wada were very good friends?*

A: *That requires some additional explanation. . . . Colonel Olson and Wada got along very well; Wada on occasions gave Colonel Olson some presents in the form of food, cigarettes and occasionally candy. Now, I don't say that classifies Olson as a good friend of Wada but Wada showed kindness to Olson on occasions. Now, I was Colonel Olson's adjutant and from time to time we discussed the matter of Olson and Wada and he thought it was expedient for the benefit of the camp for him to keep on good terms with Wada. . . .*

(Proceedings of a Military Commission, p. 173)

In SCAP File No. 014.13, Wada was described as “merciless in his dealings with the prisoners, they received absolutely no consideration at all.” Yet, towards the end of the trial, the Defense was able to call one witness who introduced as evidence three letters in support of Wada. The witness was Dr. Bunce, an American who had known Wada in his hometown of Matsuyama on the island of Shikoku for about three years from 1936 to 1939. He said:

Q: *Do you know Mr. Wada's general reputation insofar as honesty, integrity and peaceful character are concerned?*

A: *Yes, I think I do.*

Q: *Will you please state that to the Commission?*

A: *In Matsuyama and Shikoku Wada had an excellent reputation. He was well known to the foreign community in Matsuyama and was commonly referred to as the “Foreigners' Friend”.*

(Proceedings of a Military Commission, p. 840)

Dr. Bunce also read out the three letters in court. The first two were from Lieutenant Colonel Lentz, who was in the U.S. Army Medical Corps and who knew Wada when he was an interpreter at Bilibid prisoner of war camp in 1942 and later at Zentsuji Camp in Shikoku, where Colonel Lentz was later held, in April or May of 1945. In his official letter for the court, Lieutenant Colonel Lentz described his dealings with Wada and said that he had “a high regard for him as a gentleman.” In his personal letter to Dr. Bunce, he wrote:

. . . I feel very much as you do regarding Mr. Wada, as he was always kind to me. As far as I know, everything he is charged with concerns his position as interpreter on that ill-fated December ship 1944, from Manila to Japan, which was bombed and sunk twice, plus overcrowding, inadequate ventilation, food, water, medical supplies, medical care, and disposal of the dead. . . . I personally feel that he was caught, as one of the misfortunes of war, in a “hell of a situation” between one Toshino and a large shipment of POWs. I project myself to ask, “What would I do under the circumstances?” . . . Give Mr. Wada my best regards and best wishes. I am also enclosing a dollar bill, hoping you can send him a carton of cigarettes or something. (Proceedings of a Military Commission, p. 842)

The third letter was from Dr. and Mrs. Gulick of Chicago, Illinois, who had known Wada in Matsuyama when they lived there from 1926 to 1937, while Dr. Gulick was the principal of the Matsuyama Night School. It said:

. . . All of his actions and words were clearly indicative of genuine and straightforward helpfulness, so that he was welcome in other American and English homes besides our own. In fact, Mr. Wada put himself out to give aid to foreigners in their negotiations with the local authorities, even at a time when to do so meant ostracism by his Japanese friends for helping potential enemies.

Wada never showed himself aggressive nor argumentative and was unusually self-effacing, even for a Japanese. We point this out because if he has seemed to have committed war crimes, we believe that this very timid nature would make him readily follow out orders which he would shun if left to his own tendencies. . . .

This affidavit is presented on our own volition in certifying to the many years of knowledge concerning Shusuke Wada, of his unimpeachable character during that time, and his helpfulness to English-speaking people. . . . (Proceedings of a Military Commission, p. 844)

When Wada took the stand toward the end of the trial, we learned that he had gone to a business school in Matsuyama, worked for the prefectural government for about ten years, then for an export-import company in Kobe for about five years, and his family consisted of a stepmother, a wife, and two children. In June 1942, when he was 37 years old, he had gotten a job as a civilian translator with the Imperial Japanese Army. In several references in English, including Weller (1945) and Glusman (2005), Wada is described as “a hunchback.” My grandfather never mentioned a

physical deformity, and the photograph I found of him online on Yahoo! Images, probably taken at the time of the trial, shows him from the front seated behind a desk or podium. When I tried to confirm this point with the librarian at the Military Archives at the National Institute for Defense Studies in Tokyo, I received a very polite reply, but no answer to my question, perhaps because this was considered a breach of privacy. Wada testified that he had applied for the position of interpreter with the Japanese Imperial Army, and it is possible he did this because his size and shape may have made him ineligible for the draft, which was taking men up to the age of 40 during the war.

Wada testified that he had not refused or neglected to transmit any requests for “adequate quarters, food, drinking water, ventilation, sanitation and hygienic facilities, medical attention, and reasonable protection from the hazards of war” from the prisoners of war to Toshino, his superior officer (Proceedings of a Military Commission p. 792), but he did admit to having struck some prisoners as punishment (Specification 16 of the charges against him):

Q: *There is one thing I want you to tell this Commission about. In Takao Harbor, I believe aboard the Enoura Maru, did you slap any prisoner of war?*

A: *Yes, there is one time.*

Q: *Tell about it.*

A: *While on the Enoura Maru the lower hold was loaded with sugar, and the prisoners of war were in the 'tween deck. I went through these holds at various times and I was informed by the chief mate that the prisoners of war were stealing sugar. I think at that time Sergeant Hattori and Lieutenant Toshino were not aboard the ship that day. I told Colonel Beecher that the prisoners of war were stealing sugar and I was told by the chief mate. This was repeated several times. Later, Colonel Beecher told me that he would place a sentry by the sugar. But even though again the chief mate caught prisoners stealing sugar and informed me. Then I told Colonel Beecher again I was informed by the chief mate and was scolded again by the chief mate. However, this stealing of sugar was still continuing. There Colonel Beecher told me he could not do any more. I knew if this kept up the prisoners would be punished by the chief mate or the ship's crew, and I knew that I did not have any authority to punish these prisoners of war but I called three prisoners of war who were caught by the chief mate and punished them by bringing them up to the hatch board and I made them sit there and told them if they were taken care of by the chief mate or other ship crew I did not know what type of punishment they would receive, therefore I did take it on my own and there I slapped each prisoner of war two times and made them sit there approximately thirty minutes. During this time I was straightening out these identification cards on top of*

*the hatch board with Pyzick. Later, when Lieutenant Toshino came back I informed him about the incident and he scolded me and also told me not to strike the prisoners of war. I know I made a mistake and the chief mate was satisfied.*

(Proceedings of a Military Commission p. 793)

This story is similar to one my grandfather told in his manuscript. That incidence of stealing sugar from the lower hold happened on the Brazil Maru on the last leg of the journey from Takao Harbor, Formosa, to Moji, Japan. In that case, Wada threatened the prisoners with withholding food and water until he found out who had been stealing the sugar. The two prisoners who volunteered to take the blame had to stand at attention for a long period of time and were given lectures and beaten, and they later died, but my grandfather did not specify who actually had given them the physical punishment.

If Wada had sought out the company of foreigners in Matsuyama such as Dr. Bunce, Lieutenant Colonel Lentz, and Dr. and Mrs. Gulick before the war, he must have been somewhat unusual for his time and place. He seems to have gotten along well with the foreign community in Matsuyama before the war, but during the war, as an interpreter for the Imperial Japanese Army, he seems to have been unable to establish much of a rapport with the POWs.

“Don’t shoot the messenger,” meaning one should not blame the person who brings bad news, is a saying known to most speakers of English. Essentially, the job of an interpreter is to be a messenger who relays news and information, both good and bad, from one group to another when they do not share a common language. I have never worked as an official interpreter, but as a part of my job at universities in Japan, I have had opportunities to act as a liaison between speakers of Japanese and speakers of English on university business, and I have learned that it is imperative for the person acting as a liaison to remain calm at all times. It has sometimes been hard work, but it has never involved the life-or-death matters that an interpreter would experience during wartime, and I have always been able to rest at the end of the day. I try to put myself in Wada’s shoes in that situation—one interpreter versus a group of bruised, battered, weary, starving, frustrated, and angry men who knew about the provisions for prisoners of war laid out in the Geneva Convention and were helplessly watching their fellow POWs die in increasing numbers, with imperfect language skills, no downtime, and only pressure from his superior to get something done in an impossible situation—and as jobs go, I can only imagine how stressful it must have been. I agree with Colonel Lentz that Wada must have been in a “hell of a situation,” but he clearly stepped outside the standard job description of an interpreter by raising his hand against the POWs.



## 8. Death certificates

In both his manuscript and in his official deposition, my grandfather mentioned the more than 1,000 death certificates with the individual's name, rank, and date of death written in English, but everything else written only in Japanese, that he was required to sign a few days after their arrival in Moji, Japan. At the beginning of the trial, on March 13, 1947, his affidavit about these death certificates was received in evidence as Prosecution's Exhibit No. 58. Later in the trial, however, the testimony of Dr. Schwartz revealed the existence of other death certificates as well:

Q: *By the way, while you were on the tennis court did you sign any death certificates?*

A: *On one occasion Mr. Wada brought a stack of death certificates. The number of which I would guess to be 250 and gave them to me to be signed in blank, which I did. . . .*

Q: *Was that the only time that you signed death certificates prior to arrival at Moji?*

A: *Yes.*

(Proceedings of a Military Commission p. 361)

After arrival in Moji, Dr. Schwartz was asked to sign another stack of death certificates:

Q: *About this time did you sign any death certificates? "Yes" or "No".*

A: *Mr. Wada, accompanied by some Japanese guard, brought over to me approximately 1,000 plain death certificates with instructions for me to sign them. I started in signing them and it was his idea that I was signing them too slowly and he removed about half of them and took them over to Major Williams, also in the Medical Corps, who signed the remainder.*

(Proceedings of a Military Commission p. 372)

In the cross examination of Dr. Schwartz the topic of death certificates came up again:

Q: *Now, at Moji, I believe you stated you signed about 500 death certificates and Major Williams signed the other 500; is that correct?*

A: *That is correct.*

Q: *Were those the only death certificates signed at Moji?*

A: *To the best of my knowledge they were.*

Q: *Now, were you the senior medical officer among the prisoners of war?*

A: *At the time of our departure from Manila, Colonel Craig and Colonel Sullivan were*

*both senior to me. When we arrived at Moji, Colonel Craig had already died and Colonel Sullivan was in a very critical condition and died a few days later.*

Q: *Do you have any explanation as to why you neglected in your affidavit of September 16, 1945, mentioning these death certificates?*

A: *I think I have previously explained that — the affidavit I submitted is not a very detailed account of our trip.*

Q: *I have in my hand Prosecution's Exhibit No. 58, made by Lieutenant Commander Carey Miller Smith, on the last page of which he states, "As senior surviving naval medical officer at the hospital, I was required to sign more than 1,000 death certificates which were brought to me by Mr. Wada, which certificates were written in Japanese." To your knowledge, did Lieutenant Commander Carey Miller Smith sign any death certificates?*

A: *This is the first I have heard of that incident. Of course, Commander Smith and I were at different camps.*

Q: *I have in my hand some 1,000 death certificates all of which were signed by Commander Smith and which were filed with the Prisoner of War Information Bureau; do you have any explanation to make as to why you would be required together with Major Williams to sign 1,000 of the certificates when these certificates were the ones which were filed with the Prisoner of War Information Bureau? . . .*

A: *I can't explain that. The thousand death certificates, approximately a thousand that Major Williams and I signed were not the type death certificates as I see there. The ones we signed were about probably one and a half times that size, were a printed form, were printed in English, and were signed in blank. There was no Japanese writing on them.*

Q: *Then as I understand it, you are not able to state whether any official use was made by Mr. Wada or Lieutenant Toshino of the certificates signed by you and Major Williams.*

A: *That is correct.*

(Proceedings of a Military Commission pp. 386-387)

One last point about the death certificates is the discrepancy between the cause of death listed on them in Japanese and the actual cause of death as remembered by Dr. Schwartz. He was recalled to the stand at a later time during the trial and asked to look at a list of names of prisoners of war who had died during the journey from the Philippines to Japan. He was asked to find the names of men he knew personally and whose cause of death he could confirm. An interpreter then

read the cause of death listed on the death certificates for these men so they could be compared. Here is one example:

A: *This is the death certificate of Portz, Warner P; he was a commander; I know he died on the Enoura Maru, approximately 6 January 1945 of dysentery, of malnutrition, and dehydration.*

Q: *Will the interpreter now state what the certificate states?*

Q: *Look at it and see what the cause of death is as entered there on that death certificate – the purported cause of death.*

Interpreter: *According to this death certificate it shows that Commander Portz, Warner P. United States Navy, had died of wounds received from bombing – bomb shrapnel; died aboard the Enoura Maru, the date, 7 January 1945.*

Q: *Is that signed by some Japanese official?*

Interpreter: *It does not bear any Japanese official's name, just the signature of Commander Smith.*

(Proceedings of a Military Commission p. 402)

Death certificates for a total of thirteen men were examined, all with discrepancies as to the cause of death. Among the names were Eugene Specht, whose arm was amputated by Dr. Schwartz on the tennis court in Olongapo, and Ulysses J. L. Peoples, Jr., who had been executed at the cemetery in San Fernando, Pampanga, in December 1944, and for both men the cause of death was listed as “wounds received in the bombing of the Oryoku Maru.” Enough about death certificates.

## 9. The verdict

All charges against Captain Kajiyama Shin, the ship master of the Brazil Maru, were dropped midway through the trial on April 9, 1947, when the Prosecution finished its case. On the morning of May 9, 1947, at Yokohama courthouse, the findings against the other eight men were read:

- Toshino Junsaburo - 18 specifications; guilty of 9. Sentence: to be hanged by the neck until dead.
- Aihara Kazutane - 5 specifications; guilty of 4. Sentence: to be hanged by the neck until dead.
- Wada Shusuke - 16 specifications; guilty of 8. Sentence: to be confined at hard labor for the term of his natural life.
- Tanoue Suketoshi - 1 specification; guilty of 1. Sentence: to be confined at hard labor for

twenty-five years.

- Ueda Jiro - 1 specification; guilty of 1. Sentence: to be confined at hard labor for twenty years.
- Hattori Sho - 4 specifications; guilty of 1. Sentence: to be confined at hard labor for ten years.
- Kobayashi Risaku - 1 specification; not guilty of 1. No sentence.
- Yoshida Hisao - 1 specification; not guilty of 1. No sentence.

In the testimony at this trial, it was noted that Lieutenant Urabe, who had worked under General Kou, the main camp commandant in Manila, and delivered the order to Toshino about the execution of the 15 POWs at San Fernando, Pampanga, in December 1944, was already dead. I asked the librarian at the Military Archives of the National Institute for Defense Studies in Tokyo where, when, and how he died, but was politely told that this information could only be made available to family members; as with my question about Wada, it was considered a privacy issue. In the testimony, it also came out that at another trial, in March 1946, General Kou had been sentenced to death by hanging for having ordered the transfer of this draft of approximately 1,619 American prisoners of war from the Philippine Islands to Japan and failing in his duties and responsibilities to protect them from mistreatment, abuse, neglect, and the hazards of war.

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