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The New York Times
Thursday, April 22, 1943

TEXTS OF THE STATEMENTS ON JAPAN

By The Associated Press.

WASHINGTON, April 21 - The texts of President Roosevelt's statement on the execution of some of the American fliers who raided Japan and of the State Department's communication to Japan follow:

PRESIDENT'S STATEMENT

It is with a feeling of deepest horror, which I know will be shared with all civilized peoples, that I have to announce the barbarous execution by the Japanese Government of some of the members of this country's armed forces who fell into Japanese hands as an incident of warfare.

The press has just carried the details of the American bombing of Japan a year ago. The crews of two of the American bombers were captured by the Japanese.

On October 19, 1942, this Government learned from Japanese radio broadcasts of the capture, trial and severe punishment of those Americans. Continued endeavor was made to obtain confirmation of those reports from Tokyo.

It was not until March 12, 1943, that the American Government received the communication given by the Japanese Government stating that these Americans had in fact been tried and the death penalty had been pronounced against them. It was further stated that the death penalty was commuted for some but that the sentence of death had been applied to others.

This Government has vigorously condemned this act of barbarity in a formal communication sent to the Japanese Government. In that communication this Government has informed the Japanese Government that the American Government will hold personally and officially responsible for these diabolical crimes all of those officers of the Japanese Government who have participated therein and will in due course bring those officers to justice.

This recourse by our enemies to frightfulness is barbarous. The effort of the Japanese war lords to intimidate us will utterly fail. It will make the American people more determined than ever to blot out the shameless militarism of Japan.

I have instructed the Department of State to make public the text of our communication to the Japanese Government.

State Department's Note

Text of the United States Reply
To The Japanese Government,
April 12, 1943

The Government of the United States has received the reply of the Japanese Government conveyed under date of Feb. 17, 1943, to the Swiss Minister at Tokyo to the inquiry made by the Minister on behalf of the Government of the United States concerning the correctness of reports broadcast by Japanese radio stations that the Japanese authorities intended to try before military tribunals American prisoners of war, for military operations, and to impose upon them severe penalties, including even the death penalty.

The Japanese Government states that it has tried the members of the crews of American planes who fell into Japanese hands after the raid on Japan on April 18 last, that they were sentenced to death and that, following commutation of the sentence for the larger number of them, the sentence of death was applied to certain of the accused.

The Government of the United States has subsequently been informed of the refusal of the Japanese Government to treat the remaining American aviators as prisoners of war, to divulge their names, to state the sentences imposed upon them or to permit visits to them by the Swiss Minister as representative of the protecting power for American interests.

The Japanese Government alleges that it has subjected the American aviators to this treatment because they intentionally bombed non-military installations and deliberately fired on civilians, and that the aviators admitted those acts.

The Government of the United States informs the Japanese Government that instructions to American armed forces have always ordered those forces to direct their attacks upon military objectives. The American forces participating in the attack on Japan had such instructions and it is known that they did not deviate therefrom. The Government of the United States brands as false the charge that American aviators intentionally have attacked noncombatants anywhere.

Japan's Methods Questioned

With regard to the allegation of the Japanese Government that the American aviators admitted the acts of which the Japanese Government accused them, there are numerous known instances in which Japanese official agencies have employed brutal and bestial methods in extorting alleged confessions from persons in their power. It is customary for those agencies to use statements obtained under torture, or alleged statements, in proceedings against the victims.

If the admissions alleged by the Japanese Government to have been made by the American aviators were in fact made, they could only have been extorted fabrications.

Moreover, the Japanese Government entered into a solemn obligation by agreement with the Government of the United States to observe the terms of the Geneva Prisoners of War Convention. Article I of that Convention provides for treatment as prisoners of war of members of armies and of persons captured in the course of military operations at sea or in the air. Article LX provides that upon the opening of a judicial proceeding directed against a prisoner of war, the representative of the protecting power shall be given notice thereof at least three weeks prior to the trial and of the names and charges against the prisoners who are to be tried. Article LXI provides that no prisoner may be obliged to admit himself guilty of the act of which he is accused.

Article LXII provides that the accused shall have the assistance of qualified counsel of his choice and that a representative of the protecting power shall be permitted to attend the trial. Article LXV provides that sentence pronounced against the prisoners shall be communicated to the protecting power immediately. Article LXVI provides, in the event that the death penalty is pronounced, that the details as to the nature and circumstances of the offense shall be communicated to the protecting power, for transmission to the power in whose forces the prisoner served, and that the sentence shall not be executed before the expiration of a period of least three months after such communication. The Japanese Government has not complied with any of these provisions in its treatment of the captured American aviators.

Demands Information

The Government of the United States calls again upon the Japanese Government to carry out its agreement to observe the provisions of the Convention by communicating to the Swiss Minister at Tokyo the charges and sentences imposed upon the American aviators, by permitting the Swiss representatives to visit those now held in prison, by restoring to those aviators the full rights to which they are entitled under the Prisoners of War Convention, and by informing

the Minister of the names and disposition or place of burial of the bodies of any of the victors against whom sentence of death has been carried out.

If, as would appear from its communication under reference, the Japanese Government has descended to such acts of barbarity and manifestations of depravity as to murder in cold blood uniformed members of the American armed forces made prisoners as an incident of warfare, the American Government will hold personally and officially responsible for those deliberate crimes all of those officers of the Japanese Government who have participated in their commitment and will in due course bring those officers to justice.

The American Government also solemnly warns the Japanese Government that for any other violations of its undertakings as regards American prisoners of war or for any other acts of criminal barbarity inflicted upon American prisoners in violation of the Rules of Warfare accepted and practiced by civilized nations, as military operations now in progress draw to their inexorable and inevitable conclusion, the American Government will visit upon the officers of the Japanese Government responsible for such uncivilized and inhumane acts the punishment they deserve.

THE NEW YORK TIMES / ニューヨークタイムス 一九四三年四月二十二日 木曜日

日本ニ関スル声明 主文

By the Associated Press / WASHINGTON / 四月二十一日 卷一 日本

襲撃ノ米國飛行士若干名ノ處刑ニ関スルルーズヴェルト大統領ノ
声明並ニ日本ニ対スル國務省通告ノ主文ハ左ノ通りデアール

大統領聲明

總ベテノ文明國人カ共感スルデアラウコトヲ余ハ知ツテホルガソノ最モ
刻ナ恐怖ノ感情ヲ以テ余ハ戦争ノ一出来事トシテ日本側ノ手ニ落
タ我軍兵員若干名ニ対スル日本政府ノ野蠻ナル處刑ヲ発表セズ
ナラナイ。

只今各新聞ハ一年前ノアメリカノ日本爆撃ノ詳報ヲ傳ヘテ居リ
ニ台米國爆撃機ノ搭乗員カ日本側ニ捕ヘラレタ

千九百四十二年十月十九日ニ我政府ハ日本ノラケヲ放送ニヨリコレヲ
米國人ノ逮捕・裁判及ハ嚴酷ナル處刑ニ関シテ知ツタ。東京ヨリ
コレヲ報道ニツイテ確認ヲ得ルヲメ、繼續的カカチアレタ。

千九百四十二年三月十二日ニ至リ、初メテ米國政府ハ是等ノ米國人
實裁判ニ附シラレ、死刑ノ宣告カ彼等ニ對シテ下サレリ。日本政府
ノ通告ヲ受取ツタ。ソレニハ更ニ此ノ死刑ハ若干名ニ對シテ減刑カ
カ他ノ若干名ニ對シテハステニ石死刑ノ宣告カ適用サレタノデア
ト述ベテアツタ。

我政府ハ日本政府ニ送ツタハ公式通告ノ中デ此ノ變行ヲ強ク非
難シタ。右通告申テアメリカ政府ハコレニ関與シタスベテノ日米政
府ノ官吏ニ是等極惡非道ノ犯罪ニ對シ個人的ニモ公的ニモ責
任アリトナシ、然ルベキ時獄ニ是等官吏ヲ法ニ照ラシテ處刑スベキ
旨日本政府ニ通告シタ。

吾々ノ敵ガ威嚇政略ニ訴ヘルヤリ方ハ野蠻デアル。
 吾々ヲ威嚇セントスル日本軍部將領達ノ努力ハ全ク失敗ニ
 歸スルデアラウ。ソレハ本國民ヲシテ無恥ナル日本ノ軍國主義ヲ
 抹殺スベク一層ソノ決意ヲ固メシムルデアラウ。
 余ハ日本政府ニ対スル我方通告ノ主文ヲ公表スル様國務
 省ニ命ジタ。

國務省覺書

千九百四十三年四月十二日附、日本政府ニ対スル合衆國回答
 主文

合衆國政府ハ日本ノ當局者ガアメリカノ俘虜ヲソノ軍事行動
 ニ対シ軍事裁判ニ於テ審理シ且死刑ヲサヘ含ム嚴酷ナ刑
 罰ヲ彼等ニ科セントシテナルトノ日本ノラケオ放送局ノ放送ノ
 正否ニ關シテ合衆國政府ヲ代表シテ在東京瑞西公使ニ依
 ツテナサレタ質問ニ對シ、千九百四十三年二月十七日附ヲ以テ
 同公使ニ傳ヘラタ日本政府ノ回答ヲ受領タ。

日本政府ハ昨年四月十八日ノ日本空襲ノ後日本側ノ手
ニ落ケタアメリカ飛行機搭乗員ヲ裁判シテト彼等カ死
刑ノ宣告ヲ受ケタト及ヒ彼等ノ半数以上ガ減刑セテ後若
干被告ニ死刑ノ宣告ガ執行サレタコトヲ述ベテキル。合衆國
政府ハ次テ殘餘ノアメリカ飛行士ヲ俘虜カトシテ取扱フコト彼
等ノ名前ヲ發表スルコト。彼等ニ下サレタ判決ヲ知ラセルコト
又ハアメリカノ利益保護國代表トシテ瑞西公使ガ彼
等ヲ訪問スルヲ許スコト。以上ニ對シ日本政府ガ拒絶
シタヒ自ノ通告ヲ受ケタ。日本政府ハアメリカ飛行士ガ故意
ニ作軍事施設ヲ爆撃シ故意ニ作戰艦員ヲ射撃シ
シタタメ彼等ヲ右ノ稱ヲ取扱ヒトシテモノアリ。又彼等ハ是
等ノ行為ヲ認メタト主張シテキル。

合衆國政府ハ米國軍隊ニ對シ指示ハ常ニソシテ軍隊
ニソノ攻撃ヲ軍事目標ニ指向サルベキコトヲ命ジテキルコト
ヲ日本政府ニ通告スル。日本ニ對スル攻撃ニ參加シタ
米國軍隊ハカ、ル命令ヲ受ケテ居リ又彼等ガコレニ
違ヒ自ニカコトハ知ラレキル。合衆國政府ハアメリカ
飛行士ガ何レカノ場所ヲ故意ニ作戰艦員ヲ攻撃ス
コトノ非難ハ虚偽ナリト断カレ

日本側ノ措置ヲ叙ス

日本政府ガ非アリト主張スル行為ヲアメリカ飛行士ガ認
メタトノ日本政府ノ主張ニ関シハ日本政府諸機關ガ
彼等ノ勢力内ニ在ル者ニ所謂自白ト稱スルモノヲ無
理強ヒニ行ハシメル際獸的ナ作道ヲ用ヒタ多敷

周知ノ实例がソレヲノ機因が犠牲者ニ対スル訴訟手
続中ニ拷問ノ下ニ得ラレタ^ル情^況述^ス 即チ彼等ノ所謂供
述ヲ用ヒルハ通例ナシ

アメリカ飛行士ニ依ッテナサレタ日本政府ノ主張スル自
白が實際ニナサレタトシテモ 彼等飛行士ハ虚偽ノ
事實ヲ無理強ヒニ認メサセラレタ以外ハアリ得ナイ
ソノ上 日本政府ハ合衆國政府トノ協定ニ依ッテ
ジュネーブ停戦条約ノ各項ヲ遵守スベキ最嚴肅な
義務ヲ負ワタレタル 同条約第一條ハ陸軍兵員
及ヒ海上及ヒ空中ニ於ケル軍事行動ノ間ニ捕ヘ
ラレタル者ヲ停戦条約ニ取扱フコトヲ規定シテキル
第六十條ハ停戦カニ対スル 裁判手續ノ開始ニ際
シテ利益保護國代表ニ日取^リ限^リ裁判ノ三週
間以前ニソレニ就^クテ通知スベキコト又 姓名ト裁判
サルベキ停戦カニ対スル 訴理由ヲ通知スベキコトヲ規
定シキル 第六十條ハ如何ナル停戦カ^ニ對シテ^モ 告^ス 訴^セラ
タル行為ニツキ有罪ト認ムルコトヲ強制サレテハナラナイ
コトヲ規定シテキル

第六十二條ハ被告ニ彼ノ選擇セル有資格ノ弁護人ノ援助ヲ得シムベキコト、及び利益保護國代表が裁判ニ立会フコトヲ許サルベキコトヲ規定シテ平ル。第六十五條ハ俘虜ニ對シ宣言セラレタ判決ハ直チニ利益保護國ニ通知セラルベキコトヲ規定シテ平ル。第六十六條ハ死刑宣告場合ニハソノ俘虜が服務シタ軍隊ノ所屬スル國ニ傳達スル爲ニ、犯罪ノ性質及ビ狀況ニツイテ詳細ヲ利益保護國ニ通知スベキコト、及ビソノ判決ハカル通知後少クモ三ヶ月ノ期間ノ満了前ニハ執行スベカラサルコトヲ規定シテ平ル。日本政府ハ捕ヘラシクアメリカ飛行工ノ取扱上是等ノ規定ノ何レニモ從ツテ平ナイノテアル。

通知ヲ要求ス

合衆國政府ハアメリカ飛行工ニ對スル起訴理由ト下サレタ判決ヲ在東京瑞西公使ニ通知スルコトニ依リ、瑞西ノ代表ニ現在投獄サレテ居ル者ヲ訪問スルニトテ許スコト依リ、其等ノ飛行士ニ、彼等が俘虜條約ト下ニ自然與ヘラレベキ完全ナル權利ヲ恢復セシムルコトニ依リ、ソノ又、瑞西公使ニ死刑ノ判決ヲ執行セラレタルスベテノ飛行工ノ姓名處分若クハ遺骸ノ埋葬場所ヲ通知スルコトニ依リ、條約ノ規定ヲ遵守スベキ日本政府ノ約定ヲ実行スベキコトヲ再ビ日本政府ニ要求スル。

若シ右ニ言及マルソノ通知ニヨリ明ラカデアラウ如ク日本政府が戦争ノ事件トシテ、俘虜トナレルアメリカ軍ノ制服着用ノ兵員ヲ冷酷ニ殺害スルガ如キ暴虐ナル行爲ト

敗徳ノ曝露ニ迄墮サ落シテシマツテキルノデアレハ、アメリカ政府ハ此ラ故意ノ犯罪ニ対シソノ犯行ニ関係セル日本政府ノスベテノ官吏ニ個人的ニモ公的ニモ責任ヲ負ハシム。然ルベキ時機ニ於テ此ラ官吏ヲ法ニ照ラシ處断セトスルモノデアル。

アメリカ政府ハ又、アメリカノ俘虜ニ関スル日本政府ノ保証ノ其レ如何ナル違背ニ対シテモ、又ハ文明國家ノ認め実施シテ居ル戦争法規ニ違反シテアメリカ俘虜ニ加ヘラレタル如何ナル他ノ犯罪的蠻行ニ対シテモ、現在進行中ノ軍事行動中ノ不勤且不可避的終局ヲ見タル時、アメリカ政府ハカル非文明、非人道的行為ニ対シモ責任アル日本政府官吏ニソノ値スル刑罰ヲ以テ報イントスルモノデアルコトヲ、アメリカ政府ハ日本政府ニ嚴肅ニ警告スル。

**ОБВИНИТЕЛЬ ОТ СОЮЗА ССР
в Международном Военном Трибунале в Токио**

IPS doc # 3274

CABINET SHIFT HELD TOKYO BID FOR TIME

Victory for 'Moderates' in the Naming of Shigemitsu, Say Chinese Observers

WOULD CONSERVE GAINS

Japanese 'Middle' Group Said to Aim to Get Peace After Consolidating Conquests

Wireless to THE NEW YORK TIMES.

CHUNGKING, April 21—In connection with the Tokyo Cabinet changes announced yesterday Chinese Government sources here today said the appointment of Mamoru Shigemitsu as Foreign Minister, following similar changes in the Finance and Greater East Asia ministries, indicated a considerable strengthening of the former "moderate" group relative to the fascist militarists.

Both of those groups back Japan's war, the difference between them being at present tactical. While out-and-out militarists want continual expansion, the so-called moderates argue that the Allied strategy of defeating Germany before concentrating against Japan offers Japan an opportunity to consolidate her present occupied territories and develop and conserve energies for future conquests.

The "moderates," therefore, advocate holding the "west wall" of the Burma-India borders and a "south wall" paralleling New Guinea but not advancing farther. Meantime, they argue, Japan should exploit and pacify occupied China while using political, economic and military means to increase the difficulties of blockaded free China. They also would avoid aggravating relations with Soviet Russia.

The ultimate objective of the "moderates" is to launch peace offensives both against China and the Western Powers, offering as an alternative a long and exhausting war.

The Chinese informants say Premier Hideki Tojo is inclined to favor this group in the present juncture, thus having completed the classical evolution of Japan's fire-breathing reactionaries, who almost invariably fall under the influence of large financial groups after achieving government office.

It is important to realize that these Japanese "moderates" and "liberals" are not really moderate or liberal but simply advocate different tactics based on the conviction that while Japan's present offensive possibilities have reached the limit, the circumstances for the development of defensive power, which would later serve as a basis for increased armament production for further aggression, are at present more favorable.

NEW PENALTIES SET FOR JAVA PRISONERS

Batavia Radio Tells of Rules for Captured Allied Nationals

The Netherlands News Agency reported yesterday, quoting the Japanese-controlled Batavia Java radio, that Japanese authorities in the Netherlands East Indies had set up new rules to punish alleged rebel prisoners and American prisoners, including the death penalty. The United Press said.

The Netherlands agency reported the broadcast from Batavia, where it was heard Tuesday.

The Batavia radio was alleged to have said that new provisions provide punishment for (1) violence or intimidation by a group of prisoners; (2) murder or assault of supervisors or wardens; (3) resistance; (4) failure to report to officers; (5) conspiring to disturb order.

SIX AIRMEN CAPTURED DURING THE RAID ON TOKYO



Sergeant Harold A. Spatz



Lieutenant Dean E. Hallmark



Lieutenant Robert J. Meder



Lieutenant William G. Farrow



Lieutenant Robert L. Hite



Lieutenant Chase J. Nielson

Associated Press

Texts of the Statements on Japan

By The Associated Press.

WASHINGTON, April 21—The texts of President Roosevelt's statement on the execution of some of the American fliers who raided Japan and of the State Department's communication to Japan follow:

President's Statement

It is with a feeling of deepest horror, which I know will be shared with all civilized peoples, that I have to announce the barbarous execution by the Japanese Government of some of the members of this country's armed forces who fell into Japanese hands as a result of warfare.

The press has just carried the details of the American bombing of Japan a year ago. The crews of two of the American bombers were captured by the Japanese. On October 25, 1941, the Government learned from Japanese radio broadcasts of the capture, trial and sentence of members of those American forces. It was known that they did not deserve the death penalty.

It was not until March 12, 1943, that the American Government learned that the Japanese had executed some of the captured American fliers.

When that news was received, it was known that the Japanese had not only executed the fliers but had also executed some of the American fliers who had been captured in the Philippines. It was also known that the Japanese had executed some of the American fliers who had been captured in the Philippines.

The Japanese Government's actions in the execution of these American fliers are a gross violation of the laws of war and of the principles of humanity. The Japanese Government's actions are a gross violation of the laws of war and of the principles of humanity.

mutation of the sentence for the larger number of them, the sentence of death was applied to certain of the accused.

The Government of the United States has subsequently been informed of the refusal of the Japanese Government to treat the remaining American aviators as prisoners of war, to divulge their names, to state the sentences imposed upon them or to permit visits to them by the Swiss Minister as representative of the protecting power for American interests.

The Japanese Government alleges that it has subjected the American aviators to this treatment because they intentionally bombed military installations and deliberately fired on civilians, and that the aviators admitted these acts.

The Government of the United States insists that the Japanese Government's instructions to American armed forces have always ordered those forces to distinguish between military objectives and civilians, and that it is known that they did not do so. The Government of the United States insists that the Japanese Government's actions are a gross violation of the laws of war and of the principles of humanity.

With regard to the allegation of the Japanese Government that the American aviators admitted the acts which the Japanese Government alleges them to have committed, there are no known instances in which Japanese official agencies have ever admitted and boasted of such acts. It is known that the Japanese Government has never admitted such acts.

The Japanese Government's actions in the execution of these American fliers are a gross violation of the laws of war and of the principles of humanity. The Japanese Government's actions are a gross violation of the laws of war and of the principles of humanity.

period of at least three months after such communication. The Japanese Government has not complied with any of these provisions in its treatment of the captured American aviators.

Demands Information

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If, as would appear from its communication under reference, the Japanese Government has acceded to such acts of barbarity and manifestations of depravity as to murder in cold blood uninjured members of the American armed forces made prisoners as an incident of warfare, the American Government will hold personally and officially responsible for those deliberate crimes all of those officers of the Japanese Government who have participated in their commission and will in due course bring those officers to justice.

The American Government also solemnly warns the Japanese Government that for any other violations of its undertakings as regards American prisoners of war or for any other acts of brutal barbarity inflicted upon American prisoners in violation of the Rules of Warfare accepted and practiced by civilized nations, as military operations now in progress draw to their inexorable and inevitable conclusion, the American Government will visit upon the officers of the Japanese Government responsible for such uncivilized and inhumane acts the punishment they deserve.

The Japanese Government's actions in the execution of these American fliers are a gross violation of the laws of war and of the principles of humanity. The Japanese Government's actions are a gross violation of the laws of war and of the principles of humanity.

ARNOLD PLEDGES MEN TO REVENGE

Commander of U. S. Army Air Forces Vows Destruction of Japan's War Lords

SAYS FLIERS DIED HEROES

General Urges Americans to Redouble Their Efforts to Smash Foe in Orient

WASHINGTON, April 21 (AP)—General Henry H. Arnold pledged the Army Air Forces tonight to the utter destruction of Japan's "inhuman war lords" in vengeance for the execution of American fliers captured after last year's raid on Tokyo.

"We must not rest—we must redouble our efforts," the Air Forces commander said in a message to all his personnel a few hours after President Roosevelt had disclosed that the Japanese had acknowledged having put to death some of the eight Americans—they did not say how many—and treating other captured fliers as criminals, denying them all rights as prisoners of war.

General Arnold made it clear that the Japanese inhumanity would not deter this country from further raids on Tokyo, underlining in his message the word "first" in referring to last year's bombing. Saying that the victims of the Japanese had died as heroes, General Arnold dispatched the following message to every air base in combat theatres and in this country:

"In violation of every rule of military procedure and every concept of human decency, the Japanese have executed several of your brave comrades who took part in the first Tokyo raid. These men died as heroes. We must not rest—we must redouble our efforts un-

BONWIT TELLER



FRANK SINATRA

the voice that's thrilling millions

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WALTER O'KEEFE

Master of Ceremonies

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Fifth Avenue entrance

*Seating limited Buy your bond

and get your ticket early

Sorry, no mail or telephone orders

FIFTH AVE., AT 56TH ST., NEW YORK

til the inhuman war lords who committed this crime have been utterly destroyed.

"Remember those comrades when you get a Zero in your sight—have their sacrifice before you when you line up your bomb-sight on a Japanese base.

"You have demonstrated the Japanese cannot match you in aerial combat or in bombardment. Let your answer to their treatment of your comrades be the destruction of the Japanese air force, their lines of communication and the production centers which offer them opportunity to continue such atrocities."

WE'RE OPEN TODAY,
THURSDAY, TILL 9

IN BOTH OUR NEW YORK
AND BROOKLYN STORES

Russets
"WOMAN'S WORLD"



PUSSYWILLOW PRINT \$19.95

"Woman's World" suit-dress in soft, soft rayon sheer printed with sprays of pretty pussywilows. Ruching collar and pockets. White print on open, cinnamon or navy grounds. In women's sizes 36 to 44.

FIFTH FLOOR

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Windfall for "Little Deb"—the pure wool herringbone that is made into a three-button suit. Wonderful details—like the open-vent back for the top coat.

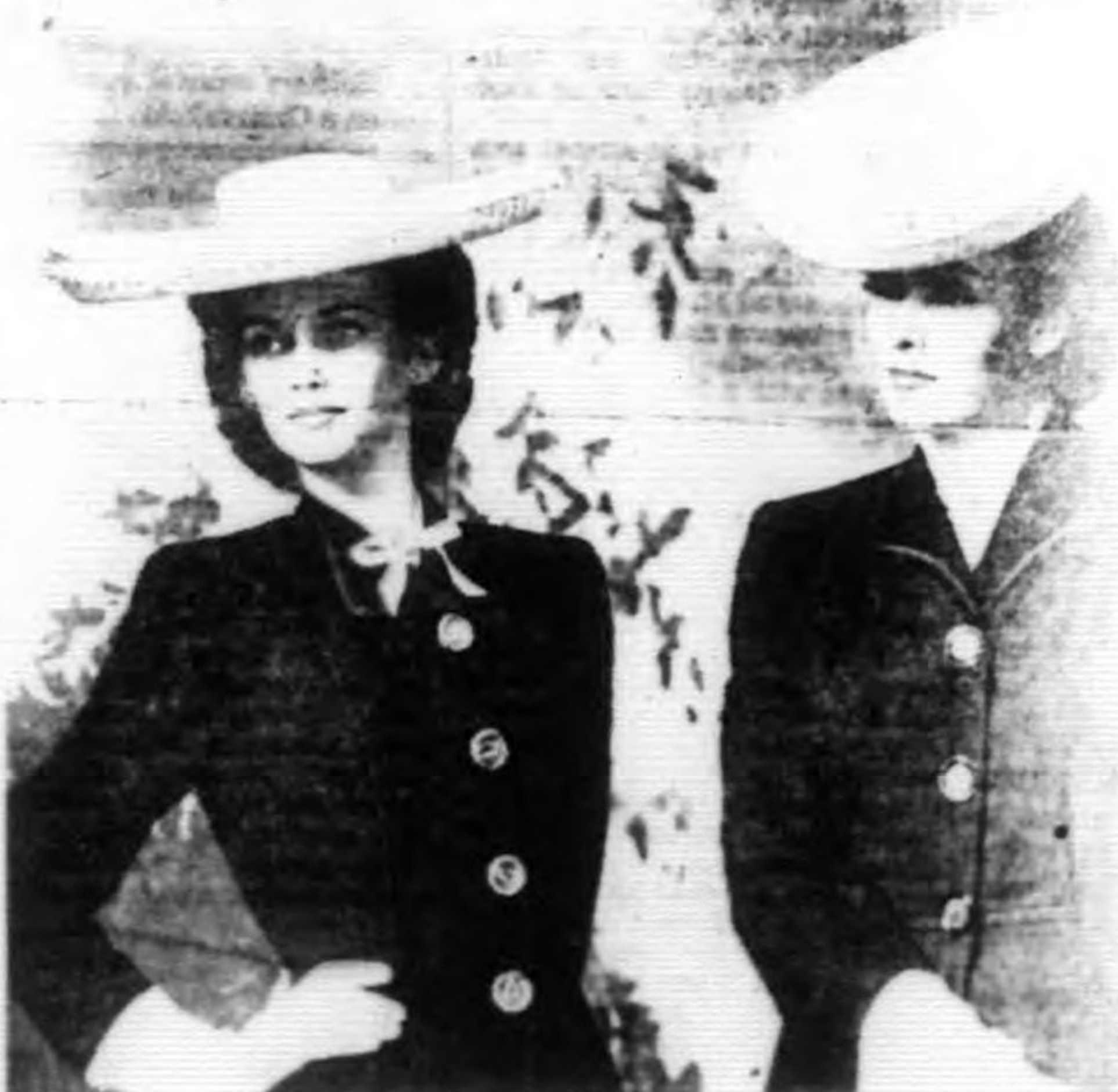
Linings: Seafoam, summer blue.

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The statement follows:
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"This latest flagrant violation of international and humane laws should stop the determination of the United Nations to bring immediately to task the enemy, who knows no law but brute force. Every day of passive theorizing as to the date in the vague future when the Japanese will be dealt with seriously and effectively strengthens Japan's stranglehold on the territories and resources which she will pervert to make herself a world Frankenstein.

"Unless we defeat her utterly and soon, further atrocities of this kind are not alien to the brutal nature of the Japanese militarists."

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This Government has vigorously condemned the act of barbarity in a formal communique sent to the Japanese Government. In that communication this Government has informed the Japanese Government that the American Government will hold personally and officially responsible for these diabolical crimes all of those officers of the Japanese Government who have participated therein and will in due course bring those officers to justice.

This request by our enemies to frugality is barbarous. The effort of the Japanese was to intimidate us well utterly fail. It will make the American people more determined than ever to blot out the senseless militarism of Japan.

I have instructed the Department of State to make public the text of our communication to the Japanese Government.

State Department's Note

TEXT OF THE UNITED STATES REPLY TO THE JAPANESE GOVERNMENT, APRIL 12, 1943

The Government of the United States has received the reply of the Japanese Government conveyed under date of Feb. 17, 1943, to the Swiss Minister at Tokyo to the inquiry made by the Minister on behalf of the Government of the United States concerning the correctness of reports broadcast by Japanese radio stations that the Japanese authorities intended to try before military tribunals American prisoners of war, for military operations, and to impose upon them severe penalties, including even the death penalty.

The Japanese Government states that it has tried the members of the crews of American planes who fell into Japanese hands after the raid on Japan on April 18 last, that they were sentenced to death and that, following com-

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Government that instructions to American armed forces have always ordered those forces to direct their attacks upon military objectives. The American forces participating in the attack on Japan had such instructions and it is known that they did not deviate therefrom. The Government of the United States brands as false the charge that American aviators intentionally have attacked noncombatants anywhere.

Japan's Methods Questioned

With regard to the allegation of the Japanese Government that the American aviators admitted the acts of which the Japanese Government accuses them, there are numerous known instances in which Japanese official agencies have employed brutal and brutal methods of extorting alleged confessions from persons in their power. It is customary for those agencies to use statements obtained under torture, or alleged statements, in proceedings against the victims.

If the admissions alleged by the Japanese Government to have been made by the American aviators were in fact made, they could only have been extorted fabrications.

Moreover, the Japanese Government entered into a solemn obligation by agreement with the Government of the United States to observe the terms of the Geneva Prisoners of War Convention. Article I of that Convention provides for treatment as prisoners of war of members of armies and of persons captured in the course of military operations at sea or in the air. Article LX provides that upon the opening of a judicial proceeding directed against a prisoner of war, the representative of the protecting power shall be given notice thereof at least three weeks prior to the trial and of the names and charges against the prisoners who are to be tried. Article LXI provides that no prisoner may be obliged to admit himself guilty of the act of which he is accused.

Article LXII provides that the accused shall have the assistance of qualified counsel of his choice and that a representative of the protecting power shall be permitted to attend the trial. Article LXV provides that sentence pronounced against the prisoners shall be communicated to the protecting power immediately. Article LXVI provides, in the event that the death penalty is pronounced, that the details as to the nature and circumstances of the offense shall be communicated to the protecting power, for transmission to the power in whose forces the prisoner served, and that the sentence shall not be executed before the expiration of a

down by Japanese anti-aircraft guns and were in a plane "of P-40 type." The P-40 is a single-seat fighter plane.

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against whom sentence of death has been carried out.

If, as would appear from its communication under reference, the Japanese Government has descended to such acts of barbarity and manifestations of depravity as to murder in cold blood uniformed members of the American armed forces made prisoners as an incident of warfare, the American Government will hold personally and officially responsible for those deliberate crimes all of those officers of the Japanese Government who have participated in their commitment and will in due course bring those officers to justice.

The American Government also solemnly warns the Japanese Government that for any other violations of its undertakings as regards American prisoners of war or for any other acts of criminal barbarity inflicted upon American prisoners in violation of the Rules of Warfare accepted and practiced by civilized nations, as military operations now in progress draw to their inexorable and inevitable conclusion, the American Government will visit upon the officers of the Japanese Government responsible for such uncivilized and inhumane acts the punishment they deserve.

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CABINET SHIFT HELD TOKYO BID FOR TIME

Victory for 'Moderates' in the Naming of Shigemitsu, Say Chinese Observers

WOULD CONSERVE GAINS

Japanese 'Middle' Group Said to Aim to Get Peace After Consolidating Conquests

Wireless to THE NEW YORK TIMES.

CHUNGKING, April 21—In connection with the Tokyo Cabinet changes announced yesterday Chinese Government sources here today said the appointment of Mamoru Shigemitsu as Foreign Minister, following similar changes in the Finance and Greater East Asia ministries, indicated a considerable strengthening of the former "moderate" group relative to the fascist militarists.

Both of those groups back Japan's war, the difference between them being at present tactical. While out-and-out militarists want continual expansion, the so-called moderates argue that the Allied strategy of defeating Germany before concentrating against Japan offers Japan an opportunity to consolidate her present occupied territories and develop and conserve energies for future conquests.

The "moderates," therefore, advocate holding the "west wall" of the Burma-India borders and a "south wall" paralleling New Guinea but not advancing farther. Meantime, they argue, Japan should exploit and pacify occupied China while using political, economic and military means to increase the difficulties of blockaded free China. They also would avoid aggravating relations with Soviet Russia.

The ultimate objective of the "moderates" is to launch peace offensives both against China and the Western Powers, offering as an alternative a long and exhausting war.

The Chinese informants say Premier Hideki Tojo is inclined to favor this group in the present juncture, thus having completed the classical evolution of Japan's fire-breathing reactionaries, who almost invariably fall under the influence of large financial groups after achieving government office.

It is important to realize that these Japanese "moderates" and "liberals" are not really moderate or liberal but simply advocate different tactics based on the conviction that while Japan's present offensive possibilities have reached the limit, the circumstances for the development of defensive power, which would later serve as a basis for increased armament production for further aggression, are at present more favorable.

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SIX AIRMEN CAPTURED DURING THE RAID ON TOKYO



Sergeant Harold A. Spatz



Lieutenant Dean E. Hallmark



Lieutenant Robert J. Meder



Lieutenant William G. Farrow



Lieutenant Robert L. Hite



Lieutenant Chase J. Nielson
Associated Press

Texts of the Statements on Japan

By THE ASSOCIATED PRESS.

WASHINGTON, April 21—The texts of President Roosevelt's statement on the execution of some of the American fliers who raided Japan and at the State Department's communication to Japan follow:

President's Statement

It is with a feeling of deepest horror, which I know will be shared with all civilized peoples, that I have to announce the barbarous execution by the Japanese Government of some of the members of this country's armed forces who fell into Japanese hands as an incident of warfare.

The press has just carried the details of the American bombing of Japan a year ago. The crews of two of the American bombers were captured by the Japanese. On October 19, 1942, this Government learned from Japanese radio broadcasts of the capture, trial and severe punishment of those Americans. Continued endeavor was made to obtain confirmation of those reports from Tokyo.

It was not until March 12, 1943, that the American Government received the communication given to the Japanese Government stating that these Americans had in fact been tried and the death penalty had been pronounced against them. It was further stated that the death penalty was commuted for some but that the sentence of death had been applied to others.

This Government has vigorously condemned the act of barbarity in a formal communication sent to the Japanese Government. In that communication this Government has offered the Japanese Government that the American Government will hold personally and officially responsible for these diabolical crimes all of those officers of the Japanese Government who have participated therein and will in due course bring those officers to justice.

This recourse by our enemies to fruitlessness is barbarous. The effort of the Japanese war lords

to mitigate the sentence for the larger number of them, the sentence of death was applied to certain of the accused.

The Government of the United States has subsequently been informed of the refusal of the Japanese Government to treat the remaining American aviators as prisoners of war, to divulge their names, to state the sentences imposed upon them or to permit visits to them by the Swiss Minister as representative of the protecting power for American interests.

The Japanese Government alleges that it has subjected the American aviators to this treatment because they intentionally bombed non-military installations and deliberately fired on civilians, and that the aviators admitted these acts.

The Government of the United States informs the Japanese Government that instructions to American armed forces have always ordered those forces to direct their attacks upon military objectives. The American forces participating in the attack on Japan had such instructions and it is known that they did not deviate therefrom. The Government of the United States brands as false the charge that American aviators intentionally have attacked non-combatants anywhere.

Japan's Methods Questioned

With regard to the allegation of the Japanese Government that the American aviators admitted the acts of which the Japanese Government accuses them, there are numerous known instances in which Japanese official agencies have employed brutal and bestial methods in extracting alleged confessions from persons in their power. It is customary for those agencies to use statements obtained under torture, or alleged statements, in proceedings against the victims.

If the admissions alleged by the Japanese Government to have been made by the American aviators were in fact made, they could only have been extorted fabrications.

Moreover, the Japanese Government entered into a solemn obligation by agreement with the Government of the United States to observe the terms of the

period of at least three months after such communication. The Japanese Government has not complied with any of these provisions in its treatment of the captured American aviators.

Demands Information

The Government of the United States calls again upon the Japanese Government to carry out its agreement to observe the provisions of the Convention by communicating to the Swiss Minister at Tokyo the charges and sentences imposed upon the American aviators, by permitting the Swiss representatives to visit those now held in prison, by restoring to those aviators the full rights to which they are entitled under the Prisoners of War Convention, and by informing the Minister of the names and disposition of any of the aviators against whom sentence of death has been carried out.

If, as would appear from its communication under reference, the Japanese Government has descended to such acts of barbarity and manifestations of depravity as to murder in cold blood uniformed members of the American armed forces made prisoners as an incident of warfare, the American Government will hold personally and officially responsible for those deliberate crimes all of those officers of the Japanese Government who have participated in their commission and will in due course bring those officers to justice.

The American Government also solemnly warns the Japanese Government that for any other violations of its undertakings as regards American prisoners of war or for any other acts of criminal barbarity inflicted upon American prisoners in violation of the Rules of Warfare accepted and practiced by civilized nations, as military operations now in progress draw to their inexorable and inevitable conclusion, the American Government will visit upon the officers of the Japanese Government responsible for such uncivilized and inhuman acts the punishment they deserve.

ARNOLD PLEDGES MEN TO REVENGE

Commander of U. S. Army Air Forces Vows Destruction of Japan's War Lords

SAYS FLIERS DIED HEROES

General Urges Americans to Redouble Their Efforts to Smash Foe in Orient

WASHINGTON, April 21 (AP)—General Henry H. Arnold pledged the Army Air Forces tonight to the utter destruction of Japan's "inhuman war lords" in vengeance for the execution of American fliers captured after last year's raid on Tokyo.

"We must not rest—we must redouble our efforts," the Air Forces commander said in a message to all his personnel a few hours after President Roosevelt had disclosed that the Japanese had acknowledged having put to death some of the eight Americans—they did not say how many—and treating other captured fliers as criminals, denying them all rights as prisoners of war.

General Arnold made it clear that the Japanese inhumanity would not deter this country from further raids on Tokyo, underlining in his message the word "first" in referring to last year's bombing. Saying that the victims of the Japanese had died as heroes, General Arnold dispatched the following message to every air base in combat theatres and in this country: "In violation of every rule of military procedure and every concept of human decency, the Japanese have executed several of your brave comrades who took part in the first Tokyo raid. These men died as heroes. We must not rest—we must redouble our efforts un-

til the inhuman war lords who committed this crime have been utterly destroyed.

"Remember those comrades when you get a Zero in your sight—have their sacrifice before you when you lineup your bomb-sight on a Japanese base.

"You have demonstrated the Japanese cannot match you in aerial combat or in bombardment. Let your answer to their treatment of your comrades be the destruction of the Japanese air force, their lines of communication and the production centers which offer them opportunity to continue such atrocities."

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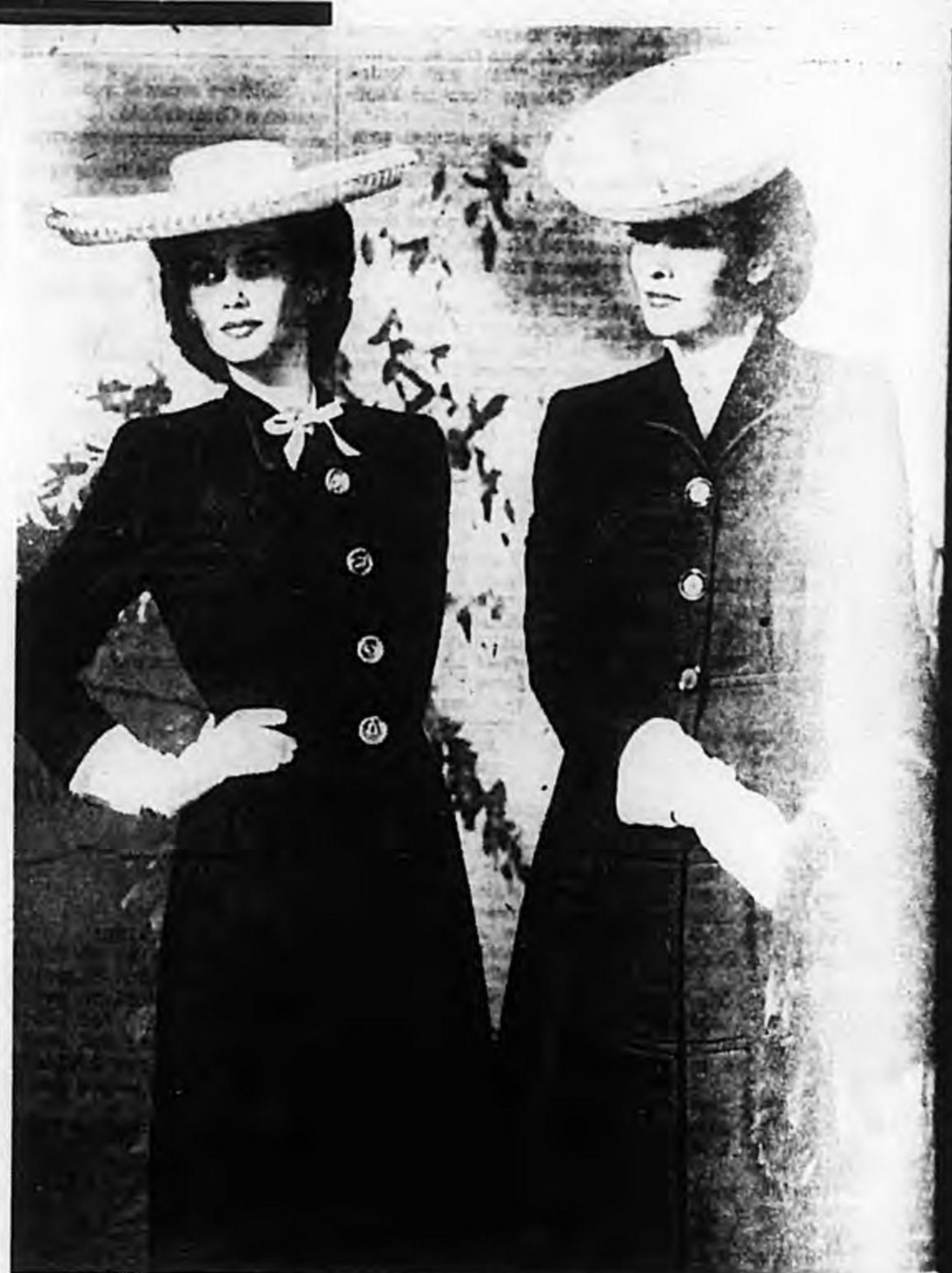
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