

File on NIRA BAYASHI

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(198)

C-2

TRANSLATION

HANRA RO No.66

Nov.24.1944.

To His Excellency HISAYASU Hirotsuda,  
Governor of Akita Prefecture.

Subject: Application for increasing the ration  
for the Chinese labours.

From: KONO Masatoshi, Chief of Hanaoka Detached  
Office of Kashimagumi Ltd.

Sir;-

We are obtaining flour ration for the imported Chinese labours at the rate of 22 kilograms per head per month and are doing our utmost to make up the insufficiency by giving them side-dishes, etc. However, the procurement of foodstuff for side-dishes is getting ever more difficult and we are obliged to supplicate you for an increase of ration by cereals or any other stuff which can be substituted for the main food, at the rate of 8 kilograms.

We are, Sir,

Yours most truly,

C - 1

TRANSLATION

HANA CHO No.4.  
August 18th 1944

To His Excellency HISAYASU Hirotsuda,  
Governor of Akita Prefecture.

Subject: Petition for increasing the ration for  
the Chinese labours.

From: KONO Masatoshi, Chief of Hanaoka Detached  
Office of Kashimagumi Ltd.

Sir;-

Although we are obtaining ration of flour at the rate of 22 kilograms per head per month, yet in view of the fact that we are launching upon the most important part of work, the said quantity of ration is insufficient. We know full well that we must get off the difficulty with the official ration, but I take this means of supplicating you for an increase by 8 kilograms per head per month, viz. 8 kilograms of cereals per head x 293 workers = 2,344 kilograms.

We are, Sir,  
Yours most truly,  
(Seal)

+ + + + +  
Bearing the official stamp shewing the receipt of the above petition on  
Aug.21.1944 by the Economic Section of the Akita Prefectural Office.

+ + + + +

Aug.23.1944.

To Mr. KONO Masatoshi, Chief of  
Hanaoka Detached Office of Kashimagumi Ltd.

Subject: Petition for increasing the ration for the  
Chinese labours.

From: Food Administration Section of Akita Pref.

Sir;

In reply to your petition as per the separate paper attached herewith, kindly be advised that owing to the absence of rationing from the Government, we are unable to give you any extra ration. Therefore, your petition is hereby returned.

Yours truly,

+ + + + +

The above official reply was received by KONO on Aug.26.1944.

花乃友多レシハナ

昭和十九年十一月三日

藤成公之社務部長様

北条 河野 聖 山 殿

後田新報社 久安博忠 殿

華人労働者団体の用令の糧増産申請書

用令後入華人労働者団体の用令トシテ一人一月麦粉二十二

キロ、以兩社協議書未だ交テ割込の物守リテ以テ

工賃も是の如く、割込の物ノ入ノ事トシテ、互難ハ其

由多付テハ難敷又ハ代用ノ人トナルノ事モ、八キロ以

増産方針特別ノ以テ、諸君ノ以テ、所計の如ク、及

東京都

継武

尾

昌

組

後及申請書

以上

秋田縣食糧管

秋收食第 號

昭和 19 年 8 月 23 日

八月二十

秋田縣食糧管

花岡

鹿島組花岡出張所

長 河野正敏

鹿島組花岡出張所

長 河野正敏

19. 8. 21

本人食糧増配額内之件

標記、片、肉、別紙、自、申請有、事、  
政府より、取、割、計、之、付、特、配、取  
配、之、付、知、事、長、河、野、正、敏、也

件

(洋粉) 配給ヲ相受ケ

標記、片、肉、別紙、自、申請有、事、

不足ナルハ特別、御、詮

附

文

二九三人分

昭和十九年八月十八日  
秋田縣知事 久安博忠 殿  
華人名量増配願ニ関スル件

秋田縣知事 久安博忠 殿  
華人名量増配願ニ関スル件  
首題ニ関シテハ既ニ一人一月式拾式キ且洋粉一ノ配給ヲ相受ケ  
英得共愈々本格的労働ニ從事スル様因テ英同量量  
ヲ以テ賄フハ重々心得居矣共英案ニテハ不足ナレバ特別御詮  
議ヲ以テ一人ニ對シテ八割ノ増配ヲ願奉テ矣也

花詠第四号

昭和十九年八月十八日

株式会社鹿島組花園出張所  
所長 河野正敏



唯

記

二九三人分

Seiichiro KUBO (MISAWA AIR BASE)

AMORI-KEN, KAMIKITA-GUN

MISAWA-MACHI, KAMI-KUBO, 31

MISAWA BRANCH

Tokyo Branch of KASHIMA-GUN

TOkyo-To, GHU-KU, MAXI-CHO,

2 Chome 3 BANCHI

Telephone: KYOBASHI (56) 6211

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東京民事地方裁判所管内公證人役場

公證人

東京民事地方裁判所所屬

松澤卓一

登簿第貳千五百拾九號

右證書の署名者久保清一郎は本公證人の  
面前で署名捺印をしたに相違ない。

右證書中 左の訂正がある。

- 一 才五系才拾参行中 才字を削る。
- 一 才四系才拾式行中 才字を削る。
- 一 才七系末行中 「官」と「独」の字をしの下、條の下に各加える。
- 一 才九系才拾四行中 才字を削る。
- 一 才四系才拾参行中 二の卜に「経」の字を加える。
- 一 才拾参系才拾式行中 東の下に「通」の字を加える。
- 一 才拾参系才拾参行中 才字を削つて「十」の字を加える。

東京民事地方裁判所管内公證人役場

- 日美才式拾式行中 ハの卜に「土木」の字を加える。
- 一 才拾四系中 才拾参行で「災」の字を削る。
- 一 才拾六系才拾五行中 才字を削る。
- 一 才拾七系才拾行中 出の卜に「張」の字を加える。
- 一 才拾八系才九行中 才字を削る。
- 一 才拾八系才拾八行中 玆の下に「誠」の字を加える。
- 一 才拾九系末尾で「久保清一郎」の四字を削る。

右認證する。

昭和拾参年七月拾式日當役場において

東京都日本橋區蠣殻町壹丁目拾壹

番地壹



本籍 岩手縣岩手郡沼宮内町大字江川内第九地割六  
現住所 秋田縣北秋田郡花園町字浅石三四ノ一

久保清一郎

明治四十年五月十二日生

略歷

- 一、昭和十八年五月株式會社藤田組花園鋳業所  
入社勞務主任 昭和二十一年五月退職
- 一、昭和二十一年五月 三岳無煙炭礦株式會社  
入社奉職中 目下現住所ニ居住

一、移入時ニ於ケル鹿島組花園出張所、健康状態ハ  
昭和十九年八月鹿島組花園出張所ニ移入セル若干勢カハ  
北京日軍俘虜收容所ニ收容中ニ存シ、通匪者ヨリ、  
新民精神体得者、名ノ下ニ若干北勢工協會ニ於テ、日  
軍ヨリ供出テ受テ、鹿島組出張所ニ引渡セシタリト聞ク、  
花園ニ到着セル当時自分、餓テ若干勢、健康状態ハ極メテ  
悪ク、約三百名、内禁養失調ニ冒サシ、或ハ病弱者ト目  
サル、者約半数以上ニシテ、其、後花園鉦山病院大  
内正、外三、三名、一医師ニ依リ健康診断、結果、全  
体、約六割ハ禁養失調ニシテ、其、内約七十名ハ  
猛烈ナル皮膚病或ハ眼病ニ冒サシ、重勢傷ニ耐ヘ得ル  
者僅三割程度デアッタト記憶ス、



更ニ昭和二十年五月、第一次移入ハ、約六百名ト思フナ  
第一次、移入若干勢カ、健康状態ヨリ、遙ニ劣悪ニシテ、殊ニ  
老クテ相当多数ヲ占メ、健康保持者ハ、移入人員、約三割程度  
ト自分ハ推定セリ、病弱者、殆トハ禁養失調或ハ皮膚病  
内臓疾患ト目セラル、者デアッタ、

自分ハ昭和十九年四月ヨリ六月迄ニケル、花園鉦山ニ移入スヘキ  
若干勢カ、莫ク集メ、現地ニアリテ若干北勢工協會、對日供出  
ノ方法ヲ知得シ居ル

鉦山側ニ移入セル若干勢カ、一般農民ヲ主体ニ、莫ク集セル関係上  
健康極メテ優劣ニシテ、病弱者僅クデアッタ

之ニ比較シ、鹿島組若干勢カ、健康状態ハ、劣一悪ニシテ、相当  
重患ノ在ルヲ認ム、



鉦山、鹿島組若干勢力、其、差異、原因ハ次ノ由ニアリテ  
確認ス、

一、募集契約ニ示サレタル最大ノ要件デアリ、若干勢力採用規格  
ヲ若干北勢労働協會ニ於テテ誠意ヲ以テ嚴守セルマデス、  
即チ採用條項ニ

一、身体強健ニシテ重筋肉勞働ニ耐入得ル者タルコト、  
二、年齢ハ滿十六才以上ニシテ三十才以下、若年者ヲ選抜スルモノトス、  
三、傳染性其他疾患スヘキ疾病ヲ有セサル者タルコト、

二、協會ニ於テ思想的ニ不良ナラサルモノト認ムルモノ、  
ホ、現地選衛ニ際シテハ上記標準ニ基キ詮衡スルコトトシ、事業場外派  
遣員之ニ立合フモノトス、

二、募集ノ方法ハ左ニ分セラレ、其、何レヲ若干北勢労働協會ガ適用  
セルヤ、

一、行政供出

現地日軍及行政機関ト密接ナル連絡ノ下ニ、新氏會事務長及

(縣長)指揮、下ニ区町村ヲ動員シ、部落割当制ニ依ル供出ノ方法

口、軍供出

日本軍俘虜收容所ニ收容サレ居ル、俘虜、通匪、土匪中ヨリ  
新民精神、体得者ニシテ労働工適格者ヲ、若干労働協會ニ於テ日

軍ヨリ譲リ受テ供出ノ方法

ハ、自由募集

自由募集ハ、把頭、其他部落長等ノ斡旋ニヨリ若干労働協會ヨリ  
供出スル方法

然レテ花園鉦山、若干勢力募集ハ、若干北勢労働協會対日供出ノ  
十二月ニ属シ、募集ノ方法ハ、(ハ)自由募集ニシテ採用規格

(ホ)ノ事業場外例ニ與ハラシタル權利ヲ強カニ實施シタル結果  
比較的優劣ナル若干勢力ノ移入ヲ得ヌノデアリ、

之レト反對ニ鹿島組ハ



第一次ハ日軍、供出セル若干勢力、其ノ行政供出ニ依リ若干勞  
デ、花園ニ到着セル第一次、其ノ第二次ノ健康方面ニ於テ現行  
對象シ、若干勞カ其ノ契約ノ日取大要件デアル採用規格(1)(2)  
(3)(4)ノ四條項ヲ無視シ、若干北勞工協會ノ一方的強行爲ニ  
依リタルニト明カナリ。

殊ニ其ノ第二次ノ移入ノ若干勞中ニ以テ浪者、之ノ食等多數ヲ占メ  
テ居ルニトハ、契約ヲ履行セサルノミナラス、事業場側ヲ偽購セル  
行爲ニシテ、其ノ責任ハ明カニ若干北勞工協會ニ存在スルト思フ。  
自分ノ知ツテ居ル若干北ノ募勞機関デアリ、勞工協會ノ性格ハ、  
若干北政務委員會訓令並ニ若干北勞工協會條令ニ基キ、昭  
和十六年七月八日若干北ニ於ケル勞務統制一元化ノタメ、創設セシメ  
國家的採用ニシテ新設會ト一律トナリ、其ノ構成ハ主トシテ  
日本職業軍人ノ退役者及新設會ニ於テ政治運動ニ參加  
セル者等デアリ。

以上ハ鹿島組花園出張所ニ移入セル第一、第二次ノ若干勞ニ関シ、自分ノ知  
得セル範圍ニシテ健康診断ノ記録ハ花園鉉山病院、大館警  
察署、鹿島組花園出張所ニ各一部宛保管シアルモノト思フ。

### 二、若干勞ニ對スル日本政府ノ指導方針

日本政府ニ於ケル若干勞ノ指導機構ハ、内務省ニ若干勞對  
策委員會ヲ設ケ、警保局長、外事課長之ヲ主任トシ、  
シ、若干勞ノ試験ヲ有スルト稱スル本間某ヲ内務省廳長トナシ、  
若干勞ノ管理並ニ指導企画ニ參與セシメタルモノ如ク、  
然レテ秋田縣ニ警保部内ニ若干勞對策指導委員會  
カ設ケラシ、野村高課カ主任トシ、其ノ特高警保ヲ通シ  
テ各事業場ニ政府ノ指導方針ヲ徹底セシメ、其ノ実行  
ヲ監視スルタメ、鹿島組中山寮ニ今野正查東匠寮ニ



伊藤此查、私服警務主任官ヲ既置セリ

其後昭和二十年五月頃中山寮ハ後藤此查、東亞寮ハ傳農  
也查ニ交代セリ

内務省ノ本間囑託、経歴等詳細知ラサルモ、彼ハ嘗テ青島ニ  
於テ約二十年間海運業ヲ営ミ、歸國后日本政府ガ國內ニ奉  
勞ヲ移スルニ及ヒ、内務省ニ囑託トシテ氏ヲ招キ、奉勞ニ関スル  
指導的地位ニ在リテ常ニ全國若キ者ヲ招入事業場並ニ指導者  
講習會、講師トシテ奉勞者ヲ取扱カラ直接指導ニ在リ、

偶々昭和十九年七月十三日花園山奉勞所管理指導狀及視  
察ノタメ、内務省ニ厚生省ヨリ各々山田事務官、本間囑託  
関口理事官、田原五属官ノ外、秋田縣警務寮長、鎌田  
特高課長、倉橋警部補、長沢大鏡警務寮長、田原川

部長等特高係官一行三十数名來山シ、奉勞ニ対スル管理並ニ  
指導方法、取締ニ関シ内務省ノ方針ヲ説明セリ、

其ノ要旨ヲ示セバ、

本間囑託、觀テ花園山ノ奉勞ガ管理並ニ指導マ、欠陥ヲ  
一言ニシテ語シバ、甘菜的ナ行方デ、強シモ其ハ非能率的育  
成方法デ將來若キ者ニ乘ゼラム、是侯シテ指導セリ、

即チ  
ハ宿舎構造ト設備ガ整々澤山也

理由 粗末ナ穴倉式假小屋ノ方ガ奉勞ガ性格ニ合フ、

ハ布團ノ支給且里ガ多過ギル(当時四枚支給)

理由 若干人ノ苦力ガ露露天ガ宿舎ニ在ル



3. 食糧、給與、發澤過ギル 現給「エ」キハ「ア」モ「多」過ギル

理由 若干人ノ苦力ハ麥粉ハ食ハテ、依リ下級ナ人食糧ヲ  
拜テミセル

4. 日常生活ハ放任的デアル

理由 自由外出ハ婦人ニ極メテ危險デアル、個人外出ヲ嚴禁ス

5. 若干人ノ言ヲコトヲ正直ニ度ケ入り過ギル

理由 若干人ノ性格カラ裏ヲ赤ヘテ「ハ」謀略ニ乗ル

6. 奉、補員ノ力程度以上ニ甘ヘカス過ギル

理由 若干人ハ弱ト見レバ甘ヘテ來ル 飽也モ締メ付ケテ  
指導スル

7. 作業能率ハ低イ (当時日本人ト同率ト)

現在能率ノ二倍ヲ若干人能率ノ基準トセヨ

理由 北海道イトムカ釧山ノ若干人ハ花岡鉦山ノ若干人  
ヨリモ食糧ガ不足デアルカ能率ハ良イ而倍ノ力  
ヲ出セル余カガアル

濡レタオルノ水ガ一滴モ下ラズ止控シ

等ミヲ列挙シ若干人ノ性格ニ表裏アリテ、裏ニ陰謀術策ガ  
秘メラレ日本人ニ想像ノ出來難イト云ガアル

以上七月十三日於花岡鉦山俱樂部本間臨託ノ説明



殊ニ對シテ中ニ移入セル若干人ノ内ニハ敵國ノ間諜モ替ニテ  
居ル事ハ想像セラシ、内務省有トシテ、若干人ノ保護育成ニ  
萬全ヲ期スルモ、一面反動的分子ノ摘發ニ一段ノ努力ヲ揮セ

治安維持ノ萬全ヲ期スルタメ、指導取締ヲ一元的ニ特高  
警察ヲシテ監督指導セシムルマトトセリ



然して取締ノ重点ハ次ノ如ク

ハ、華僑ノ裏面的行動ヲ査査シ及動的陰謀者ノ早期發見



ニ、專任私服警察官ヲ配置シ其ノ査査キニ担ラシム

3、指導方面ヲ事業場側ニシテ任スコトナク積極的ニ内部ニ

浸透セシム

以上山田事務官ノ説明

等々ニテ真ニ中國人ノ立場ト政府ノ中國ニ對スル軍事ト云フ

現実ノ苦悩ヲ理解セル者ニアリテハ其ノ行方ヲ談ルコトナキモ

一般警察官ハ未ダ中國人ヲ好ク認識セル者尠ク

其ノ实例ヲ説セバ

昭和十九年六月十七日移入間モナク逃走セル花岡鉦山東亞寮

ノ華僑カ三名(當日發見)ニ對シ秋田縣録田特高課長ハ内務

省ノ命令ト称シ大館警察署ヲ有ニ留置スルコト三ヶ月ニ及

ベリ、逃走ノ理由ハ單順ニテ只國ニ歸リ度キ一念ノ行

爲ニ過デナカッタノニ政治的謀略ニアラスヤ或ハ敵國ノ間

謀ニアラスヤト偽念ノモトニ取調ヘタルモノ如ク其ノ間事

業場側ヨリ再三釋放方陳情セルモ確答ヲ與ハス

留置中ニ三名共傳染病未前ニ罹リ入院慢然ト釋放

セルノミナラス、其ノ間三ヶ月ノ食費ハ当然警察署ナキニ

於テ支拂フ可キニ不拘容疑者ノ負擔トシテ徴收且ク

入校費モ個人ガ負担サセラレタリ

斯ノ如キ所爲ハ華僑ニ對スル苛酷ナル行方デ事業場ノ機能ヲ

二字投



更ニ内務省、本間囑託、八田辺属官、縣特高課小松警部  
倉橋警部補ト共ニ、昭和十九年九月初旬頃鹿島組花  
岡出張所ヲ訪シ、警務ノ管理ニ関シ、今年七月十三日  
花岡鉦山俱樂部會議ニ於テ説明ト同様本間囑託ヨリ  
鹿島組河野所長ニ対シ内務省ノ方針ヲ説明シ、警務方ニ  
対スル指示ハ縣特高課ヲ通シテ行フ旨ヲ傳ヘ縣、指示ニ從フ  
ベキ命令アリ

次ニ本間囑託、北海道小樽高等商業此方夜内ニ設ケラシ  
タル内務省有若干人指導警務官講習所ニ於テ講師  
トシテ講習生ホ一期生ニ対シ警務ノ指導方針ヲ説明シ  
其ノ内容ニ就キ當時講習生秋田野派遣成田警部補  
ノ語ル所ヨリバ、本間囑託、警務方ノ取扱ハ七月十三日  
花岡ノ會議ニ於テ説明、如ク「濡シタカル、水カ一滴モ  
ナラズ」迄力ヲ搾リ取レト結論セリト聞キ、内務省  
トシテ實際上本間囑託ノ意見ガ、或ハ指令トナリ  
實際的現地指導トシテ全國的ニ實施セラシ、  
其ノ結果幾多ノ事業場ガ犠牲トナラタ事ト思フ、



秋田野ニ於テ警務指導委員會、警務部長委員  
長トシテ、實質的ニ主宰セルハ、鎌田特高課長ニシテ、毎月  
一回此廻會議ヲ開催シ、昭和十九年十一月頃ハ第二回ノ  
此廻協議會ノ席上、鹿島組河野所長提出ニ伴ヒ、  
警務方既給食糧ニ対シ、絶対數量ノ不足補給方針  
ニ警務省ノ主宰セル警務報國會土木事業場若干然力ニ





対之衣類特別既給方ヲ提出シ該ニ項目ニ対シ若干勞力対  
 策委員会會ヲ通シテ之シカ急遽ニ實現方ヲ要望セリ  
 各事業場ヨリ其都度或ハ會議ノ席上寫ト若干勞力ノ食  
 糧問題、衣料問題ト既給方ヲ陳情スルモ、何一ツトシテ  
 解決ヲ見ス事ナク、殊ニ昭和二十一年一月二十三日秋田  
 縣船川港灣會社ニ於ケル會議ノ席上、花岡鉦山提出  
 ノ食糧規定既給陳情ニ対シ、鎌田持高課長ノ回答ハ  
 若干勞力ニ食糧ヨリ多ク與ヘタカラ、必スシモ能率ノ向上スル狀  
 テナク、現ニ北海道其他ノ地ニ於テ花園ト同様ノ既給率  
 テ相當ノ成績ヲ擧ケテ居ル實例アリト、説明アリテ  
 更ニ契約ニ基ク規定量、既給ヲ存上處セス  
 茲ニ秋田縣若干勞力對策委員會ノ内容ヲ説明セバ



對策委員會ヲ設置スルニ當リ、其ノ經費ヲ政府ノ負担  
 セズ、各事業場ヨリ若干勞力ノ數ニ應シ一人先五円(米)ヲ  
 徴收シ特高巡警ニ奉養ニ充テシ、會議ニ出席スル場合ハ又ハ  
 事業場トモ酒ニ升ヲ要求セラシ、會議場ノ事業場ハ官女  
 會費ノ負担ヲ命セラレヨク居ラズ  
 斯ク、如キ内容ニ於テハ事業場ヲ期待セル若干勞力ノ窮乏ヲ打  
 破スル能力ナク、從テ委員會ニ対スル反感モ次オニ高マリ  
 ワアツタコトハ事由実デアル



三 斯ル内容有ノ指導ヲ精神ハ國內ニ移入セル若干勞力ノ取  
 扱ノ上ニ大ナル影響有ク及ボシタルコト必然ニシテ、



軍に取締向、ミチ強代ミ、移入時、政府の約束履行之心し  
人道ヲ忘却し官俸独善ニ陥リタル結果、幾多ノ派生  
的問題カ各地ニ生起シ居ル

偶ニ昭和二十年七月一日生功及セシ鹿島組華工人ノ暴動  
事件ノ原因ハ明カニ政府カ食糧ニ対シ約束ヲ履行セサ  
ルカタメデアルト思フ

移入時、日本國內、戦時下食糧事情ト食糧管理、  
統制ハ、日本政府カ計画セル募券集契的ニ作ル内容ヲ充  
タヌニ不充分ニシテ、各事業場共最モ重大ト問題  
トシテ取ヒゲ、絶対ニ政府ノ援助ニ俟タネバ客員カ解

決ハ出来ナク状態デアラフタ、

殊ニ主食ノ問題トシテ一月一人米三十キロノ政府ノ約束ガ  
二十二キロニ止メラシ、殊ニキロ、既給責在縣デアル秋田  
縣食糧課ニ於テ事業創ヨリ、再三、要夫ニモ慮セ入、  
幸甚カ移入以來鹿島組河野所長カ各方面ニ陳情ヲ  
試ミ又作員ヲシテ出縣陳情ニ及ビタルコト十数回ト思フ  
自分モ鉦山側ヨリ再三再四出縣陳情セルモ食糧課佐藤  
事務官、佐伯屋官波谷属官等面會、都度其苦勞  
食糧ハ縣ノ計画外ニリトシテ問題ニカシヌ

事主食ニ関シテハ政府ノ絶対的援助ナクシテ解決カ余  
ナク且亦副食物等ニ於テモ政府ノルートニ依ル  
既給ハ昭和十九年六月ヨリ二十年五月迄ノ一年間ニ於テ

鮮臭一人宛五。又野菜一貫の、肉は皆無に、特ニ集團  
合宿、窮状ハ一般家庭ト異リ、此ニ辛酷ニシテ、此ノ  
情態ヲ放置スルニ可ハラス、

殊ニ昭和三十年四月下旬ニ主食デアル麥粉ノ配給ガ停  
止セラレ、米ニ代替トナリ、更ニ五月下旬ヨリ米モ停止ト  
ナリ、トドングリ粉ト称スル代用粉、配給ヲ度ケ、之ヲ  
給食セシメタルニ一律ニ下痢ヲ起シ、最早然テ養場採取  
スル金ナク、其時度島組河野所長ハ如何ニ政府ニ陳  
情スルモ救済ノ方法ナシトシテ、暗買ニ依リ米ノ入手ヲ  
試ミタルニ總動員法違反ニ問ハレ罰金四千圓ニ処  
セラレタリト記憶ス



其間幸テ幾ク間ニ於テハ食糧ヲ約束シ配給ニナリ、ハ  
事業場カ嘘ヲ言フテ店ル如ク猜疑的感傷ニ捉ハレ  
感傷ハ漸次悪化シツキアリテ、六月初旬最早一刻  
モ猶余セラザル形勢カトナリ、度島組河野所長ハ  
其ニ関係方面ニ陳情、自分ハ花園鉦山駐在菅原  
巡查部長ト計リトドングリ粉、パンヲ持テ、菅原  
部長ハ三浦大館警署署長ニ報告シ、六月十日自分  
ハトドングリ粉、パンヲ持テ野村高課ニ陳情シ、倉橋  
警部補ト共ニ經濟部食糧課(當時課長不在)佐藤  
事務官ニ面會シ、実物ヲ提示シ、上、運カニ懸ル救済ニ  
俟ヌスルハ容易ナラズル事態ニ之ヲ到ル形勢カニアルヲ告ケ





取敢ス米一人死一日六勺、特配方ヲ陳情セルモ、何等誠意ヲ示サス、止ムナク六月十六日仙台鉾山監督倉岡原軍馬管理官死ノ陳情書ヲ携行渡辺務方課長一面會ニ救済方ヲ願ヒ、其ニ農林省秋田縣ニ文送方ヲ依頼シオキ、更ニ六月二十二日頃電話ヲ以テ野特高課倉橋警部補ニテ酷ナル事情ヲ訴入、速ニ奉答対策委員會ヲ召集セラシ度旨要請セルニ、鎌田特高課長ハ二十四日頃上京スル旨ヲ聞キ、六月二十五日出野鎌田特高課長ニ僅カニ分間面會ニ施岡鉾山及鹿島組、奉答ノ食糧ニ對スル動靜ヲ報告シ、一刻モ早ク政府ノ責任アル救済方ヲ願ヒ、六月二十八日花

輪警ニ奉答署ニ於テ奉答対策委員會ヲ課長、歸跡ヲ待ツテ開クコトニ決定セルモ、其ノ後特高課都合ニ依リ七月三日ニ延期セラレタリ

當時秋田縣警事課部勤務課ニ於テハ、奉答務報告會関係事業場ニ對シ、上木事業ノ速進ヲ計ル可ク、突貫週間ヲ設ケ、六月二十五日ヨリ開始スル指令ヲ發シ、其ニ官轄警署署ヨリ作官現地ニ於テ激勵ヲナシ、夕メニ勞働時間ハ延長セラレタルモ、奉答務ノ食糧ハ依然解決サラス、栗山勤務課長又食糧ノ加配ヲ考慮セス、單ニ働ムト言フ官僚狃善ノ行事ニ退キナシ、然モ突貫週間ハ秋田縣ノミニシテ、警事ノ管轄ニ在ル奉答務報告會内関係事業場テ、鉾山ハ何等関係ナシ



突<sup>ニ</sup>實<sup>ニ</sup>週<sup>ニ</sup>間<sup>ニ</sup>入<sup>ル</sup>ヤ食糧ノ不<sup>レ</sup>充<sup>分</sup>ナル<sup>ニ</sup>奉<sup>勞</sup>方<sup>ニ</sup>對<sup>シ</sup>シ  
河野所長ハ独自ノ立場デ暗買アリ<sup>ニ</sup>ゴ<sup>ト</sup>ヲ求<sup>メ</sup>ズ  
足食糧ノ補給トナセルモ、既<sup>ニ</sup>ド<sup>ン</sup>ダ<sup>リ</sup>粉<sup>ノ</sup>代<sup>用</sup>食<sup>ニ</sup>  
ヨリ身体ハ衰弱<sup>シ</sup>ニ全体ノ約<sup>四</sup>割<sup>ハ</sup>休<sup>業</sup>辭<sup>養</sup>食<sup>シ</sup>残<sup>ル</sup>  
ル者ト虽<sup>モ</sup>相<sup>当</sup>ノ苦<sup>痛</sup>デア<sup>ラ</sup>フコトハ事實デア<sup>ル</sup>ト思<sup>ハ</sup>フ  
食糧ハ改善セラ<sup>ズ</sup>、勞働ハ政府ノ命<sup>ニ</sup>依<sup>リ</sup>加<sup>重</sup>トナ<sup>リ</sup>、  
病<sup>死</sup>者ハ依然ト<sup>ニ</sup>テ絶<sup>ヘ</sup>ナイ、此<sup>ノ</sup>儘<sup>ノ</sup>狀<sup>態</sup>ガ續<sup>ク</sup>場  
合奉<sup>勞</sup>方<sup>ハ</sup>一人<sup>残</sup>ラスコ<sup>ト</sup>文<sup>ス</sup>ト言<sup>フ</sup>コトヲ考<sup>ヘ</sup>ルハ当然<sup>ニ</sup>テ  
之<sup>レ</sup>ガ解決ハ社會<sup>的</sup>問題ト<sup>シ</sup>テ一般<sup>ノ</sup>輿<sup>論</sup>ニ訴<sup>ハ</sup>ス  
トスルコトハ又<sup>モ</sup>必然<sup>ニ</sup>シ<sup>テ</sup>逐<sup>ニ</sup>七月<sup>一</sup>日<sup>ノ</sup>暴<sup>動</sup>事件ヲ  
往<sup>走</sup>ミタルコトト思<sup>フ</sup>  
長島組河野所長ガ全<sup>智</sup>全<sup>能</sup>ヲ統<sup>ツ</sup>テ奉<sup>勞</sup>方<sup>ノ</sup>救<sup>濟</sup>ニ



カ<sup>ラ</sup>盡<sup>シ</sup>タルコトハ何<sup>人</sup>モ認<sup>ム</sup>ル所<sup>ナ</sup>ラ<sup>ズ</sup>モ、日本<sup>政府</sup>ガ計<sup>画</sup>  
ニ奉<sup>勞</sup>方<sup>ニ</sup>對<sup>シ</sup>テ可<sup>キ</sup>規<sup>定</sup>食<sup>糧</sup>ノ既<sup>給</sup>ヲ怠<sup>リ</sup>又<sup>モ</sup>秋<sup>田</sup>  
縣<sup>ノ</sup>食<sup>糧</sup>課<sup>ノ</sup>責<sup>任</sup>アル<sup>ニ</sup>任<sup>官</sup>等<sup>ガ</sup>奉<sup>勞</sup>方<sup>ノ</sup>食<sup>糧</sup>申<sup>請</sup>  
ニ對<sup>シ</sup>日本<sup>人</sup>ガ食<sup>ヘ</sup>ナイ<sup>ニ</sup>奉<sup>勞</sup>人<sup>ト</sup>カ<sup>レ</sup>停<sup>業</sup>ニ與<sup>ヘ</sup>ル<sup>ニ</sup>食<sup>糧</sup>  
ナ<sup>シ</sup>ト<sup>シ</sup>斷<sup>言</sup>シ<sup>テ</sup>戰<sup>時</sup>下<sup>ノ</sup>嚴<sup>重</sup>ナル<sup>ニ</sup>總<sup>動</sup>員<sup>法</sup>ノ鉄<sup>則</sup>ノ中<sup>ニ</sup>  
ニ在<sup>リ</sup>テ一<sup>事</sup>業<sup>場</sup>ノ責<sup>任</sup>ニ於<sup>テ</sup>食<sup>糧</sup>ノ解決<sup>ハ</sup>絶<sup>對</sup>不<sup>可</sup>  
加<sup>能</sup>デア<sup>ラ</sup>フ

殊<sup>ニ</sup>食<sup>糧</sup>、衣<sup>料</sup>嗜好<sup>品</sup>ニ至<sup>ル</sup>迄、既<sup>給</sup>ノ順<sup>位</sup>ハ第一<sup>、</sup>二<sup>、</sup>三<sup>、</sup>軍<sup>、</sup>  
工場<sup>、</sup>軍<sup>、</sup>指<sup>定</sup>事<sup>業</sup>場<sup>、</sup>第一<sup>、</sup>二<sup>、</sup>位<sup>ハ</sup>指<sup>定</sup>鉦<sup>山</sup>材<sup>木</sup>



新<sup>炭</sup>事<sup>業</sup>、及<sup>テ</sup>運<sup>搬</sup>業<sup>、</sup>第一<sup>、</sup>二<sup>、</sup>位<sup>ハ</sup>事<sup>業</sup>場<sup>ナル</sup>モ政府<sup>ノ</sup>  
事<sup>業</sup>優<sup>先</sup>ト<sup>シ</sup>鹿<sup>島</sup>組<sup>ハ</sup>第一<sup>、</sup>二<sup>、</sup>位<sup>ノ</sup>組<sup>ニ</sup>屬<sup>シ</sup>且<sup>テ</sup>取<sup>扱</sup>  
モ既<sup>給</sup>ガ悪<sup>カ</sup>ツ<sup>タ</sup>コトハ事<sup>實</sup>デア<sup>ル</sup>



更ニ五月死之スル数ハ決シテ少クハナイ実情ニ対シ、  
蘇衛生課ハ何等手ヲ下サス寧ロ縣特高課ハ鹿島組  
並ニ花岡鉦山病茂大内茂長ニ対シ鹿島組若手人、其  
ヲ病茂ニ入茂サセルコトヲ禁止スル指令ヲ發シテ居ル  
政府ハ食糧ニ於テ契約ヲ履行セズ病人ノ入茂ヲ禁止  
シ自カヲ以テ鹿島組河野町長ニ其、結果的責任ヲ  
負ハシメ、約八百名、若手若カト共ニ深淵ニ落シトシテガ全体  
ノ責任コソ秋田縣当局ニ警務部長、特高課長、食  
糧課佐藤事務官等ニ決定カレ可キモト思フ、

四七月一日事件、若手若カニ與ヘタル影影御言及警務部長  
ノ処置

事件勃發ト共ニ三浦大館警務部長以下署員約三  
十数名、直ニ花園ニ出動、秋田縣檢事局長谷川  
思想檢事指揮ノ下ニ鋪田特高課長以下約八十名、  
警務部長及秋田弘前青森各憲兵隊ヨリ約三十名  
出動、逃走セル若手若カヲ捜索ニ努カシ、七月二日午後三時  
頃迄概テ七百名程ヲ見シ、共樂館横広場ニ抑留  
シ警務部長、憲兵、警備隊員ニヨリ嚴重ナル監視ノ下ニ  
續ケラレ一切ハ鹿島組ノ手ヲ離シ犯罪容疑者トシテ警務  
ノ責任ニ於テ取扱ハシ、其、間柳田広場ニ於テ警務  
官警備隊員ニ依リ苛酷ナル取扱ヲ行ハシ、灼熱ノ樂  
天下ニ水ヲ與ヘラリス、食ヲ與ヘラリス用便モ不自由ニシテ、余  
リノ虐待行爲ニ対シ屢々三浦署長ニ注意セルモ止マ  
ザルタメ、自ラ大聲テ如何ナルコトガアラウト改打スルコト



止るト前後三四ニ芳リ巡査告ヲス及セリ

七月二日、午後二時頃ト思フガ、鹿島組河野所長  
花園ノ警査ニ於テ若干人ニ対スル給食約八百名分

準備ノ都合モアリ、地方巡査隊員ハ食事持参シ

テ世見ヒ度キ旨申出テアリタルニ対シ、当時巡査隊長ニ同

席セル人ノ氏名ハ判然トセザルモ三浦大館警査室署長

後藤藤巡查外五、六名ト思フガ、若干人ニ一日二日食ヲ

喫ヘナクとも死ナイカラ巡査隊員ニ焚出しヲ出ス様

ニ意見ガ一致ニ夕如ク記憶ス

自分ハ河野所長、申出ニ依リ直チニ鉦山ニ手配鉦山

ヨリ應接ニ出ル者ニ給食セシメタリ

然シ河野所長ハ華人給食用トシテ八百名分ヲ準備

スル様命シタト思フガ殆ト巡査隊員ニ喰ハレタト聞

テ居ル

七月三日、午後三時頃河野所長ノ依頼ニ依リ、白

分ハ通訳トシテ十八名ノ炊事夫ヲ若干送リテ是定

ニ中山寮ニ派遣シ七月四日ドンブリ粉、粥ヲ炊事

シ若干人ニ喫ヘ可ク現場ニ運ビタル所、巡査隊長下ハ若干

人ニ喫ヘス腐ラシタト言フコトヲ聞イタ

七月四日抑留中、若干人ヲ中山寮ニ入寮セシメ、主

謀者ト目セラル、者ノ取調ガ長谷川檢事指揮ノ下ニ

特為警査室ニヨリ開始セラシ、又一方憲兵隊ニ於テハ

東京憲兵隊諏訪大佐ノ指揮ノ下ニ其ニ事件ノ

真相ガ画カシ、警査ト憲兵トノ間ニ事件ノ原因ニ



相違対立ヲ見、諏訪大佐ハ原因ハ食糧問題ニアリトシ、  
一方警官宗例ニ在リテハ原因ハ食糧問題ニアラズニテ  
政治的陰謀ナリトシ、長谷川檢事ヨリ中ハ二録田特  
高課長、三浦警官、若長、倉橋警部補、成田警部  
補等外特高係員ニ依リ対策ガ進メラシ、何等事件  
前ニ各事業場例ヨリ窮状ヲ訴ヘラシタル食糧問題ニ  
觸ラス事件ノ責任ヲ鹿島組ニ限リ解決セムトセルモノナリ  
日本國內ニ於ケル指導監督ヲ一元的ニ納メタル内務  
省及縣特高課ノ事前ニ於ケル救済運動ニ対シ何等  
處置セサル怠慢行為ヲ懲散セントスル者ヘオト思フ、  
七月二、三、四日ト警官宗例官監視裡ニ虐待セラレタルコト  
ハ萬人ノ均ニク認ムル所ニシテ、且ツ事件前ノ食糧不足  
ニ対シ事業場ハ真劍ニ陳情セルニモ不拘、之レヲ有ミズ、

率勞ハ衰弱ニ加ヘテ肉作的虐待ニ耐ヘ兼ねタル一人ノ率  
勞カ隊列ノ中カラ「飛出シ」大入ト言フテ、自今ノ前ニ未タリテ  
別紙ノ書面ヲ提出シ救ヒヲ求メタル者アリ

普通デアラフテモ氣候、風土、食ノ變ラテ居ル土地ニ生活ス  
スルニ六萬人悉ク健康ヲ保ツコトハ至難デアアル

食糧ハ考慮セス事件ニ依リ虐待ヲ度ケタテ率勞カガ健康ヲ  
保テル筈ハナイ

其ノ結果七月中ニ於ケル死亡者百名ニ達シ、然レモ  
警察直接ノ管理下ニ於テハ九月ト何レモ五六十名  
ノ死亡者ヲ出シ終戦後進駐軍之医ニヨリ凡ユル医  
術カ施サレタルモ、  
喰止メルコトヲ得ス、  
實ニ七月二日ヨリ  
虐待セラレタル  
根柢ヲ莫大ナル率勞人ノ生命ヲ奪フマタ  
テアル





五、河野新長ハ奉勞移入以來熱心ニ其ノ指導ニ努メ、皮膚病患者ニ對シテハ温泉ヲ借度ク可ク奔走シ、  
華熱カノ患者カ醫寮ノ命令ニ依リ病度ニ入茂ヲ林示止  
セラレタルヲメ、專屬ノ醫師ヲ求ム可ク奔走セルモ當時  
醫師、殆トハ軍ニ應召セラレ止ムナク、  
有スル人ヲ中山岩ニ既置シ藥品ヲ購入患患者、  
施療ニ全力ヲ傾注セルコトハ良ク承知シテ居ル

然シ河野新長、任務ハ洵ニ急ヲ要スル花園錠  
山ノ事業完成ニアリテ、其ノ設計ニ没頭シ當時  
鹿島組花園出所ノ従業員ニ千数百名ヲ擁シ且亦  
河野新長ハ秋田縣大湯出張所長ヲ兼任、  
ナル身テ文字ニ通リ東奔西走テ一日鮮キ若キ人ノ管理

ハ主トシテ世々務係担当シ各寮長ノ責任ヲ以テ指導  
ニ當リ七月一日以後、寮長ノ名目ハ適任者ナキタメ  
警寮、指示ニ從ヒ副寮長ニ由テ指揮ヲ與ハタシモ、  
際ノ管理ハ警寮官ニ依リ行ハシ鹿島組ハ軍ニ命令  
ノ儘行動スルニ過ラナカフト思フ



別紙

一、我概作了瓦上霜，心一屈，命該這樣。裏沒有衛兵強說，有那能得到把命裏

口供吃苦

二、我是山東羊平人，被捉來到大日本，心裏未此奮苦力，那想三到屈說人。

吹進吐得很

三、世中餓了，真難度。每次只給一碗，餓一天一天，飲不盡飽，不用刀殺，自割頭。

命賜我也

四、難情到來不自覺，誰知倒處有怨望。我自良心按得正，死裡無生有何方。

命裡應當

五、此事為何要誠認，吃刑不過望度。持人生早晚得一死，早死晚死是一律。

無法可相心

六、受刑雖然不很重，按在本身實難。持怨怨怨來望認，早死比着後死強。

白走一路

七、我今如能得一命，回到家去燒高香。我今如果得一死，父母妻子全部忘。

話算到底



八我雖說話不一样 臉面同是黃種像

本心原攻故英美不原把命自往喪

實心思想

九

有心而力不足

無有智人說話

命該如此

皇天無救

前託ノ事實ハ眞實ニシテ嘘偽アリイコト

ヲ宣哲言致シマ

昭和二十一年七月十二日

五字桂海



久保清一郎

久保清一郎



B-1  
TRANSLATION

KUBO Sei-ichiro, Born November 12th 1905

Domicile: No. 6 of No. 9, Oaza Ekarinai

Present Abode: No. 1/34, Aza Asaishi, Hanaoka-Machi, Iwate-gun, Iwate Pref.  
Hanaoka-Machi, Kitaakita-gun, Akita Pref.

SHORT PERSONAL HISTORY:

In May 1943 Entered the service of the Hanaoka Mining Office of Fujitagumi Limited and took up the post of Chief of Labour; resigned May 1946.

In May 1946, entered the service of Mitake Anthracite Mining Co., Ltd which post I am now keeping; I am now residing at the above abode.

(1) HEALTH CONDITION OF THE CHINESE LABOURS AT THE TIME THEY IMMIGRATED INTO THE HANAOKA DETACHED OFFICE OF KASHIMAGUMI LIMITED:

I understand that the Chinese labours immigrated into the Hanaoka Detached Place of Kashimagumi Ltd during August 1944 consisted of the former prisoners of war encamped at the Japanese POW Camps in Peking and the vagabonds who had been delivered to "KAHOKU ROKO KYOKAI" (North China Labour Association) by the Japanese Army after having been duly trained and imbued with the 'New Nation Spirit', and were in turn delivered to the travelling agent of Kashimagumi. The health condition of the Chinese labours as I saw it at the time when they arrived at Hanaoka was extremely bad. Of about three hundred Chinese, the majority were either suffering from malnutrition or sickly persons. Later, the result of health examination conducted by Dr. T. OUCHI of the Hanaoka Mining Hospital and two three other doctors has revealed to the best of my memory that about sixty percent were suffering from malnutrition of which about 70 persons were suffering from severe skin diseases or eye diseases and that only about 30% were able to withstand heavy labour.

I remember that the next immigration took place in May 1945 numbering about 600, but their condition of health was still worse than that of the first immigrants; moreover, quite a number of old-age labours were found among them and I estimated that healthy labours were only about 30% of the entire immigrants. Nearly all of the sickly persons were deemed to be suffering from malnutrition, skin diseases or organic disorder.

From April to June 1944 I was in China in connection with the raising of labours to be imported into the Hanaoka Mine and I am therefore well posted on the method of supplying labours to Japan by the North China Labour Association. The Chinese labours immigrated into the Mine were raised mainly from farmers, hence their health was in very excellent condition including quite a few sickly persons, whereas the health condition of the Chinese labours of Kashimagumi was extremely bad and I observed quite a number of seriously sick persons.

I was able definitely to confirm that the cause of difference in the health between the Chinese labours of the Mining and those of Kashimagumi was due to the following points:-

(1) It was very doubtful whether the North China Labour Association sincerely observed the rules for selecting the standard labours which constituted the most important point in the agreement for raising the labours, viz:- in the rules for employing the labours it is stipulated that:-

(a) ~~They~~ <sup>They</sup> must be physically strong enough to withstand heavy physical labor;

(b) They must be young men ranging in age of full 16 years or more and not more than 30 years;

(c) They must be free from any contagious diseases and other diseases of abominable character;

(d) They must not be holders of such thoughts and ideas as in the opinion of the Association are inadmissible;

(e) They must be chosen in China based on the above-specified standards and in the presence of the travelling agent of the entrepreneurs (Employers).

(2) The METHODS FOR RAISING THE LABOURS may be classified into the under-mentioned three categories, hence the question remains which of these methods the North China Labour Association adopted:-

(a) "ADMINISTRATIVE SUPPLY": that is to say, under close cooperation with the Japanese Army and the administrative organs in China, the Chief of 'New Peoples Society' (Governor) commands the districts and villages under his jurisdiction to supply labours commensurate with the number forcibly allocated to each of them;

(b) "ARMY SUPPLY": that is to say, the Labour Association obtains supply from the Japanese Army such competent labours as are well disciplined with the spirit of 'New Peoples Idea' applied to the prisoners of war encamped in the Japanese POW camps, bandits and spies;

(c) "FREE COLLECTION": that is to say, the Labour Association obtains via the assistance of bosses and other heads of villages and clans.

Now the reason why the Hanaoka Mining was able to obtain labours of comparatively excellent in health was because it just belonged to the 12th 'Collection' for supplying the labours to Japan by the North China Labour Association and the method adopted was the 'Free Collection' under (c) above, giving the Japanese Contractors the right of presence and participation as per the ruling defined under (e) (1) above. Diametrically opposed to this, the first labours applied to Kashimagumi were based on the method (a) above or 'Administrative Supply' and the second labours supplied were based on (b) above or 'Army Supply' all of which absolutely ignored the rules specified under items (a), (b), (c) and (e) of (1) above, resulting in the extremely unsatisfactory health labours and it is manifest that the supply of the labours was done arbitrarily one-sided and forced method on the part of the North China Labour Association.

Particular attention must be drawn to the fact that among the second immigrated labours were included a great number of vagabonds and beggars much

contrary to the provisions of the agreement and that constituted fraud against the Contractor (Employer); hence, the full responsibility must be borne by the North China Labour Association. To the best of my knowledge, the constitution of the Labour Association that formed the organ for raising labours in North China was based on the Instructions concerning the North China Administrative Committee also on the Acts relating to the North China Labour Association and was a nationalistic organ established July 8th 1941 for the purpose of labour unification. It worked closely hand in hand with the "Shin-Min-Kai" or the New Peoples Association with the personnel formed chiefly by the Japanese professional soldiers on retired list also by those who were keenly interested in the said New Peoples Association.

The above is, to the best of my knowledge, a statement concerning the first and second Chinese labours immigrated into the Hanaoka Detached Place of Kashimagumi and I think that the records of Health are kept in the Hanaoka Mining Hospital, the Odate Police Station and the Hanaoka Detached Place of Kashimagumi.

(2) THE GUIDING SPIRIT OF THE JAPANESE GOVERNMENT versus THE CHINESE LABORS:

The leading organ in the Japanese Government versus the Chinese labours was established in the Home Office called the 'Chinese Labours Counter-Measure Committee' coming under the management of the Chief of Police Section and the Head of Foreign Affairs Department therein and it would seem that they engaged a person by the name of H O M M A as adviser to the Home Office permitting him to participate in the planning for the management and instruction of the Chinese labours. In Akita Prefecture, the so-called 'Chinese Labours Counter-Measure Instruction Committee' was established in the Police Section of the said Prefecture and was run by the Special Higher Police Department for the purpose of minutely propagating the leading policy of the Government to all the jurisdictional Contractors Working Camps. In order to keep watch and surveillance over the actual operation of the policy, the authorities arranged to post policeman KONNO in the 'Chuzanryo' Dormitory of Kashimagumi and policeman ITO to the 'Toa Ryo' (of the Hanaoka Mining), both of them in plain-clothes. Later, in the month of May 1945, the aforesaid policemen were replaced by policeman GOTO for the 'Chuzan-ryo' Dormitory and policeman DENNO for the 'Toa-ryo' Dormitory respectively.

I am not well posted over the personal and official history of aforesaid H O M M A, but to the best of my knowledge, HOMMA had been engaged in shipping business for about twenty years in Tsingtau and when he returned to Japan, it so happened that the Japanese Government began to import Chinese labours into Japan, he was invited by the Home Office as Advisor thereto. He was thus occupying a leading post in matters appertaining to the Chinese Labours and was from time to time making a tour of lectures round the entire contractors working camps where the imported Chinese labours were allocated also worked as

lecturer for all meetings of the leaders for the Chinese labours throughout this country, thereby directly instructing and leading the people in regard to the disposition of the Chinese labours. It so happened that on July 13th 1944, the following personnel visited the Hanaoka Mining Camp for the purpose of inspecting the actual operation of the management and instruction of the Chinese labours there:-

REPRESENTING the HOME OFFICE and the WELFARE OFFICE:

Officer YAMADA, Advisor H O M M A , Commissioned - Officer x  
SEKIGUCHI , Assistant-officer TAWARABE;

REPRESENTING AKITA PREFECTURE:

Chief of Special Higher Police KAMADA, Police-inspector KURAHASHI,

Chief of Odate Police Station NAGASAWA, Police-sergeant ISHIKAWA,

altogether about twenty officials chiefly from the Special Higher Police. On that occasion, they fully explained the official policy of the Home Office in regard to the management and the method of instructing the Chinese labours. The following are the resumes of the said policy:-

Advisor HOMMA succinctly and tersely pointed out that the drawback of the Hanaoka Mining Camp in matters appertaining to the management and instructions of the Chinese labours lies in the fact that it is 'OVER-INDULGENCE' and 'INEFFICIENT EDUCATIONAL METHOD' which will in future be taken advantage of by the Chinese labours, that is to say:-

1) Construction of the Dormitory is too luxurious. The reason for this is that a crude primitive cave-like hut is far well adapted to the nature of the Chinese labours!

2) The bedding is over supplied (at that time four sheets of cotton-wadded sheets were supplied): The reason for this is that the Chinese labours can well sleep out in the open!

3) The ration is luxurious; the present supply of ration of 22 kilograms is too much. The reason for this is that the Chinese usually are not taking wheat flour but are eating food of inferior grade.

4) Their daily life is left to 'Laissez-faire' or non-interference policy. The reason for this is that free outgoing is dangerous to women and that individual outgoing is prohibited.

5) Putting too much confidence on the words of the Chinese labours. The reason for this is that the Chinese by nature must be judged from the reverse side, otherwise one exposes oneself to the danger of being cheated.

6) The leaders of the Dormitory are giving 'Over-indulgence' to the Chinese. The reason for this is that the Chinese are apt to take advantage of the weakness of their adversary, therefore the basic principle must be on the line of terse and stringent control.

7) The low working efficiency (at that time was on par with the average

Japanese); make it a basic standard to obtain three times the present efficiency. The reason for this is that the Chinese labours working on the Itmuka Mine in Hokkaido are shewing satisfactory working efficiency in spite of their rations being less than the Chinese labours of the Hanaoka Mine and that the former have energy enough to double that efficiency yet.

**SQUEEZE THE CHINESE TO THE LAST DROP OF BLOOD!**

After having alluded to and enumerated the essentials as above outlined, it was stressed that the Chinese by nature are double-dealers and that they always lock up machinations in their hearts, all of which can not be imagined by the average Japanese.

(The above is the gist of the lecture made by ADVISOR HOMMA at the Hanaoka Mining Club on July 13th 1944.)

It was surmised that enemy spies might be creeping in the Chinese labours immigrated during the War, hence the HOME OFFICE formulated the principle that, while they would do their best to protect and educate the Chinese labours, they should concentrate far greater energy on eradicating the counter-elements among them and that their management and control were conducted unilaterally through the channel of the Special Higher Police in order to maintain the preservation of peace. The following were the high-points in the control and supervision:-

- 1) To keep surveillance on the underground activities of the Chinese labours and nip in bud the intrigues of the counter-elements;
- 2) To permanently place a chief police in civil clothes and let them take up the observation.
- 3) The instructions to the Chinese labours must not be left to the working camps alone, but the authorities should see to it that the guiding principles be fully permeated into the core of the Chinese.

(The above is the gist of the lecture made by Officer YAMADA)

To one who was well adapted and trained to understand the dilemma of the human status of the Chinese and the War against China by the Japanese Government, the fundamental policy might not have been erred, but it was impossible to expect every policeman fully to understand the Chinese. Let me just cite a few examples to illustrate this point as follows:-

On June 17th 1944 shortly after immigration, three Chinese labours ran away from the "Toa Ryo" Dormitory of the Hanaoka Mine (they were seized on the same day). Chief of the Special Higher Police KAMADA of Akita Prefecture, on the plea that he was acting under specific instructions of the Home Office, caused these three Chinese to be incarcerated at the Odate Police Station for a period of three months. The said Chinese, who simply ran away for the ardent desire to return to their mother country, were investigated on charges



of having committed either political intrigues or espionage. In spite of the pathetic appeal on the part of the Employers, the Chinese were not permitted to be released on evasive pretexts and it was only after all of them got dysentery that they were released to be taken into the hospital. In spite of the common sense that the food for the Chinese during their incarceration for the three months should have been borne by the Police, they were audacious enough to exact the expenses from the individual pockets of the Chinese / also the entire expenses of the hospital! Through such mistreatment of the Chinese labours, the Government did entirely deprive the Employers of their basic functions vis-a-vis the Chinese labours. It was indeed malfeasance which seemed proper only to the bureaucrats!

It should be noted that HOMMA, advisor to the Home Office, accompanied by Assistant-officer TANABE of the Home Office, Police-inspector KOMATSU and Assistant Police-inspector KURAHASHI of the Special Higher Police of Akita Prefecture, visited the Hanaoka Detached Office of Kashimagumi towards the beginning of September 1944; HOMMA there and then fully explained to the Chief of the said Detached Office in connection with the management and control of the Chinese labours along the same principle of the Home Office as was expounded in the lectures made at the Hanaoka Mining Club on July 13th 1944 and warned and ordered that all instructions in regard to the Chinese Labours should thereafter be conveyed through the Special Higher Police of Akita Prefecture and that they should be observed and obeyed.

Again HOMMA delivered a lecture at the short-course Class sponsored by the Home Office for the Policemen in charge of Chinese labours held in the Otaru Higher Commercial School in Hokkaido and <sup>on</sup> that occasion he expounded the guiding principle of the Government for the management and control of the Chinese labours to the 1st term students thereof. According to Assistant Police-inspector NARITA of Akita Prefecture, who was a student there at that time HOMMA's conclusion in regard to the treatment of the Chinese labours was exactly the same as his lecture made at the Hanaoka Conference of July 13th; in other words: "SQUEEZE THE CHINESE TO THE LAST DROP OF BLOOD!" was the motto. It would appear that the opinion of HOMMA was virtually made official instructions of the Home Office transmitted to all Contractors Working Camps throughout the country and enforced, the result being that many Employers were made victims and succumbed thereto.

THE CHINESE LABOURS COUNTER-MEASURE INSTRUCTION COMMITTEE of Akita Prefecture was nominally presided over by the Chief of the Police Section, but in point of fact it was KAMADA, Head of the Special Higher Police Department, who actually presided. A circuit conference was held once a month and on the 2nd Circuit Conference held about November 1944 KONO, Chief of the Hanaoka Detached Office of Kashimagumi, introduced two bills, one dealing with supplement-

ing the minimum quantity of the ration for the Chinese labours and the other dealing with specially distributing clothes to the Chinese labours employed by the civil engineering works of the Patriotic Labour Association sponsored by the Police. It was then demanded and desired that a speedy realization of these two bills be enforced and each Employer did make most of the occasions to supplicate the authorities for taking care of the food problem and the clothing problem (special distribution), but after all none of these problems has been solved or given attention to. Then again, attention should be called to the fact that on the occasion of the conference held at the Funakawa Harbour Company on January 23rd 1945, the Hanaoka Mining Works introduced a bill petitioning for the standard rationing, to which KAMADA, Head of the Special Higher Police, expressed his conviction that the increase of ration did not warrant the increase of efficiency citing, as examples, the cases where in Hokkaido and elsewhere higher and satisfactory efficiencies were being raised on the same ration as for the Hanaoka. Thus he did not consider in the least the minimum ration as guaranteed under the LABOUR CONTRACT.

Here it will be proper to divulge the inside circumstances of the Chinese Labours Counter-Measure Instruction Committee of Akita Prefecture. To begin with, when the Committee was established, the expenses therefor were not borne by the Government; on the contrary, every Employer was compelled to donate the expenses at the ratio of ¥5 per head of the Chinese labours working for him. This donation was shifted on to defray expenses of the Special Higher Police; not only that, every Employer was likewise compelled to bring two "SHOs" of Japanese wine or 'SAKE' every time the conference was held in addition to bearing the 'Spree' expenses of the Conference. Thus, the Committee virtually lacked the ability to promote the interests of the Chinese labours as all Employers had expected and gradually antagonistic feeling became rampant against the Committee.

(3) The afocited guiding principle of the Home Office naturally caused a grave influence to bear upon the treatment of the Chinese labours imported into this country. In other words, the authorities were simply busy in enforcing superficial control only, utterling forgetting to fulfill the terms of the LABOUR CONTRACT executed at the time of the importation of the Chinese labours; humanity was entirely beyond their ken of recognizance while bureaucratic self-praise proved to be the deadlock as many deplorable problems occurred in different districts all over the country. The most vivid example of this was the conspiracy or mutiny that broke out on July 1st 1945 among the Chinese labours at the Kashimagumá working camp at Hanaoka. I am inclined to believe that the unique and sole cause of that conspiracy or mutiny was due to the breach of Contract on the part of the Japanese Government.

The actual wartime stern food control then prevailing in Japan at the

time of the importation of the Chinese labours was diametrically opposed to and insufficient to fulfill the LABOUR CONTRACT terms planned by the Government. This naturally was the cause of great concern to and the most important problem for all the Employers which could never be solved unless with overwhelming support of the Government. Particular attention should be called to the rationing of main food which in the CONTRACT was promised by the Government to be 30 kilograms per head per month whereas actually it was restricted to only 22 kilograms. As regards the shortage or unfulfilled portion of the ration of 8 kilograms, the Rationing Department of Akita Prefecture which was held responsible for the supply, failed to meet the series of petitions made by the Employers. I know that Mr. KONO, Chief of Kashimagumi did, since the importation of the Chinese labours, exert his best, time and again in making petitions to all the authorities concerned to say nothing of his efforts to supplicate the Prefectural authorities therefor by specially despatching his subordinates thereto. I myself, representing the Mining Works, over time and again went to the Prefectural Office interviewing Officer SATO, Assistant Officers SAEKI and SHIBUYA in regard to the rationing, but was turned down on each occasion by them that the rationing was entirely beyond the competence of the Prefecture.

In matters appertaining to main food, it was absolutely impossible to tide over the difficulties without comprehensive support of the Government; notably, in point of side-dishes, only 18.7 grams of raw fish and 3.75 kilograms of vegetables were rationed <sup>PER HEAD</sup> through the regular Governmental routes covering the period of one year from June 1944 to May 1945!!! Therefore, the suffering of massed group of men was beyond comparison with the average individual home, and something must have been done to save the situation. It should be particularly noted that the supply of wheat flour that constituted the main food was stopped at the end of April and was replaced by rice which in turn was replaced by the so-called "ACORN FLOUR" ("Donguri-Ko") as substitute from the end of May. The latter acorn flour caused a great number of diarrhoea cases which proved a great menace to the absorption of nutrition. Chief KONO of Kashimagumi at that time was convinced of the utter impossibility of obtaining any relief from the Government in spite of his repeated supplications and finally resorted to the purchase of rice on the black market that left him punished with the criminal penalty of ¥4,000.00! In the meantime, the Chinese labours began to suspect the Employers (sic) for not living up to the Labour Contract in point of the ration and the said ill-feeling got rolled up like a snow-ball and it finally bordered on the breaking-point towards the beginning of June. Therefore, Chief KONO made a series of petitions to the relevant authorities and I, on my part, in consultation with the Police-sergeant SUGAWARA brought a sample cake made up of the said Acorn Flour to the Special Higher Police of the Prefecture, while SUGAWARA reported

the case to the Chief of the Odate Police Station; further I laid the case before the RATIONING DEPARTMENT of the ECONOMIC SECTION (at that time the Head of the Department was absent) where I interviewed Officer SATO to whom I shewed the sample cake and warned him that a serious trouble might happen if the authorities continued to take "Laissez-aller" attitude. I then prayed for a small additional rationing of rice at the rate of only 6 "Shaku" (abt. 88 grams) per head per day, but the authorities failed to shew any sincerity in the matter. On June 16th 1945 I made a special petition to Mr. OKAHARA, ration-controller of the Sendai Mining Supervisory Office where I interviewed Mr. WATAMABE, head of the Labour Department, asking him to take necessary measures to the Ministry of Agriculture & Commerce also to the Akita Prefectural authorities. Again, on June 22nd 1945 I telephoned to Assistant Police-inspector KURAHASHI of the Prefectural Special Higher Police telling him of the impending serious trouble and asking him immediately to convene the Chinese Labours Counter-Measure Instruction Committee. On that occasion, I learned that KAMADA, Chief of the Special Higher Police, was going down to Tokyo on or about June 24th. I therefore did not lose time to go up to Akita and in the brief three minute interview with KAMADA, I reported him the circumstances surrounding the food situation of the Chinese labours both in the Hanaoka Mining Works and the Hanaoka Detached Office of the Kashimagumi and solicited for immediate relief of the Government. I then arranged for the convocation of the Chinese Labours Counter-Measures Instruction Committee at the Hanawa Police Station on June 28th to be held simultaneously with the return of KAMADA, Chief of the Special Higher Police, from Tokyo which the latter postponed till July 3rd due to <sup>his</sup> ~~the~~ accord.

Just about that time, the institution of the so-called "Bayonet Charge Week" was mooted by the Labour Department of the Akita Prefectural Police to be slated as from June 25th so as to promote and expedite the work of all the civil engineering work covering the camps under the competency of the Patriotic Labour Association. That plan was transmitted to all the Police Stations which in turn encouraged the relevant working camps. That plan involved the extension of the labour hours, but did not in any way solve the problem of the ration as heretofore. KURIYAMA, Head of the Labour Department did not consider the food problem but simply commanded to "go ahead" based on the principle of self-conceitedness of the bureaucrats. The said "Bayonet Charge Week" was only for Akita Prefecture, particularly covering the working camps connected with the Patriotic Labour Association and did not include the Mining Works.

Upon entering into the Bayonet Charge Week, Chief KONO dared to buy apples on the black market to supplement the shortage of the main food, but

already due to the effect of the acorn flour cake about 400 odd labourers were unable to work and I think certain that even the remaining workers felt the week very hard. Thus the food problem remained unsolved while the labour by order of the Government was increasing its severity with the toll of deaths unchecked. It was quite natural to think that if things should go on like that all the Chinese labours must die without exception. It was a matter of course that they tried to appeal for public sentiment to present the case as a serious social problem, hence the occurrence of the July conspiracy or mutiny.

Everybody knew full well that Mr. KONO, Chief of Kashimagumi, went heart and soul for the welfare of the Chinese labours, but how could he accomplish when the Japanese Government dared to violate and neglect the CONTRACT by failing to supply the stipulated quantity of the ration, while the responsible authorities in the RATIONING DEPARTMENT of Akita Prefecture refused to listen to his petition saying that they had no extra ration to give either to the Chinese labours or to the Prisoners of War when the Japanese nation itself was actually suffering from the shortage of food? It was indeed a sheer impossibility, within the bulwark of the State General Mobilization Law, to do anything for an Employer to solve the ration problem at his own responsibility!

Particular attention should be called to the fact that the enterprises were classified into several ranks to procure ration, clothing and luxuries in the order of (firstly) Army Munition Factories and factories specifically designated by the Army, (secondly) specifically designated Mines, Lumber, Wood and Charcoal businesses and Transportation business and (thirdly) the Civil Engineering works of which the Government business was given preference. Kashimagumi belonged to the bottom notch of these classifications, hence received the lowest distribution is a bare fact. On the other hand, in the face of rather heavy death toll, the Prefectural Hygienic Department did not render any helpful hand; on the contrary, the Prefectural Special Higher Police issued directive <sup>ORDERING</sup> ~~forbidding~~ both the Kashimagumi and Dr. OUCHI, President of the Hanacka Mining Hospital to refuse the entry of the Chinese Labour patients. Thus the Government, on one hand, not only failed to live up to the CONTRACT in point of the ration, but also prohibited the entry of the Chinese patients into the Hospital, and on the other, did plan and prepare to throw KONO, Chief of Kashimagumi, into the inferno of assuming the consequential responsibility, together with the group of about eight hundred Chinese labours. The entire diabolic responsibility must, I believe, be placed and pronounced upon the Chief of the Police Station, the Head of the Special Higher Police and Officer SATO of their Ration Department.

(4) THE CONSEQUENTIAL EFFECT OF THE JULY 1ST CONSPIRACY or MUTINY UPON THE CHINESE LABOURS AND THE DISPOSITIONAL MEASURES TAKEN BY THE POLICE:

With the outbreak of the incident, the Chief of the Odate Police Station MIURA and his subordinates numbering twenty odd police force arrived at Hanaoka; the Head of the Special Higher Police KAMADA and his subordinates numbering eighty odd police force under the direction of HASEGAWA, Procurator in charge of thoughts and ideas for the Akita Prefecture; also about thirty gendarmes from the garrisons at Akita, Hirosaki and Aomori also arrived at Hanaoka. They all worked for the search of the runaway Chinese and by about 3 p.m. of July 2nd about 700 Chinese were seized and taken back to the open space by the side of the "Kyoraku-Kan" under the strict guard of the police, gendarmes and patrolmen. Thus the entire Chinese labours were then dissociated from the functioning of Kashimagumi and were all turned over into the hands of the police authorities as criminal suspects. During all those times, the Chinese were subjected to the torture by the hands of the police and patrolmen. No food and no water were given under the burning and scourging sun and even the latrine was not freely permitted! In the face of those unbearable tortures, I often ventured to call attention of Chief of Police MIURA, but was in vain. So I shouted several times at the top of my voice: "Don't beat the Chinese under any circumstances", thus I gave my warning!

I remember it was about 2 p.m. of July 2nd when KONO, Chief of Kashimagumi, at the Hanaoka Police announced that he had prepared food for about eight hundred Chinese and that, therefore, he hoped the local police as well as the patrolman should take care of their own food themselves. I do not remember exactly who were there at that time, but I think MIURA, Chief of the Odate Police Station, Policeman GOTO and five or six other police were present. but they all came to the decision that the Chinese labours would not die even if food was denied them for a couple of days, but that it was important to cook rice-balls for the patrolmen! I, on my part, quite agreed with the proposal of Chief KONO and immediately arranged to take care of the men despatched from the Hanaoka Mining Works by their own ration (without depending on Kashimagumi Hanaoka Office). Thus Chief KONO had prepared for the ration to be supplied to about eight hundred Chinese 1 bours, but I understand that nearly all the ration had been voraciously devoured by the patrolmen!

About 3 p.m. of July 3rd, on the request of Chief KONO I acted as interpreter and selected about eighteen Chinese labours to act as cooks and despatched them to the "Chuzanryo" Dormitory and on the morning of July 4th carried the well cooked gruel (of acorn flour) to be given to the Chinese labours. But I understand that the police refused to give the gruel which finally became decomposed. On July 4th, the Chinese under restraints were examined by the police under instructions of Procurator HASEGAWA. On the other hand, the gendarmes headed by and under instruction of Colonel SUWA, who specially came up from Tokyo, endeavoured to get to the bottom of the truth leading to the Con-

spiracy. Here the opinions of the Police and the Gendarmes became diametrically opposed, the former insisted that the cause of the Conspiracy was political intrigue, while the latter maintained by Colonel Suwa that it was purely and simply the question of ration. Thereupon, KAMADA, Head of the Special Higher Police, MIURA, Chief of the Odate Police Station, Assistant Police-inspectors KURAHASHI and NARITA centered around Procurator HASEGAWA to formulate their counter-measures. They did not in the least touch upon the problem of ration as it had been petitioned to them so pathetically prior to the outbreak of the conspiracy or mutiny; on the contrary, they thought their brains out in order to shake off the entire responsibility on to Kashimagumi thereby to terminate the case in their favour! I am inclined to think that their attitude was base enough to conceal and throw up into the air all their unpardonable omissions committed to render any proper measure to the ardent supplications that had been submitted to them prior to the outbreak of the Conspiracy for the rescue of the Chinese, notwithstanding the fact that they (the HOME OFFICE) were the highest authorities in the country that unified the management and control over the Chinese labours and relayed them to the Prefectural Higher Police. The fact that they (Chinese labours) were subjected to tortures under the guard of the police during these July 2nd, 3rd and 4th is still vivid and manifest to all the witnesses. The authorities did not pay any attention to those enthusiastic petitions and appeals made by all the Employers in regard to the shortage of ration prior to the outbreak of the incident. From among the group of emaciated Chinese labours, <sup>A</sup>lean and bony, and unable to withstand any more tortures, came rushing out of their line saying "My Master!" and handed me a statement as per appendix to this affidavit. Even under ordinary course of events, it is difficult to maintain health in a country where climatic conditions and food are different from those of the mother country. Especially so difficult is the case with the Chinese labours where the authorities do not give any attention to the food problem but torture them as the result of the conspiracy! No wonder, suddenly in the month of July, the number of deaths totalled one hundred; not only that, but even under the specific management and control exercised by the police, the number of deaths averaged fifty to sixty each month covering August and September; every painstaking effort on the part of the Occupation Forces after the termination of the hostilities, the number of deaths did not decrease. All that was due to the tortures to which the Chinese were subjected from July 2nd onward and that proved to be the factor for depriving the Chinese of their lives.

(5) Chief KONO did his best for the welfare and guidance of the Chinese labourers ever since they immigrated into his working camp. To those who were afflicted with skin diseases, KONO endeavoured to put up a sanatorium in the Spa. Because of the refusal of admittance of the Chinese into the hospital by

order of the police, KONO exerted actively to engage a special medical man for them, but at that time on account of the War nearly all the professional men had been called to the colours; so the only way left for KONO was to engage the best man he could find who had experience in medicine and provided him with sufficient volume and quantities of medicines, thus endeavouring his best to give medical attention to the Chinese. However, Chief KONO's time was well absorbed in the big work of completing the job of the Hanaoka Mine and he was entirely taken up in planning and estimating the work with altogether about three thousand labourers under him to work upon; not only that, he was simultaneously Chief of the Oyu Detached Office of Akita Prefecture. He was extremely busy to the letters, hence the management of the Chinese and Koreans were actually in the hands of the respective leaders and these labours were being managed under the responsibility of the respective Chiefs of the Dormitories. After July 1st, owing to the lack of proper man to take up the post of Chief of the Dormitory, the actual authority was given, by instruction of the police, to Assistant Chief, but, as a matter of fact, the management was virtually executed and maintained by the police and Kashimagumi merely acted according to the order of the police.

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A P P E N D I X

(TRANSLATION OF THE SPECIAL PETITION MADE TO KUBO SEIICHIRO BY A CHINESE)

(1) I have done this! It shortens my life! Death is destiny! That which I did not do, the authorities accuse I did! I am not afraid of death! I cannot say anything but torture!

(2) I hail from Shantung, was grabbed and came to Japan! Even I be a coolie, I would not dare speak a lie! How I am tormented!

(3) I am suffering from hunger! Only a bowl of gruel does not satiate my hunger! I shall die automatically even without being cut by sword! Who has doomed me like this?

(4) Many sufferings, but I do not reproach myself out of my conscience when and where I die! All is 'Kismet'!

(5) How you judge for all this? Is it justice that I be beaten? Man shall die once; quite immaterial whether to die earlier or later! We cannot help it!

9 (6) I can suffer beatings, but my body cannot suffer them! I will tell you the truth; I prefer early death. This is my course!

(7) If I could spare my life, I would burn excellent incense when I return home! If I were dead, I should forget all about my parents, wife and children! This is truth.

(8) Although the languages are different, we are of the same colour and race! I abhor to attack America and England conscientiously, and be slain





F-2

TRANSLATION

I was a student in the 3rd year class of the Civil Engineering Course of the Special Technical Department of the Japan University and in that capacity on May 24th 1945 I was ordered to leave for and work as a labour conscript student at the Hanaoka Detached Office of Kashimagumi Limited where I was engaged in the planning and surveying under the direction of Mr. Yamashita Shigeo, Chief of their Planning Department. After the termination of the hostilities, the student labour conscript services were demobilized as on August 30th of the same year and on September 30th idem was graduated from the Civil Engineering Course of the Special Technical Department of the Japan University. On October 1st idem, I entered into the service of the Kashimagumi Ltd and was ordered to work at the above Hanaoka Detached Office. I resigned from the said firm on March 31st 1946 of my own accord and on April 15th idem entered into the service of TOHOKU SEISAN KOGYO-SHO LIMITED where I am still working at the present time.

While serving as labour conscript student at the Hanaoka Detached Office of Kashimagumi, I contracted "Grippe" on June 14th 1945 and was resting in the dormitory in the rear of the aforesaid Detached Office. On June 30th or July 1st (I do not remember exactly) at about 10 p.m., the surprise order was issued of Mr. Takagi Giko (senior member of Kashimagumi stationed at the above office) - "The Chinese labours have mutinied; you all boys get up in full uniform and concentrate in the office!". I immediately took up a piece of wooden rifle which was used in the exercise of bayonet charge and patrolled around the office. From that night on through to 5 in the morning of the next day I kept up my patrol right on without a sleep, but as I was very much tired on account of my illness I gave up the patrol and took a rest in the said dormitory.

About 4 p.m. of the same day, a group of about one hundred runaway Chinese labours were shifted on to the open space in front of the office from the open space in front of the "Kyoraku-Kan" (a movie-show house situated about a kilometre from the Hanaoka Detached Office of Kashimagumi); their hands were bound in the back and two men were bound together by their arms and they came guarded by sufficient number of the policemen and the coolies belonging to the subcontractors of the Hanaoka Detached Office of Kashimagumi. There, they were ordered to sit down tight being directly exposed under the burning sun and I witnessed that, if any one of them changed posture, he was struck with sticks at the back by the police and the coolies (under police command).

As I patrolled up through all night in spite of my illness, my health got worse and was confined to bed almost throughout the subsequent development of the incident, hence I am unable to say exactly about it. However, I think that the Chinese labourers passed over two nights on the open space in front of the office and at about 10 a.m. of either July 3rd or July 4th

(I do not remember exactly) they were taken back to the "Chuzanryo"dormitory.

The Chinese in front of the office were in fatigue-dress and a small number of them carried a blanket and outer-cover of bedding stuck around their body; I also witnessed two dead bodies of the Chinese labours on the open space in front of the office.

The right of command and direction during the course of the incident was vested with the police and the Kashimagumi (personnel) seemed to be acting under specific command and direction of the policemen Mr.KONO Masatoshi, who was Chief of the Hanaoka Detached Office of Kashimagumi, is an affable man of integrity and we all employees used to hold him in high esteem. I was given to understand that when the Chinese labours were prohibited by the police to take anything to eat for two days immediately following the incident, Mr.KONO petitioned the police to give some food to the Chinese labours but that after all it was turned down.

I am of the opinion that the action taken by the police at the time of the incident had a grave effect to bear upon the bodily strength of the Chinese labours and that it constituted the cause of their very high rate of deaths, the painstaking efforts of Chief KONO notwithstanding.

I hereby declare and swear before God that the above statement is the outcome of my conscience and represents the whole truth and nothing but the truth.

July 6th 1946

(Signed & Sealed) KIMURA Shigeo; of  
(domicile) No.591, Oaza Inazawa, Motoizumi-mura,  
Kodama-gun, Saitama Prefecture.  
(Present abode) same as above.

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Register Book No. 2, 496:

I hereby certify that the signatory to the foregoing document KIMURA Shigeo has personally appeared and affixed his signature and seal before me, the following corrections having been made therein:-

The character "sho" is inserted under the character "cho" in the 10th line of sheet No.1;

The Character "ki" corrected to "ki" in the 11th line of same sheet;

The character "ra" is corrected to "ru" in the 3rd line of sheet No.2;

The characters "hai ka shita uke tsuki no" were inserted under the character "sho" in the 8th line of the same sheet;

The character "ki" corrected to "ki" in the 13th line of the same sheet;

The character "i" was inserted above the character "ok" in the 3rd line of

the same sheet.  
6 characters were deleted and the characters "kekkyoku yurusare" are added in the 9th line of the same sheet.

I HEREBY CERTIFY AS ABOVE.

Executed in my office on July 6th of the 21st year of "Showa" Era (1946) at No.1/11, Kakigara-cho 1-chome, Nihonbashi-ku, Tokyo.

(Signed & Sealed) MOTOWO NAGAMOTO, Notary Public  
belonging to the Tokyo District Court.

一、昭和貳拾年五月貳拾四日日本大学専門部工科土木科三年在学中、株式会社鹿島組花岡出張所へ學徒勤勞動員トシテ赴任、前記出張所設計課主任山下重史社員ノ許ニテ測量及ビ設計ニ從事シ、終戰後同年八月參拾日學徒勤勞動員解除トナリ、同年九月參拾日日本大学専門部工科土木科卒業、同年拾月壹日付ヲ以ツテ鹿島組入社、前記花岡出張所勤務ヲ拜命、昭和貳拾壹年參月參拾壹日依願免職、同年四月拾五日株式会社東北生産工業所入社、今日ニ列ル。

一、前記學徒動員中鹿島組花岡出張所ニ於テ昭和貳拾年六月十四日流行性感冒トナリ、前記出張所<sup>新</sup>宿舎ニテ靜養シツ、アリシニ六月參拾日或ハ七月壹日(此、箇所<sup>新</sup>推定明確ナラス)午後拾時頃同出張所勤務鹿島組副參事高木義公氏ヨリ「華人暴動ヲ起ス全員服裝ヲ整へ、事公所ニ集合」ノ命令ヲ受ケ、病

本行一字加フ

本行一字訂正

昭和 年 月 日

本行一字訂正

氣中ナリモ作業着ゲートル着用ニテ事務所ニ集合ス。私ハ銃剣術練習用木銃ヲ携ヘ事務所警備ニ當レリ。同夜ハ一睡モ取ラズ翌朝五時迄警備セルモ、私ハ病氣中ナリシ為大ナル疲労ヲ感ジ警備ヲ止メ前記宿舍ニテ休息ス。

本行六字訂正

同日午後四時頃逃走セル華勞約百名ハ共樂館(鹿島組花園出張所)より約一軒離レタ地美ニアル映画館(鹿島組花園出張所)下受附ノ所人夫相當數ニ護送セラレテ事務所前広場ニ來タリ正座セラレ炎熱、日光、直射ヲ受ケ、居タリ、偶々姿勢ヲ変ヘル者アリタル時ハ巡查及ビ人夫ヨリ棒ヲ以ツテ背中ヲ突カレタルヲ見ル。

本行一字訂正

私ハ病氣中一夜徹夜シタ爲病勢悪化シ、其ノ後殆ド病床ニ居リ詳シクハ不明ナルモ、華勞ハ事務所前広場ニ二晩過シ、七月三日或ハ四日(此ノ箇所記憶明確ナラス)午前十時頃中山寮へ

昭和 年 月 日

本行一字加フ

No.

大字抹消  
五字加フ

引卒セラル。

尚、事務所前広場ニ於テ、華人ノ服装ハ作業衣  
着用シ、毛布、蒲  
團、皮等ヲ身ニ巻着ケ居ル者少数居リタリ。又事務所前広  
場デ、華勞二名ノ死体ヲ目撃セリ。

一、事件中ノ一切ノ指導權ハ警察側ニ在リ鹿島組ハ巡查ノ命令  
ニ從ヒ居リタル模様ナリ。當時、鹿島組花岡出張所長河野正  
敏氏ハ温厚篤實ナル人デ吾々社員ハ常ニ尊敬シ居リ、事件後  
二日間華勞ガ絶食ヲ警察署ヨリ命ゼラレタ時華勞ニ食ヲ  
與ヘル様警察ニ願ツタケレド、結局詳サレトカツタト聞ク。  
一、事件當時、警察ノ取ツタ行動ハ華勞ノ体カニ重大ナ影響ヲ  
與ヘ、七月以降、河野所長ノ努力ニモカ、ハラズ華勞ノ大ナル死  
亡ヲ、モタラシタ原因ヲ作ツタモノト思フ。

昭和 年 月 日

右ニ書キタル事項ハ、私ノ良心ト神ニ誓言ツテ虚偽ナキコトヲ宣言スル。

本籍地 埼玉縣兒玉郡本泉村大字稻澤五九一番地  
現住所 右ニ全ジ

昭和貳拾壹年七月六日

木村 繁 郎 

昭和 年 月 日

登簿第貳千四百九拾五號

前記證書ノ署名者木村繁郎ハ本職ノ  
面前ニ於テ其署名及捺印ヲ為シテ

但該證書中「セ」行ニアリ

一「ヨ」系「カ」行中「カ」下「カ」下

一「ヨ」系「カ」行中「カ」下「カ」下

一「ヨ」系「カ」行中「カ」下「カ」下

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東京府地方裁判所管内公證人及寫

一 二 三 四 五 六 七 八 九 十 十一 十二





C-3

TRANSLATION

HANA RO No.90.

Jan.22.1945.

To the Chief of No.1 Economic Section  
of Akita Prefecture.

Subject: Application for increasing the ration  
for the Chinese labours.

From: KONO Masatoshi, Chief of Hanaoka Detached  
Office of Kashimagumi Ltd. at Ubasawa,  
Hanaoka-Machi, Kitaakita-Gun, Akita Pref.

Sir;-

We beg to call your attention to our official communication HANA RO No.66 dated Nov.24.1944 in reference to the increase in the ration. However, the procurement of vegetables and other stuff for making up side-dishes is getting ever more difficult and we take this means of supplicating you for an increase at the rate of 8 kilograms per head of either cereals or any other stuff which can be substituted for the main food.

For your information, we may respectfully mention that the increase can be selected out of barley, rice-bran or wheat-bran according to your discretion.

We are, Sir,

Yours most respectfully,

株式 鹿 島 組  
會社

花營券第九〇號

昭和二十一年一月二十二日

秋田縣北秋田郡花園町曉沢

鹿島組花園出張所長河野正敏

秋田縣經濟第一部長殿

華人社務局前川久局長様  
標記ノ件ニ関シ客年十一月二十四日附花營券第

六六號ヲ以テ増配申請致置秋所、蔬菜其他

副食物ノ入手困難ト相成矣ニ就テハ雜穀

又ハ代用食タルベキモノトシテハキ口ノ割合ヲ以テ

御増配相賜リ度重ホ及御願美也

追テ大麥或ハ米糠又ハフスマ等ニテ結構ニ矣条申

加ハ置矣

B-3

TRANSLATION

My dear Mr. Shibata:-

Already three months have elapsed since I came to have the pleasure of being instructed by you, I must tell you that your personal virtue is so lofty and superb that I cannot very well measure its immensity. I am happy to be able to say that I became ever more attached to your virtue since I began to receive your teachings. Your virtue cannot be compared with that of other people and I cannot express how I am attracted by it. I know full well that you have always consoled me with such genial and benevolent manner that I cannot express myself how to thank you for your kindness shewn me. Far away from home and in the environs quite strange to me, I was fortunate enough to be favoured with your sympathy. Unenlightened as I am, I am always shedding tears of appreciation.

I am dull-witted by nature and being uneducated I have at last committed an abominable crime, but you have always accorded your great concern over that case. I am always overcome with shame as I reflect over my desperado; indeed I have done the most shameful act before I was able to repay you for your virtue. How can my heart be reposed in peace?

I am now incarcerated in prison and sit silently in a cell, but my heart is shaken every time I recollect that fateful night and I feel ashamed. Let by-gones be by-gones! For the future, I can tell you that your virtue shall be my guiding principle.

Please give my best regards and compliments to Messrs. Fujino, Sato and Uyemoto.

I am, Sir,

Your Most Obedient Servant,

(SHU-JUN) or (SHA JAN).

+++++

N.B.

The above letter, undated, was sent to Mr. Shibata of the Hanaoka Detached Office of Kashimagumi Ltd, from SHU-JUN at the Akita Prison, via U-KETSU-SIN (Japanese pronunciation), a Chinese interpreter, who had been to Akita Prison towards the end of August 1945.

柴田老先生大人閣下德覽 諱達聆

教之已逾三月之久，渴仰

芝儀，無時能已，恭維

感德光臨 動定咸吉為無量頌 敬啟者諱自賄

老先生德儀以來，下懷無時不在敬仰中，諱實以先

生之德道涵養，鴻大無邊，未有比如者，故諱私慕

之心，莫可名狀，諱又常蒙 先生溫和之言語，慈

悲之態度，時賜慰問， 先生對諱 闕垂之情，可云至

矣，諱乃遠離鄉井，舉目無親之人復得同情恩顧，則

諱心雖愚昧，亦知感泣。 諱因生性驕劣，知識淺陋

，以致竟作出不法之舉動，當是時 先生對此事不無

心配，諱每念及此，聲淚具下，實有愧對於吾 先

生也。前德未酬，慘愧又加，才方慙何何以能止，諱現

繫幽室，嘗默坐凝思，一觸往事，懊悔難已，歷往事

已矣，來事可慎，今後則以 老先生之道德為諱新

生路之標的也。 先生如能抽暇屈駕辱臨一顧，則深慰平

生，幸甚，否則亦盼多賜 教之，為禱。獄中生活

尚佳，並蒙 所長及各課長青睞，希勿塵注，因乏紙

筆，奉候遲名，今奉陳寸箋，藉表敬忱，特此敬祝

御躬安綏 因徒 耿 諱 頓首拜

藤野 佐藤先生大人代為同好 恕不另函 上本

B-3

TRANSLATION

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Please give my best regards and compliments to Messrs. Fujino, Sato and Uyemoto.

I am, Sir,

Your Most Obedient Servant,

(SHU-JUN) or (SHA JAN).

+ + + + +

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The above letter, undated, was sent to Mr. Shibata of the Hanaoka Detached Office of Kashimagumi Ltd, from SHU-JUN at the Akita Prison, via U-KETSU-SIN (Japanese pronunciation), a Chinese interpreter, who had been to Akita Prison towards the end of August 1945.

B - 4

TRANSLATION

My Dear Chief:-

Since I came to work under your goodself, I am conscious of the very beneficent teaching and instructions I have received from you for all of which I thank you.

I am now incarcerated for having perpetrated and violated the law; I now meditate over what I have done during those past seven months and I keenly regret that I have caused you a great deal of concern being rough in nature and not well educated myself.

Your attitude towards me was all that could be desired in the way of geniality without in the least being fraught with prejudice and although dull-witted by nature, I am quite impressed by your benevolence. I am now incarcerated and when I come to reflect over the past I am filled with the greatest remorse and chagrin. Indeed I shiver even when it is not cold and whenever I come to think of your great virtue, I regret that I am still unable to recompense for same adequately. I therefore hasten to take this opportunity of writing a few lines in the hope that I may impart your goodself with my appreciation and conviction of your kind consideration.

I beg to remain,

Yours most truly,

(SHU-JUN) or SHA-JAN.

Prisoner At The Bar.

+ + + + +

N . B .

The above letter undated was wrote and brought by messenger to Mr.KONO Masatoshi from the Akita Prison where SHU-JUN had written same sometime, during his incarceration there.

C - 1

TRANSLATION

HANA CHO No.4.  
August 18th 1944

To His Excellency HISAYASU Hirotsuda,  
Governor of Akita Prefecture.

Subject: Petition for increasing the ration for  
the Chinese labours.

From: KONO Masatoshi, Chief of Hanaoka Detached  
Office of Kashimagumi Ltd.

Sir;-

Although we are obtaining ration of flour at the rate of 22 kilograms per head per month, yet in view of the fact that we are launching upon the most important part of work, the said quantity of ration is insufficient. We know full well that we must get off the difficulty with the official ration, but I take this means of supplicating you for an increase by 8 kilograms per head per month, viz. 8 kilograms of cereals per head x 293 workers = 2,344 kilograms.

We are, Sir,  
Yours most truly,  
(Seal)

+++++  
Bearing the official stamp shewing the receipt of the above petition on  
Aug.21.1944 by the Economic Section of the Akita Prefectural Office.

+++++

Aug.23.1944.

To Mr. KONO Masatoshi, Chief of  
Hanaoka Detached Office of Kashimagumi Ltd.

Subject: Petition for increasing the ration for the  
Chinese labours.

From: Food Administration Section of Akita Pref.

Sir;

In reply to your petition as per the separate paper attached herewith, kindly be advised that owing to the absence of rationing from the Government, we are unable to give you any extra ration. Therefore, your petition is hereby returned.

Yours truly,

+++++

The above official reply was received by KONO on Aug.26.1944.



C-2

TRANSLATION

HANZA RO No.66

Nov.24.1944.

To His Excellency HISAYASU Hirotsuda,  
Governor of Akita Prefecture.

Subject: Application for increasing the ration  
for the Chinese labours.

From: KONO Masatoshi, Chief of Hanaoka Detached  
Office of Kashimagumi Ltd.

Sir;-

We are obtaining flour ration for the imported Chinese labours at the rate of 22 kilograms per head per month and are doing our utmost to make up the insufficiency by giving them side-dishes, etc. However, the procurement of foodstuff for side-dishes is getting ever more difficult and we are obliged to supplicate you for an increase of ration by cereals or any other stuff which can be substituted for the main food, at the rate of 8 kilograms.

We are, Sir,

Yours most truly,

C-3

TRANSLATION

HANA RO No.90.

Jan.22.1945.

To the Chief of No.1 Economic Section  
of Akita Prefecture.

Subject: Application for increasing the ration  
for the Chinese labours.

From: KONO Masatoshi, Chief of Hanaoka Detached  
Office of Kashimagumi Ltd. at Ubasawa,  
Hanaoka-Machi, Kitaakita-Gun, Akita Pref.

Sir;-

We beg to call your attention to our official communication HANA RO No.66 dated Nov.24.1944 in reference to the increase in the ration. However, the procurement of vegetables and other stuff for making up side-dishes is getting ever more difficult and we take this means of supplicating you for an increase at the rate of 8 kilograms per head of either cereals or any other stuff which can be substituted for the main food.

For your information, we may respectfully mention that the increase can be selected out of barley, rice-bran or wheat-bran according to your discretion.

We are, Sir,

Yours most respectfully,

D-1

TRANSLATION

HANA CHO No.6  
Aug.21.1944.

To the Chief of Akita Branch of  
The "Akita-Ken Romu Hokoku Kai"(Labour Patriotic Association  
of Akita Prefecture).

Subject: Special distribution of Ground "Tabi"  
(Socks) for the Chinese Labours and the  
Korean Group Labours.

From: KONO Masatoshi, Chief of Hanaoka Detached  
Office of Kashimagumi Ltd.

Sir;

We shall be extremely pleased if you will kindly arrange to make a  
special distribution in reference to the above subject, as per the follow-  
ing schedule:

Description	Distribution per head	Total	Remarks
Ground "Tabi"	1 Pair per head	128 pairs	Korean group labors
- do -	- do -	293 "	Chinese labours

Yours most truly,

+++++

RO HOKU SHU No.352

Aug.29.1944

To the Chief of Kashimagumi Hanaoka Branch.

Subject: Re application for special distribution of Ground  
"Tabi"(socks)for the Chinese labors & Korean Group  
labours.

From: The Chief of Akita Branch of the Labour Patriotic  
Association of Akita Prefecture.

Sir:-

I take this means of advising you that as the result of our communica-  
tion I have received the following reply from the Prefectural headquarters  
of the Labour Patriotic Association, in reference to your recent application  
as per subject above.

"Both the Chinese labours and the Korean group labours are posted in  
accordance with the National Mobilization Plan, hence they are outside the  
competency of the Prefectural Labour Patriotic Association. You are there-  
fore directed to apply direct to the Welfare Department for distribution."  
Yours faithfully,

D-2

TRANSLATION

HANA ROKU No.63

Nov.24.1944.

To His Excellency HISAYASU Hirotsuda,  
Governor of Akita Prefecture.

Subject: Application in re distribution of "Futon"  
(bed-clothes) for the Chinese labours;

From: KONO Masatoshi, Chief of Hanaaka Detached Place  
of Kashimagumi Ltd.

Sir;-

With reference to the matter of "Futon" or bed-clothes for the Chinese labours, we have been closely looking around for same subsequent to their arrival here in August last, but have not been able to purchase any up to the present time. In view of the fact that we are facing winter season with a considerable number of patients suffering from cold, we are greatly concerned over their health. We shall therefore be pleased if you will kindly arrange immediately to distribute direct the following quantities of "Futon" or bed-clothes, viz:-

One piece of Coverlet and one piece of Mattress per head for 280 workers  
or 560 pieces in all.

We are, Sir,

Yours most truly,

D-3

TRANSLATION

HANA RO No.64

Nov.24.1944.

To His Excellency HISAYASU Hirotada,  
Governor of Akita Prefecture.

Subject: Application for distribution of Shirts for the  
Chinese Labours;

From KONO Masaharu, Chief of Hanaoka Detached Office of  
Kashimagumi Ltd.

Sir;-

With reference to the matter of shirts for the imported Chinese labours, we have been trying in all directions to buy same since their arrival into our camp. However, shirts come under governmental restrictions and are not sold freely, hence the utter impossibility to purchase same. Under the circumstances, we shall esteem a great favour if you will kindly arrange to have the following quantities of shirts distributed without delay.

1 Pair of shirts for 280 labourers.

We are, Sir,

Yours most truly,

D-4

TRANSLATION

HANA RO No.65

Nov.24.1944.

To His Excellency HISAYASU Hirotsada,  
Governor of Akita Prefecture.

Subject: Application for distribution of Puttees &  
Ground "Tabi" (Socks) for the Chinese Labours.

From: KONO Masatoshi, Chief of Hanaoka Detached Office  
of Kashimagumi Ltd.

Sir;-

With reference to the matter of Puttees and Ground "Tabi"(socks) for the imported Chinese labours, we have been trying in all directions to buy same since their arrival into our camp here in August last. However, puttees and ground "Tabi" (socks) come under governmental restrictions and are not sold freely, hence the utter impossibility to purchase same. Under the circumstances, we shall deem it a great favour if you will kindly arrange to have the following quantities distributed without delay.

Both articles for 280 workers.

We are, Sir,

Yours most truly,

D-5

TRANSLATION

Dec.1.1944.

Mr.FUJIMORI Naoharu, Mayor of Hanaoka.

Subject: Application for distribution of Towels for the  
Chinese labours;

From: KONO Masaharu, Chief of Hanaoka Detached Office of  
Kashimagumi Ltd.

Dear Sir;-

In the matter of towels for the imported Chinese labours, we have been trying in all directions to buy same since their arrival into our camp here in August last. However, towels come under governmental restrictions and are not sold freely in the market, hence the utter impossibility, to purchase same. Under the circumstances, we shall deem it a great favour if you will kindly arrange to have the following quantities distributed without delay.

One piece of towel for 280 workers.

We are, Dear Sir,

Yours most truly,

E - 1

TRANSLATION

CONCERNING THE HEALTH CONDITION OF THE CHINESE LABOURS AT THE TIME  
OF THEIR ARRIVAL:

+++++

(Statement by Dr. OUCHI Tadashi, President of the Hanaoka Mining Hospital)

The first Chinese labours immigrated into the "Chuzanryo" Dormitory of Kashimagumi when compared with the Chinese labours immigrated into the "Toa Ryo" Dormitory run directly by the management of the Hanaoka Mining Works shewed a marked difference; in point of nutrition and physical quality. In other words, the former were extremely inferior while the latter were excellent. It was particularly noted that the "Chuzanryo" Chinese began to develop a great number of patients on account of the dysentery brought in by them causing a considerable number of deaths. Besides, they had a considerable number of patients suffering from catarrh of digestive organs, cold and other diseases.

The second Chinese labours (immigrated into the "Chuzanryo" Dormitory) had severe cases of skin diseases to the extent of about 96% of the total labours and had a great number of undernourished persons. I further noticed that the general health condition was extremely inferior and when compared with the first immigrants, they were still worse.

As regards the third Chinese labours (intermediates), I noticed that they were inferior in health on practically the same level as the second immigrants.

As mentioned above, the Chinese labours (arrived into the Chuzanryo Dormitory) were physically inferior and included a great number of sick persons from the very beginning, i.e. the 35 persons out of the first immigrants, the 22 persons out of the second immigrants and the 20 persons out of the third immigrants totalling 77 persons carried regular records of diseases. Consequently, it is to be greatly regretted that in spite of our painstaking efforts deaths occurred among them one after the other.

(The above verbatim was taken down at 8.30 a.m. October 27th 1945 in the night-watch-duty-bedroom of the Hanaoka Mining Hospital).



LIST SHEWING THE NUMBER OF DISEASES IN THE MONTH OF ARRIVAL  
OF THE CHINESE LABOURS (TOTAL 77 PERSONS)

+ + + + + + + + + + + + + + + + +

| <u>1st Immigrants</u><br>Diseases | <u>2nd Immigrants</u><br>Patients | <u>Diseases</u>              | <u>Patients</u> | <u>3rd Immigrants</u><br>Diseases | <u>Patients</u> |
|-----------------------------------|-----------------------------------|------------------------------|-----------------|-----------------------------------|-----------------|
| Dysentery                         | 18                                | Large intestinal<br>catarruh | 8               | Cold                              | 8               |
| Cold                              | 7                                 | Alimentary catarruh          | 3               | Stomach catarruh                  | 2               |
| Alimentary catarruh               | 5                                 | Dysentery                    | 2               | Dysentery                         | 2               |
| Sunstroke                         | 1                                 | Bronchitis                   | 1               | Large intestinal<br>catarruh      | 1               |
| Malnutrition                      | 1                                 | Kidney inflammation          | 1               | Beriberi                          | 1               |
| Kidney inflammation               | 1                                 | Cold                         | 1               | Bronchitis                        | 1               |
| Syphilis                          | 1                                 | Heart failure                | 1               | Beriberi malnutri-<br>tion        | 1               |
| Bronchitis                        | 1                                 | Lung inflammation            | 1               | Malnutrition                      | 1               |
|                                   |                                   | Beriberi malnutrition        | 1               | Neuralgia                         | 1               |
|                                   |                                   | Kidney & Beriberi            | 1               | Rheumatism                        | 1               |
|                                   |                                   | Malnutrition                 | 1               | Jaundice                          | 1               |
|                                   |                                   | Lung saturation              | 1               |                                   |                 |
| <br>Total                         | <br>35                            |                              | <br>22          |                                   | <br>20          |

I hereby certify that the above statement is correct.

July 7th 1946.

(Signed & Sealed) OUCHI Tadashi,

President of the Hanaoka Mining Hospital,

Kitaakita-gun, Akita Prefecture.

E-2

TRANSLATION

At the time when on two occasions since May 1945 about seven hundred Chinese Labours entered into the working camp of Kashimagumi at the Hanaoka Mine, I attended to their medical examination together with Dr. OUCHI, President of the Hanaoka Mine Hospital, on each occasion.

I was then able to notice that the majority of them were suffering from the undernourishment; moreover, ten odd persons were suffering from the large intestinal catarrh and ten others were excreting blood-stool suggestive of dysentery. In addition to these sick persons, there were about four hundred persons suffering from skin diseases. Such a poor health condition in mass health examination was indeed unprecedented and the ten sick persons suffering from dysentery were ordered to be taken into the isolated ward. I hereby certify as above.

(Signed & Sealed) Dr. ISHIZUKA Tsunakuni.

ODATE-MACHI, AKITA PREFECTURE.

Dated: July 5th 1946.

E-3

LIST SHEWING ARRIVALS, DEATHS & REPATRIATES OF THE CHINESE LABOURS:

| <u>Date arrived:</u> | <u>Numbers</u> | <u>Mon. &amp; Yr. Occurred:</u> | <u>Deaths</u> | <u>Repatriates</u> | <u>Remaining in Japan:</u> |
|----------------------|----------------|---------------------------------|---------------|--------------------|----------------------------|
| Aug. 8, 1944         | 294            | Aug. 1944                       | 4             |                    |                            |
| May 5, 1945          | 587            | Sept. "                         | 11            |                    |                            |
| June 4, 1945         | 98             | Oct. "                          | 7             |                    |                            |
|                      |                | Nov. "                          | 9             |                    |                            |
|                      |                | Dec. "                          | 5             |                    |                            |
|                      |                | Jan. 1945                       | 11            |                    |                            |
|                      |                | Feb. "                          | 12            |                    |                            |
|                      |                | Mar. "                          | 12            |                    |                            |
|                      |                | Apr. "                          | 16            |                    |                            |
|                      |                | May "                           | 19            |                    |                            |
|                      |                | June "                          | 24            |                    |                            |
|                      |                | July "                          | 100           |                    |                            |
|                      |                | Aug. "                          | 49            |                    |                            |
|                      |                | Sept. "                         | 68            |                    |                            |
|                      |                | Oct. "                          | 51            |                    |                            |
|                      |                | Nov. "                          | 9             | 530                |                            |
|                      |                | Dec. "                          | 3             |                    |                            |
|                      |                | Jan. 1946                       | 1             | 14                 | 23                         |
|                      |                | Feb. "                          | Nil           |                    |                            |
|                      |                | Mar. "                          | 1             |                    |                            |
| <hr/>                |                |                                 | <hr/>         |                    |                            |
|                      | 979            |                                 | 412           | 544                | 23                         |
| <hr/>                |                |                                 | <hr/>         |                    |                            |

N.B. The above list shews actual number of the Chinese labours arrived into the Hanaoka Working Camp of Kashimagumi and does not include those who died en route to the Camp.

F-1  
TRANSLATION

I was a student in the 3rd year class of the Civil Engineering Course of the Special Technical Department of the Japan University and in that capacity, on May 26th 1945, I was ordered to leave for and work as a labour conscript student at the Kashimagumi Detached Office at Hanaoka-Machi, Akita Prefecture, and began to be in their service as from the 28th of that month. I was since engaged in the survey work of the land covering the open mine of Hanaoka, and since July 20th 1945, set on to the engineering work of the River Omori. I left from their service in August idem simultaneously with the demobilization (of the labour conscript students). At present, I am working with the Tokyo Branch of Katsurogumi Limited.

About ten o'clock in the night of June 30th 1945, I was working on the bridge construction plan with Mr. Ito when in the voice that I then attributed to Mr. Takagi, a series of shouts were heard - "All get up together armed; the Chinese have mutinied!". We then all put on our putties and in the fatigue-dress we concentrated in front of the office - I remember about 15 or 16 boys and 7 or 8 girls responded to the alarm. The boys had taken up their wooden-rifles and some of them shouted - "(Japanese) labour-leaders might have been killed! We can't miss them! Let's go on!". So shouting, we all started leaving, for the sake of liaison, 2 or 3 boys and all of the girls behind in the office.

When we were about 100 metres within the distance of the "Chuzan Ryo" dormitory, we noticed something like corpse of a human-being. We lighted our matches and observed that a man, all naked except his shorts, was lying with his face thrust into the ditch. His face was entirely blood-masked beyond recognition (later he was identified to be a Japanese labour-leader). It was too late to get him resuscitated because we did not feel his temperature any more.

We noticed all the rooms of the "Chuzan-ryo" dormitory were lighted; moisture in the kitchen, smoke coming up from the chimney outside and several faces with eyes piercing through the darkness from within. We were stuck up right there for about an hour pending arrival of the reinforcements. With the arrival of the reinforcements composed of both Japanese and Koreans numbering about fifty, we rushed into the dormitory with shouts. We then found that all the Chinese had run away leaving behind them in the dormitory about twenty odd sick men. We - a group of both Japanese and Koreans - got the remaining Chinese assembled in one place and watched them, while both the inside and outside of the dormitory were put under our surveillance. A corps of the police arrived on the scene just about that time. About an <sup>hour</sup> later, we divided our force in two, i.e. a group of about fifty men to remain for guarding the dormitory and another group of about 20 men to be

sent back to guard the office. On our way back to the office, we noticed outside the dormitory a man, unconscious and groaning, with his hands and feet bound up (later the man was identified to be the Chinese Chief of the Cooking Squad). We carried him back, sent for a doctor and examined him. The doctor made three or four injections but without any effect and the man presently breathed his last.

About the same time, several police attached to the Hanaoka Police Station and four or five soldiers arrived into the Kashimagumi Office where they set up the Headquarters for this incident. That day, the Chief of Kashimagumi was away from the office on business.

We set us on to guard throughout the whole night, and on the next morning or July 1st the Headquarters (I do not know what the proper appellation was) was moved up to the Hanaoka Police Station. The personnel of the headquarters were composed of the police and soldiers, but their number was unknown.

On that day (1st), it would appear that several groups of the civilians at Hanaoka participated in search for the runaway Chinese. Every search party got assembled on the road in front of the Hanaoka Police Station and started for the search in all directions acting under the command and direction of the Headquarters.

Mr. KONO, Chief of Kashimagumi returned in the afternoon that day.

If I remember correctly, the gendarmes (recollect about twenty in number) arrived and were put on patrols. As I was given to understand, the gendarmes on guard were put to duty by turns among the garrisons detached at Akita, Aomori and Yachinoe respectively.

If I remember correctly, the police-cadets under training at Akita City arrived on the same day. They numbered, according to my recollection, about thirty or forty and were on guard staying there for a considerable number of days.

Toward the evening of the same day, a majority of the runaways were arrested and after having been concentrated by the side of the movie-shew hut, have been separated altogether into four groups to be shifted on to the front of the Kashimagumi Office, the open-space in front of the "Chuzanryo" dormitory and another place (name unknown). Their hands were bound in the back, and were made into a unit of two men each by binding together their right and left arms respectively and were ordered to sit straight and close under guards.

If I remember correctly, some water was given them (time unknown) on the 2nd and they were allowed to go to the latrine from the afternoon of the same day.

If I remember correctly, one bowl of gruel was served them in the morning.

of the 3rd and they were taken to the dormitory toward the evening of the same day; there, they were arranged to sit in four rows and were given water and after nine o'clock, to the best of my memory, were given a bowl of gruel and made to pass overnight there in that condition.

I maintained contact with the Chinese labours till the morning of the 4th either directly or indirectly; during those days, the actual right of command was vested with the police headquarters and any act of whatsoever nature was conducted and executed under specific command and direction of the headquarters.

Why were they (the Chinese labours) punished by being ordered to sit tight and straight and forbidden to lie down for sleep during those three days and nights? The system of the Japanese police, through which permeate the ~~evils~~ <sup>evils</sup> of the feudalistic habits, trampled down human rights! Indeed, my heart ached unbearably to witness, admitting they were labourers of a different nationality, that they had to be treated like regular criminals! Therefore, to those workers on guard who maltreated them (Chinese), I gave a piece of my mind; also, by stealing a few moments when the police-guards were off, I used secretly to give the Chinese some rice-balls that were intended to be served to the Japanese civilian guards. At times, I listened to their petition and loosened the rope that bound them!

As regards my memory concerning the measures taken by Kashimagumi during all those times, I would state that the office was kept absolutely busy what <sup>with</sup> despatching the search parties, despatching the civilians' guards to be placed under police command and what with cooking rice-balls to be served to all the members of the guards. I remember that Chief KONO was during all those times in the office attending exclusively to the disposition of the remains of the murdered labour-leaders, the policy to be thereafter meted out to the Chinese labours and conducting negotiations with all necessary quarters.

The preservation of peace in this country was entirely in the hands of the police and the army, and judging from the situation then prevailed, their sway and influence were indeed outrageous beyond measure; not a single civilian was allowed to interfere with them and I heard that various recommendations made at that time by Chief KONO were refused by them.

I did not have much opportunities to contact with the Chinese since the morning of the 4th, but to the best of my memory, the Chief of the Chinese labours was arrested early in the morning of the 5th.

I remember it was in the afternoon of the same day (5th) that I was sent up to the "Chuzan Ryo" dormitory when I noticed about 15 or 16 dead bodies were lying uncovered on the righthand side corner of the dormitory. I was informed that the death rate of the Chinese labours has markedly increased following the incident and, as regards the principal cause thereof, I am

inclined to think that the prohibition to lie down throughout the four days and four nights consecutively and the cruel treatment inflicted upon them both by the police and the Japanese labourers (under police command) did prove to be the factor that constituted extremely to enfeeble the Chinese labours who were physically in very much emancipated condition from the very beginning.

I am not sure whether it was towards the end of May or beginning of June, but I do remember the arrival of a great number of Chinese labours and that a considerable number of them were possessors of a very weak constitution that made one feel quite uneasy about putting them under work. I was given to understand that several of them died on the train en route.

Before and after the incident throughout, I may say from my own experience, that the relation between Chief KONO and the Chinese labours were such: the Chief was usually occupied with various business negotiations and with the making out of estimates for the work undertaken by him; however, I heard that the Chief at one time has specially sent a motor-truck up to Akita City as the ration for the Chinese labours had not arrived as requested.

9 / Before the outbreak of the incident, the actual management of the Chinese labours was attended by the Head of the "Chuzan Ryo" dormitory and the Chief seemed to have been giving every kind of attention based on the reports of the Head thereof. After the incident, however, the Chief personally took over the Headship of the "Chuzan Ryo" dormitory where he used to stay continuously attending personally to the management of the Chinese labours himself; the Chief was very much concerned about the high rate of deaths of the Chinese labours which, in spite of his painstaking efforts to prevent by supplying cattles for their food, did continue to increase. Sufficient rest was given to the Chinese labours after the incident and I remember that it was about July 20th when they were put to the pre-incident work.

After the incident, I heard that among the murdered (Japanese) labour leaders some had 'pinched' and sold some of the ration for the Chinese labours at blackmarket prices somewhere; and some people said - "they were murdered to pay for their crime".

I hereby swear that the above is true being the statement made out of my full conscience and that it is the whole truth and nothing but the truth.

Dated July 6th 1946

(Signed & Sealed) KAWAGISHI Koya;

c/o The Katsurogumi Dormitory; of No.118,

Shimotakaido 1-Chome, Suginami-Ku, Tokyo.

+ + + + +

Register Book No.2,495

I hereby certify that the signatory to the foregoing document KAWAGISHI

Koya has personally appeared and affixed his signature and seal before me, the following corrections having been made therein:-

16 words are deleted in the 11th line of sheet No.2;

The character "AO" is added above the character "MORI" in the 21st line of sheet No.2;

The words "koto" are added below the word "shi" in the 20th line of sheet No.4.

I HEREBY CERTIFY AS ABOVE.

Executed in my office on July 6th of the 21st year of "Showa" (1946) at No.1/11, Kakigara-cho 1-Chome, Nihonbashi-Ku, Tokyo.

(Signed & Sealed) MOTOWO NAGAMOTO, Notary Public,  
belonging to the Tokyo District Court.



F-2

TRANSLATION

I was a student in the 3rd year class of the Civil Engineering Course of the Special Technical Department of the Japan University and in that capacity on May 24th 1945 I was ordered to leave for and work as a labour conscript student at the Hanaoka Detached Office of Kashimagumi Limited where I was engaged in the planning and surveying under the direction of Mr. Yamashita Shigeo, Chief of their Planning Department. After the termination of the hostilities, the student labour conscript services were demobilized as on August 30th of the same year and on September 30th idem was graduated from the Civil Engineering Course of the Special Technical Department of the Japan University. On October 1st idem, I entered into the service of the Kashimagumi Ltd and was ordered to work at the above Hanaoka Detached Office. I resigned from the said firm on March 31st 1946 of my own accord and on April 15th idem entered into the service of TOHOKU SEISAN KOGYO-SHO LIMITED where I am still working at the present time.

While serving as labour conscript student at the Hanaoka Detached Office of Kashimagumi, I contracted "Grippe" on June 14th 1945 and was resting in the dormitory in the rear of the aforesaid Detached Office. On June 30th or July 1st (I do not remember exactly) at about 10 p.m., the surprise order was issued of Mr. Takagi Giko (senior member of Kashimagumi stationed at the above office) - "The Chinese labours have mutinied; you all boys get up in full uniform and concentrate in the office!". I immediately took up a piece of wooden rifle which was used in the exercise of bayonet charge and patrolled around the office. From that night on through to 5 in the morning of the next day I kept up my patrol right on without a sleep, but as I was very much tired on account of my illness I gave up the patrol and took a rest in the said dormitory.

About 4 p.m. of the same day, a group of about one hundred runaway Chinese labours were shifted on to the open space in front of the office from the open space in front of the "Kyoraku-Kan" (a movie-show house situated about a kilometre from the Hanaoka Detached Office of Kashimagumi); their hands were bound in the back and two men were bound together by their arms and they came guarded by sufficient number of the policemen and the coolies belonging to the subcontractors of the Hanaoka Detached Office of Kashimagumi. There, they were ordered to sit down tight being directly exposed under the burning sun and I witnessed that, if any one of them changed posture, he was struck with sticks at the back by the police and the coolies (under police command).

As I patrolled up through all night in spite of my illness, my health got worse and was confined to bed almost throughout the subsequent development of the incident, hence I am unable to say exactly about it. However, I think that the Chinese labourers passed over two nights on the open space in front of the office and at about 10 a.m. of either July 3rd or July 4th

(I do not remember exactly) they were taken back to the "Chuzanryo"dormitory.

The Chinese in front of the office were in fatigue-dress and a small number of them carried a blanket and outer-cover of bedding stuck around their body; I also witnessed two dead bodies of the Chinese labours on the open space in front of the office.

The right of command and direction during the course of the incident was vested with the police and the Kashimagumi (personnel) seemed to be acting under specific command and direction of the policemen. Mr.KONO Masatoshi, who was Chief of the Hanaoka Detached Office of Kashimagumi, is an affable man of integrity and we all employees used to hold him in high esteem. I was given to understand that when the Chinese labours were prohibited by the police to take anything to eat for two days immediately following the incident, Mr.KONO petitioned the police to give some food to the Chinese labours but that after all it was turned down.

I am of the opinion that the action taken by the police at the time of the incident had a grave effect to bear upon the bodily strength of the Chinese labours and that it constituted the cause of their very high rate of deaths, the painstaking efforts of Chief KONO notwithstanding.

I hereby declare and swear before God that the above statement is the outcome of my conscience and represents the whole truth and nothing but the truth.

July 6th 1946

(Signed & Sealed) KIMURA Shigeo; of  
(domicile) No.591, Oaza Inazawa, Motoizumi-mura,  
Kodama-gun, Saitama Prefecture.  
(Present abode) same as above.

+ + + + +

Register Book No. 2, 496 :

I hereby certify that the signatory to the foregoing document KIMURA Shigeo has personally appeared and affixed his signature and seal before me, the following corrections having been made therein:-

- The character "sho" is inserted under the character "cho" in the 10th line of sheet No.1;
- The Character "ki" corrected to "ki" in the 11th line of same sheet;
- The character "ra" is corrected to "ru" in the 3rd line of sheet No.2;
- The characters "hai ka shita uke tsuki no" were inserted under the character "sho" in the 8th line of the same sheet;
- The character "ki" corrected to "ki" in the 13th line of the same sheet;
- The character "i" was inserted above the character "o" in the 3rd line of the same sheet.
- 6 characters were deleted and the characters "kekkyoku yurusare" are added in the 9th line of the same sheet.

I HEREBY CERTIFY AS ABOVE.

Executed in my office on July 6th of the 21st year of "Showa" Era (1946) at No.1/11, Kakigara-cho 1-chome, Nihonbashi-ku, Tokyo.

(Signed & Sealed) MOTONO NAGAMOTO, Notary Public  
belonging to the Tokyo District Court.

TRANSLATION

G-1

Tokyo: June 15th 1946.

To Mr. Chuhey Suzuki, President  
of Tokyo Undertakers Ltd.

Subject: Re actual conditions covering crematories  
in the City of Tokyo and its environs during  
the last wartime.

From: Shin-Kichi Kashima, vice-president of Kashima-  
gumi Ltd., No. 3 Maki-cho 2-chome, Kyobashi-ku, Toky

Dear Sir;

We should very much like to have for our reference the history of your company, the latest conditions of your business and the actual conditions covering the crematories situated in Tokyo and its environs during the last war (for example, conditions respecting fuel for cremating corpses, the working of labours as also the handling of corpses, etc.).

Thanking you in advance for your courtesy, we beg to remain

Yours very truly,

G-2  
TRANSLATION

Tokyo, June 24th 1946.

To Mr. Shin-Kichi Kashima, Vice-President  
Messrs. Kashimagumi Ltd.

From: Chuhey Suzuki, Managing Director of the  
Tokyo Undertakers Ltd., No. 4, Sasugaye-cho,  
Koshikawa, Tokyo.

Dear Sir,

In reply to your enquiry of the 15th inst. respecting the actual conditions covering the crematories situated in Tokyo and its environs during the last War, we beg to state as follows:-

History of our company and recent conditions:

This company was founded during February 1937 with head office at No. 4, Sasugaye-cho, Koshikawa-Ku, Tokyo, and have been engaging in undertaking actual cost funerals for public corporations and public hospitals of every description. We may state that the number of funerals undertaken by us rank on the top of all our competitors in the city and we have close connections with the Nippori Crematory, the Ochisi Crematory and ten odd other crematories situated in our district.

Actual condition covering the crematories situated in Tokyo and its environs during the last War.

(A) Fuel oil was used for cremating corpses. However, owing to the outbreak of the China incident and the subsequent prolongation of the hostilities, general ~~conditions~~ consumption of oil has been very acutely cut down to the minimum. Notwithstanding such wartime measures, all available efforts were made for the procurement of fuel oil for such special enterprises as cremation of corpses. Actually, however, the supply tended to show scarcity and with the intensification of war since January 1943 the distribution of fuel oil finally ceased. Therefore, the trees in parks, coal, etc. were substituted; even these, however, became extremely scarce and when we entered into the last half of the war it became practically impossible to procure fuels. Consequently, the cremation of corpses was given priority to those bereaved families which could manage to bring in fuels themselves and this right on to the termination of the war.

(B) Labour conditions at the crematories:

The business of cremation comprises transportation of corpses, replenishment of fuel, etc. all of which require a great labour and special technical skill, hence the business demands robust and strong workers and skilled labours which, on account of the War, were practically called up to the front thereby causing a great deal of impediments to the business.

(C) Actual conditions respecting the handling of corpses:

Usually the workers in the business were disciplined to handle corpses with due reverence regardless of the social positions and the fee paid for

the funeral. However, due to the scarcity of the workers and the unrest of the people caused by the War have contributed greatly to many undesirable elements in the handling thereof. Moreover, due to the fact that many crematories have been bombed out one after the other, the efficiency of cremation has surprisingly declined. On the other hand, the number of deaths has markedly increased due to the bombing, etc. with the result that corpses were left heaped up in pile for a number of days at the crematories.

It may further be added that motor-hearses became scarce so that the bereaved families were compelled to use rear-cars or carts for carrying the corpses on to the crematories, or else many corpses were loaded on a single motor-hearse. Even at the present time, the aforementioned deplorable conditions are not very much improved.

Yours very truly,

S. HIRABAYASHI, LL. B.  
BARRISTER AT LAW & PATENT ATTORNEY  
"SHOSEN" BUILDING, 5, KAIGAN-DORI,  
KOBE, JAPAN.  
(TEL: BANNOH 077.)

Motomachi(4)0692.

HOUSE:

4 Natsugi-cho, NISHINOMIYA:  
TEL: "Nishinomiya" 2767.

NOVEMBER 15th 1946.

Colonel Alva C. Carpenter,  
Chief of Legal Section, SCAP,  
"Meiji" Building, Marunouchi,  
TOKYO.

SUBJECT: Petition for Immediate Release & Liberation from  
SUGAMO PRISON of:

KOHNO Masatoshi;  
SATO Yuzo;  
TAKAKU Kanehiro;  
TSUKADA Kaneo;  
ISE Chitoku.

FROM: HIRABAYASHI Shin-ichi, LL.B., Attorney At Law:  
Tokyo Abode: OKAMURA RYOKAN, 14 Tsukiji 2-Chome, Kyobashi-Ku.

My dear Colonel:-

I refer you to my petitions dated June 24th and July 19th 1946 respectively, as also to the various documentary evidences submitted to you together with the said petitions. Meanwhile, two criminal suspects, viz. FUKUDA Kingoro and SHIMIZU Masao have been indicted by your Section, and are now awaiting public trial at the War Crimes Court in Yokohama. Nevertheless, the deeper and profounder I penetrate into this case, the firmer and stancher my conviction grows that the rest of the suspects who are now still being held at Sugamo Prison shall be immediately released.

The present petition is submitted on the ground that the abovementioned criminal suspects are legally entirely out of your jurisdiction for the reason that, admitting for the sake of argument that whatever they had committed could be termed "inhuman" acts or "mistreatment" in the strict legal sense of the terminology, such maleficence did not legally constitute a "War Crime" and particularly does not fall within the purview of the offenses as defined and enumerated under Section 2 'Jurisdiction', Para. b. of the Regulations Governing the Trials of Accused War Criminals issued under AG 000.5 (5 Dec 45) LS by SCAP.

After all, this is the question of CONTRACT LABOUR as the legal entities herein involved are the Chinese civilian labours versus the Japanese civil corporation, firstly because the Chinese labours were collected and delivered by the North China Labour Association (hereinafter referred to as "NCLA") to the Kashimagumi Limited (hereinafter referred to as "KG") for a definite consideration based on the Labour Contract between them, by and with the sanction and cooperation of the then Japanese Government and the Chinese Government; secondly because KG acted in good faith for the execution and consummation of the said Labour Contract wherein were provided in great detail the conditions of employment and every attempt was made to embody the principle of equal pay and equal treatment with the average Japanese and Korean labour; thirdly because KG did not have any means to anticipate or expect that the Chinese labours under contract were prisoners of war or enslaved labours; fourthly because, immediately after the termination of the hostilities, the said Labour Contract was by mutual agreement duly rescinded with the result that all the Chinese labours have been subsequently paid off and repatriated in accordance with the terms of the contract.

Therefore, theoretically and factually speaking, the subject-matter under review neither constitutes "Crimes against peace", nor "Conventional War Crimes" such as violation of international treaties, agreements, assurances, the laws or customs of war, nor does it fall within the purview of "Crimes against any civilian population". Should there be any blemish in the action of KG's personnel at Hanaoka, it was purely and simply a question of maleficence, if any, by the Japanese civilian employees there vs. the Chinese civilian labours on the strength of the Labour Contract concluded between the said Japanese private corporation and the North China Labour Association. It will hence be ultra-vires correspondingly to apply to this case the military responsibility of a Commander for crimes committed by his subordinates.

Furthermore, any such blemish or maleficence on the part of KG's personnel at Hanaoka was due to that wholesale betrayal of the Japanese Government, which, as can be easily see hereunder, seemed to have entirely forgotten the guarantee and support it had collaterally given to KG when executing the Labour Contract in China.

**S. HIRABAYASHI, LL. B.**

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Importation of Labours: Messrs. Kashimagumi Limited, having its headquarters in Tokyo, is a private corporation engaged in civil engineering, contracting and building. In December 1943, KG obtained a contract order from the Hanaoka Mine owned by Fujitagumi Limited for constructing a slag-piling station, sub-drainage as also the reconversion of the Rivers Hanaoka and Ohmori at Hanaoka of Akita Prefecture. Subsequently, KG established a detached office at Hanaoka, and commenced operation from March 1944 appointing KOHNO Masatoshi as its Manager. Originally, there were about 120 workers at the Hanaoka Office composed of KG's Japanese and Korean subcontractors; later, KG raised a mass Korean labours of about 120 workers but were extremely insufficient to keep up with the contracted work. Moreover, facing as she did the last agonistic phase of the War, Japan was feeling the pinch of war shortage of labour. Therefore, KG applied to the Greater East Asia Department for importing labours from China and obtained its sanction (Vide the Secret Official Communications of the Japanese Government hereto attached). Subsequently, KG sent its representative to China to conclude a Labour Contract with NCLA and to receive the Chinese labours. The representative did not participate in the collection of the labours but merely obtained delivery of the labours from NCLA and escorted them into the working field in Japan. The gist of the Labour Contract was as follows:-

- a) The term of labour shall be for a period of two years.
- b) Labours shall be collected and delivered to KG by NCLA in the formation of a semi-battalion headed by a Commander, Secretary, Company leaders, Cooks, etc.
- c) Transportation of labours to be undertaken by the Jap. Government by request of KG.
- d) Transportation expenses shall be for account of KG.
- e) Main work shall be civil engineering.
- f) Wages and bonuses to be the same as the average Jap. labour plus board and lodging.
- g) Working hours to be the same as for the average Jap. labour.
- h) Fatigue clothes, caps, working gloves, etc. shall be borne by KG for the first supply only.
- i) Main food consisting of either cereals, flours, etc. shall be 30 kilograms per head per month plus side dishes (auxiliary food).

Needless to say, the above Labour Contract was concluded with the definite understanding and approval of the Japanese authorities in China.

Arrival of Chinese Labours: The first group of labours numbering 294 arrived at Hanaoka August 8, 1944 (signed up for 299 but 5 died en route); the second group consisting of 587 arrived on May 5, 1945 (signed up for 589 but 2 died en route) and the third and last group consisting of 98 arrived on June 4m 1945.

Autonomy of the Chinese Labours: Below is the formation of the battalion:-

Commander: Sha Jang (Gung)

Assistant Commander: Tao Kong Sung.

Secretary: Wang Shan Ryu.

Chief Nurse: Wang Liang Ryu.

Steward: Feng Chi Jen (Murdered in 'July Conspiracy')

Commander No.1 Company: Ching Teng Chang.

Leader No.1 Section: Cho Ling Chi.

Head of No.1 Squad: Wang Pin Ih.

Head of No.2 Squad: Shu Shen Lih.

Leader No.2 Section: Ih Zai Ryu.

Commander No.2 Company: Zai Koang Kung.

Leader No.4 Section: Kong Long Lih.

Leader No.5 Section: Sai Ung Chang.

Commander No.3 Company:

Leader No.6 Section:

Leader No.7 Section:

As can be seen from the above schedule, in view of the difference in national traits, autonomy was given to the Chinese labours covering the major phase of their life in the working field at Hanaoka. Each individual labour belonged to a specific Squad and, through regimentation of the respective Company and Section Commanders, was placed under the supreme command of the Commander Gung. The matters appertaining to sending capable labours out for work, keeping sick persons in the dormitory, change in the personnel, disposition relating to runaways, etc. were conducted under the authority and responsibility of Commander Gung who would confer with the Japanese staff

personnel before deciding on the issue. As regards their food, KG had only to supply materials leaving the cooking to the Chinese themselves.

Labour & Labour Prestations: a) The Chinese took three weeks' rest after arrival at Hanaoka being initially trained in the light farming preparatory to going out for the regular work. However, their efficiency was far below that of the average Jap. and Korean labours. The working hours during summer were from 6 to 1600 less 1-1/2 hours for rest, and during winter from 7 to 1600 less the same hours for rest. The staff personnel of the Chinese labours did not work in the field, but did overseeing the labours, also routine business. b) According to the Labour Contract with NCLA, KG paid the wages at the following rates, viz.- Commander ¥10.-, Company Commanders, Steward, Chief Nurse ¥8.- each, Leaders of Section and Squad ¥7.- each, ordinary labours ¥5.- each. These wages were far better than the wages for the average Jap. and Korean labours at that time, particularly so as the Chinese enjoyed the privilege of board and lodging in addition to their regular wages.

Living Conditions of the Chinese Labours: (a) A new dormitory was specially built for the Chinese labours up in a field of the table-land in the suburb of Hanaoka. Isolated from other houses, the dormitory was far better than the ordinary shacks of the town, fitted with kitchen, bath, office and bedrooms, also separate outhouse for sick persons. (b) Heating during winter was taken from large sized charcoal braziers ("Hibachi") which were placed on the floor of the corridor and firewoods were burnt therein. Unless the supply of firewoods was scanty, the heating arrangement as compared with other dormitories of like nature should have been quite ordinary. (c) When leaving China, all the Chinese obtained free supply of summer suit, shirt, cap and a pair of putties, socks and Chinese shoes. The first group of the Chinese were all supplied with a suit of winter clothes (velvet). It should be noted that the Chinese who passed the winter at Hanaoka were only those who belonged to the first group (294 men) that arrived there in May 1944. For working purposes, the Chinese were all supplied with sandals and, in winter time, with sandal boots. As for bedding, the Chinese were all supplied with a piece of comforter and blanket each and, after arrival at Hanaoka, were further supplied with a piece of comforter and straw-wadded bed each. (d) According to the Labour Contract, it was provided that the main food for each person should be supplied on the basis of 30 kg. per month consisting of 7 kg. of wheat flour, 3 kg. of millet, 10 kg. of corn flour, 10 kg. of cereals plus auxiliary food and condiments. At the time when the Japanese Government resolved upon the regular importation of Chinese labours, it was collaterally decided at the Vice-Ministers' Meeting that the Department of Agriculture should be responsible to the extent of 22 kg. of main food leaving the balance of 8 kg. to the Prefectural authorities whether the Chinese labours might be immigrated. Some of the Prefectures responded to the replenishment of the main food accordingly, but in the case of AKITA PREFECTURE, which only abounds in rice and short of cereals, the replenishment of 8 kg. was not at all complied with notwithstanding the backbreaking efforts of Manager Kohno through all his heartbreaking negotiations with the Prefectural authorities and with the Central Government conducted through his headquarters in Tokyo. All foodstuffs were then controlled by virtue of the Law Relating to the Control & Management of Foodstuffs, comprising cereals, cereal flours, potatoes, noodles and bread (Law No.40:Feb.21,1942). Therefore, the only way to replenish the balance of 8 kg. was to violate that statutory Law and buy the main food in the black market which Manager Kohno was forced to operate resulting in his criminal penalty and detention in the police station.

Now, 22 kg. of main food per head per month works out at 733 grams per day which is equivalent of 5 "go" (1.6155 Lbs). At that time, the Japanese and Korean labours employed by KG at Hanaoka for heavy labour were rationed daily at 4 "go" or 585 grams, the prisoners of war at the Hanaoka Mine were rationed daily at 733 grams of rice and barley mixtures while the ordinary Japanese population were daily rationed at 2.3 "go" or approximately 336 grams in soya beans, barley flour mixtures and potatoes. As for vegetables, Manager Kohno took special care and precaution to provide a spacious farm containing approximately 8.2 Acres for the sole purpose of supplying the products to the Chinese labours. When these data and facts are well weighed and considered, the food situation for the Chinese labours, under that grim and agonistic wartime shortage in Japan, was far better than the average individual notwithstanding the betrayal of the Japanese Government contrary to its guarantee attached to the sanction of the importation of the Chinese Labours applied by KG and the subsequent contract executed with the definite approval and instructions of the Japanese authorities in China.

Medical Equipment for the Chinese Labours: There were clinic and sick-rooms in the "Chusan" Dormitory besides an isolation ward attached thereto so that, ordinarily speaking, there was nothing to be desired in this respect. The Chinese had their nursing



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staff which was supported and helped by the Japanese staff set up for the same object. Owing to the strict police regulation, it was legally impossible for the Chinese to be hospitalized at the Hanaoka Hospital. However, Dr. Ouchi of that hospital used to visit the "Chusan" Dormitory for the sick, besides the retained doctors Ishizuka (physician) and Kobayashi (dentist) who visited the dormitory regularly around three four times a month. Unfortunately, unlike the Chinese Labours at the Hanaoka Mine, there were many cases of sick persons among the Chinese of the "Chusan" Dormitory. This was entirely due to the mis-selection on the part of NCLA which apparently did not pay serious attention to collect the labours on the basis of the standard physique but was anyhow too prone to gather and deliver the number of labours applied for. This can be judged from the fact that already seven persons died en route to Japan, to say nothing of the fact that at the time Dr. Ouchi examined the Chinese labours when they first arrived at Hanaoka there were already many cases of diseased persons suffering mostly from skin ailments, also from dysentery.

Deaths of the Chinese Labours: Owing to the marked numerosity of sick persons among the imported labours, it naturally gave rise to a rather high percentage of deaths contributed by the change of climate and living conditions. This can be well visualized by taking into consideration the death-rate that occurred both prior and subsequent to the outbreak of the July Conspiracy (vide Documentary Evidence E.No.3). Prior to the July Conspiracy, the death rate averaged 11-4/5 persons per month, whereas, in the month of July 1945, the death rate jumped up to 100, followed by 49 in August, 68 in September, 51 in October, averaging 67 persons per month, and these notwithstanding the best medical attention and treatment specially given by the Occupation Forces Medical Corps right after their landing subsequent to the surrender of Japan in August, in addition to the radically and rapidly improved post-bellum ration served to the Chinese by the Prefectural authorities. This will vividly shew how shocking and fatal were the blows that were dealt them by the police and gendarmes forces at the time of the July conspiracy; the high rate of deaths were entirely due to the torture on the Chinese by those sabre authorities.

Management & Control of Chinese Labours at Hanaoka "Chusan" Dormitory: The Chinese Dormitory at Hanaoka was called "CHUSAN RYO" and the personnel of KG in charge of the Chinese were called "Labour Leaders". The following shews the organization of the Detached Office at Hanaoka of KG as at the time of the outbreak of the July Conspiracy

MANAGER: KOHNO Masatoshi.

CHIEF CLERK: MOTOI Eishi.

LABOUR CHIEF: SHIBATA Saburo.

CHIEF OF "CHUSAN" DORMITORY: ISE Chitoku (Injured)

General Office: ISE Chitoku.

Interpreter: HIMORI Masaharu (Murdered).

Chief of Training: SATO Taroji.

Assistant to above: UYEMOTO Kiyoshi.

Chief of Supplies: OBATA Sonosuke (Murdered).

Assistant to above: ICHOGOYA Yoshio (Injured).

Chief of operation: TAKAHASHI Kenjiro. (lied)

Assistant to the above: ISHIKAWA Chusuke.

- do - : FUKUDA Kingoro (Indicted).

- do - : INOMATA Kiyoshi (Murdered).

- do - : OBATA Soemon.

- do - : NAGASAKI Tatsuzo (Murdered).

- do - : YOSHIYA Shiro (Injured).

- do - : SHIMIZU Masao (Indicted).

Chief of Medicine: TAKAHASHI Toyokichi.

The following are description of work in charge of the aforesaid personnel:-

- a) General Office - Correspondence, personal affairs, wages, supervision of employees.
- b) Training - Daily salutations, roll call, dormitory regulations, daytime watch, custody of tools, allocation of labours to the working fields.
- c) Supplies - Procurement, keeping & delivery of foodstuffs, fuel, necessaries of life, management of kitchen, rationing to the working fields, keeping of live-stock.
- d) Operation - Overseeing and instruction of work out at the farm and fields.
- e) Medicine - First aid to sick and wounded, instructing on sanitation, prevention and disinfection of dormitory, taking care of bath, instructing & supervising funerals, procurement and supply of medicine.

BLAMEWORTHINESS OF THE JAPANESE GOVERNMENT: There were some items in the LABOUR CONTRACT which KG's Hanaoka Office could not possibly and reasonably live up to owing to the unpardonable delinquency on the part of the Japanese Government that dishonourably betrayed the state guarantee attached and accessorial to the charter granted to KG for importing Chinese labours. In this connection, the writer has been able, after his unremitting and strenuous hard work, finally to procure a copy of the CONFIDENTIAL INSTRUCTIONS issued by the respective Vice-Minister of both the Home Office and the Welfare Department to all the Prefectural Governors under date April 4th 1944 (Welfare Dept.No.103; Home Office No.6), on the subject of the "Importation into Japan of Chinese Labours".

The above document will, I am firmly convinced, exonerate all the suspects from their ill-charged and will-imputed responsibilities and offenses, and will simultaneously serve vividly to show and establish beyond all doubt that their assumptive blemishes or maleficence do not legally constitute "War Crimes", hence beyond the jurisdiction of the War Crimes Court. The gist of the abovesaid Government instructions is as follows:-

a) The Japanese Government had been experimenting Chinese labours on the strength of the Cabinet Meeting of Nov.27,1942; that in view of the generally favourable result achieved therefrom, the Government has now decided to embark upon the regular importation of Chinese labours based on the definite policy set for that purpose.

b) Those firms or individuals engaged in the class of enterprises specified by the Government shall file an application for the importation of Chinese labours. Such application shall be carefully considered by the Government before acceptance to make certain that the importers are capable of undertaking the management of the import labours and that no international trouble whatsoever will be caused in future.

c) The collection of labours and all possible assistances connected therewith shall be undertaken by the Japanese Embassy also by HCLA acting under instructions of the Chinese Government exercising jurisdiction over North China, hence matters shall be arranged with those official organs.

d) On arrival of Chinese labours in Japan, the Government shall take an oath from the employers that they shall strictly observe the terms of their application, also to be absolutely governed by and act amenable to instructions of the police and of the National Labour Mobilization Office.

WARTIME GOVERNMENT CONTROL OVER FOODSTUFFS, CLOTHING, MEDICINE, ETC.

Needless to say, the Government exercised enormously wide and stringent powers over all phases of human activities under the General State Mobilization Law (Law No.55,1938). Nothing, therefore, was practically within the possibility of KG's Detached Office at Hanaoka in respect of the Chinese labours for fulfilling its obligations under the Labour Contract unless with specific sanction and approval of the Government, particularly for matters involved in the following Laws and Regulations:-

a) Law relating to the Control & Management of Foodstuffs (Law No.40:Feb.21,1942), comprising cereals, cereal flours, potatoes, noodles and bread.

b) Imperial Ordinance relating to the Control of General Merchandise (Reg.No.1130, 1941).

c) Regulation relating to the Control over the Distribution & Consumption of Textile Goods (Commerce Dept.No.4:1942).

d) Law relating to National Medical Treatment (Law No.70, 1942).

e) Regulation relating to the Entry, Stay & Leave of Aliens (Home Office No.6:1939).

f) Law relating to the Preservation of National Defense (Law No.49:1941).

As you will be able to discern from the foregoing, the Hanaoka Detached Office of KG, under management of KOHNO Masatoshi, managed and controlled the Chinese labours there just as humanely and considerately as it was within limits of the aforesaid Wartime Laws and Regulations, and in the face of the Government delinquency to stand by its guarantee made collateral to the Labour Contract; on more occasions than one, it went off limits of these stringent laws by purchasing food in the black market thereby incriminating Manager Kohno to police detention and heavy penalty.

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Of the seven Japanese civilian employees at the Hanaoka Detached Office of KG who had been primarily incarcerated at Akita Prison during October 1945 and subsequently transferred to Sugamo Prison, two persons, viz. FUKUDA Kingoro and SHIMIZU Masao, have been indicted for having beaten and mistreated the Chinese civilian labours and will be duly defended at the War Crimes Court in Yokohama. However, as regards the rest of the incarcerated civilian suspects, viz. KOHNO Masatoshi, SATO Yuzo, TAKAKU Kanehiro, TSUKADA Kaneo and ISE Chitoku, it is sincerely desired that they should be immediately released and liberated so that they may join their folks at home to celebrate their own first Yule-tide (the Yule 1945 they observed under incarceration at Akita Prison) after the liberation from that long and gruesome War.

I have the honour to be,

My dear Colonel,

Yours most respectfully,

Attached Documents:

- 1) Copy of the Labour Contract between the North China Labour Association and Kashimagumi Limited, with translation.
- 2) Copy of the CONFIDENTIAL INSTRUCTIONS issued by the Vice-Minister of the Home Office and the Welfare Department to Prefectural Governors dated April 4th 1944, with translation.

Tokyo: November 30th 1946.

Colonel Alva C. Carpenter,  
Chief of Legal Section, SCAP,  
"Meiji" Building, Marunouchi,  
TOKYO.

SUBJECT: Petition for Immediate Release & Liberation  
from SUGAMO PRISON of:

KOHNO Masatoshi;  
SATO Yuzo;  
TAKAKU Kanehiro;  
TSUKADA Kaneo;  
ISE Chitoku.

FROM: HIRABAYASHI Shin-Ichi, LL.B., Attorney At Law:  
Tokyo Abode: OKAMURA RYOKAN, 14 Tsukiji 2-chome,  
Kyobashi-ku.

My dear Colonel:-

Supplementing my petition dated the 15th inst. I beg to state that during the course of discussion with your Mr. Bassin on the 29th inst. a salient point was raised by him that it was quite possible that actually enslaved labours were supplied to the Japanese employers notwithstanding the terms of the Labour Contract which, to all intents and purposes, represented genuine contract labours.

To the above point, my answer is that insofar as the Japanese employers are concerned the question involved does in no way affect the legality of the Labour Contract, hence the imported Chinese labours were to them (employers) civilian contract labours; consequently, any maleficence or malfeasance versus the labours does not legally constitute a "war crime" because:

(1) The collection and supply of the labours were all undertaken by the then Chinese governmental institutions with the full cooperation of the Japanese Government, hence the Japanese employers were not in position to anticipate or discern that the labours supplied and delivered to them under the specific Labour Contract did consist of enslaved labours; therefore

(2) If the aforesaid Chinese labours were actually composed of enslaved labours, the responsibilities therefor shall be borne by the officials in charge of both the Chinese and Japanese Governments, and

(3) For that matter, the twenty eight top-notch war criminals are now being tried in the International Military Tribunal for the Far East. (Vide: APPENDIX B. LIST OF ARTICLES OF TREATIES VIOLATED BY JAPAN AND INCORPORATED IN GROUPS ONE AND TWO/ THE MANDATE FROM THE LEAGUE OF NATIONS PURSUANT TO THE VERSAILLES TREATY MADE AT GENEVA 17 DECEMBER 1920. 17. ARTICLE 3.

"The Mandatory shall see that the slave trade is prohibited and that no forced labour is permitted, except for essential public works and services, and then only for adequate remuneration"). The above will, I believe, vir-

HIRABAYASHI Shin-Ichi, LL.B.

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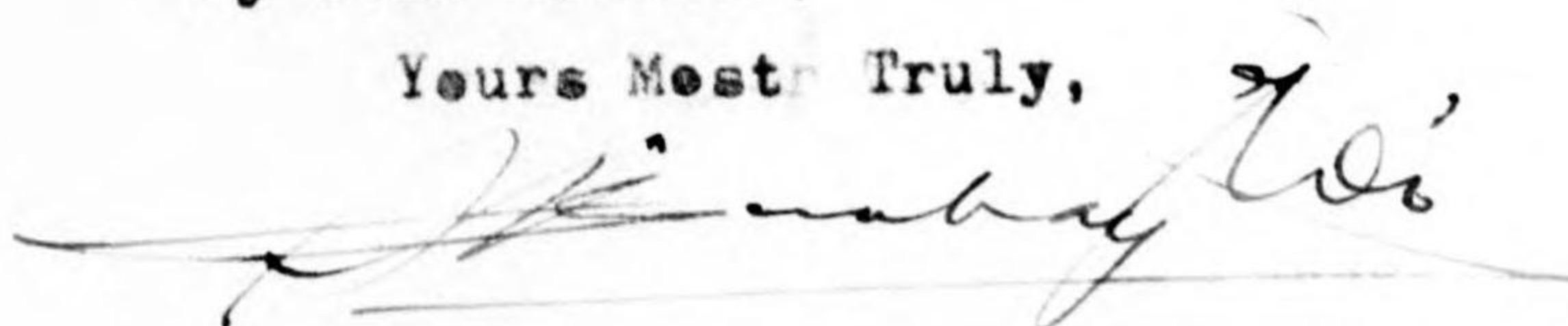
tually settle the point raised by your Mr. Bassia, having regard to the text of indictment by the US and ten other Powers against Tojo Hideki and twenty seven war criminals.

In view of the above, even, for the sake of argument, the Japanese civilians in the employ of the Japanese employers did commit a crime versus the Chinese labours in question, such crime shall ipso jure be punished by the law of the country where the said crime was perpetrated just in the same manner as the twelve Chinese labours, who had perpetrated the July Conspiracy thereby murdering several Japanese and Chinese and were subsequently tried and sentenced according to the law of Japan (sentenced in September 1945 and of course after the unconditional surrender of Japan). Consequently such crime does not constitute a "War Crime" in the light of the accepted principle of international jurisprudence as also according to the provisions of the Regulations Governing the Trials of Accused War Criminals issued under AG 000.5 (5 Dec 45) LS by SCAP., hence the Legal Section, SCAP, is not competent to prosecute the criminal suspects for trial by the War Crimes Court.

I look forward, at the earliest possible opportunity, to hearing your judicious decision in regard to the release and acquittal of the aforesaid five war criminal suspects from the Sugamo Prison, and, in the meantime, I beg to remain

My Dear Colonel,

Yours Most Truly,



HIRABAYASHI Shin-Ichi, LL.B.  
Attorney At Law.

P.S. I enclose herewith one copy each of the LABOUR CONTRACT and the CONFIDENTIAL INSTRUCTIONS issued by the Japanese Government which were inadvertently omitted to be attached to my petition dated the 15th inst.

B - 4.

TRANSLATION

My Dear Chief:-

Since I came to work under your goodself, I am conscious of the very beneficent teaching and instructions I have received from you for all of which I thank you.

I am now incarcerated for having perpetrated and violated the law; I now meditate over what I have done during those past seven months and I keenly regret that I have caused you a great deal of concern being rough in nature and not well educated myself.

Your attitude towards me was all that could be desired in the way of geniality without in the least being fraught with prejudice and although dull-witted by nature, I am quite impressed by your benevolence. I am now incarcerated and when I come to reflect over the past I am filled with the greatest remorse and chagrin. Indeed I shiver even when it is not cold and whenever I come to think of your great virtue, I regret that I am still unable to recompense for same adequately. I therefore hasten to take this opportunity of writing a few lines in the hope that I may impart your goodself with my appreciation and conviction of your kind consideration.

I beg to remain,

Yours most truly,

(SHU-JUN) or SHA-JAN.

Prisoner At The Bar.

+ + + + +

N . B .

The above letter undated was wrote and brought by messenger to Mr.KONO Masatoshi from the Akita Prison where SHU-JUN had written same sometime,during his incarceration there.

所長先生大人閣下御覽 諱自從隸屬

尊範以來，深荷 青睞，銘刻五中，莫可或釋，

敬維

諸凡咸宜 起居善佳是為至頌 啓者諱 生性粗鄙，之

受教育，以致七月間，竟作出犯法之行為，當時

大人御心配之勞瘁，殆不可言，諱 拍心自問，實抱有

萬分之慘愧者也，然足時 先生對諱之態度，仍示

之以溫和，不懷絲毫之惡視，則 諱性雖愚頑，亦當懷

智之感激也，諱現方身於幽房之中，思及往事，則

惻然懺悔，不寒而慄，復念及 先生寬大之德，

即五內投地，猶未能酬於萬一也，寸心些微，無時能

已，早當奉函致候，輒乏紙筆，今僅奉陳此言，

聊表微忱，專此敬祝

御安

幽囚者 耿

諱 頓首拜

煩勞

今野 大人代轉

河野

所長先生大人殿

秋田市刑務所



15-2

To be authenticated  
& reproduced

Faison  
being attended to by  
Capt. Chang

B-2

TRANSLATION

JUDGMENT

In relation to the indicted:

|                            |   |                               |
|----------------------------|---|-------------------------------|
| SHA JANG: 30 years         | ) |                               |
| SUNG TAO KONG: 44 year     | ) |                               |
| CHANG CHING TENG: 32 years | ) |                               |
| CHIH CHO LING: 26 years    | ) | Domiciles & present Addresses |
| RYU IH ZAI: 32 years       | ) | are dispensed with.           |
| IH WANG PIN: 28 years      | ) |                               |
| LIH SHU SHEN: 23 years     | ) |                               |
| CHANG SAI UNG: 23 years    | ) |                               |
| KUNG SAI KOAN: 22 years    | ) |                               |
| LIH KONG LONG: 27 years    | ) |                               |
| RYU WANG SHANG: 31 years   | ) |                               |
| RYU WANG LING: 37 years    | ) |                               |

In respect of the criminal matters of murder and attempted murder pending vis-a-vis the abovenamed accused, this Court, after full trial thereof, hereby renders sentences as under by and with the participation of PROCURATOR HASEGAWA SHIN:-

Accused Sha Jang to life imprisonment;  
Accused Sung Tao Kong & Chang Ching Teng to imprisonment for ten years each;  
Accused Ih Wang Pin & Kung Sai Koang to imprisonment for eight years each;  
Accused Lih Shu Shen to imprisonment for six years;  
Accused Chih Cho Ling & Lih Kong Long to imprisonment for five years each;  
Accused Ryu Ih Zai & Chang Sai Ung to imprisonment for three years each;  
Accused Ryu Wang Ling & Ryu Wang Shang to imprisonment for two years each.

The costs shall be borne by all the accused.

GROUND OF JUDGMENT

Kashimagumi Ltd of No.3 Maki-cho, Kyobashi-ku, Tokyo had entered into a civil engineering contract with Fujitagumi Hanaoka Mining Ltd and having established a Detached Office at a place unnumbered at Takinosawa, Hanaoka, from August 1944, began to receive in the Chinese labours supplied by "KAHOKU ROKO KYOKAI" (North China Labour Association) numbering altogether about one thousand and had them boarded into the "Chuzanryo" Dormitory which is situated several blocks away from the aforesaid Detached Office and got them engaged in the interchnage work of the Rivers Hanaoka & Omori. The said Chinese labours were formed into a battalion which is divided into three companies and each company into three Sections. Each Section was further divided into three Squads. A Commander, assistant-commander, adjutant, chief-nurse, secretary and steward were appointed and assigned to the Battalion, while to each of the Company, Section and Squad a Commander and a Head of Squad were respectively appointed, all from the Chinese labours themselves and let them exercise surveillance and control of the Chinese labours both in the dormitory and in the actual theatre of work. Sha Jang was appointed Commander, Sung Tao Kong to Assistant Commander of the battalion while Chang Ching Teng to Commander of No.1 Company, Chi Cho Ling to Leader of No.1 Section of No.1 Company, Ryu Ih Zai to Leader of No.2 Section of No.1 Company.

Section of No.1 Company, Ih Wang Pin to Head of No.1 Squad and Lih Shu Shen to Head of No.2 Squad of No.1 Section of No.1 Company respectively, Chang Sai Ung to Leader of No.5 Section of No.2 Company, Kung Sai Koang to Commander of No. 2 Company, Lig Kong Long to Leader of No.4 Section of No.2 Company, Ryu Wang Ling to Head-nurse and Ryu Wang Shang to Seretary. On the other hand, in the Dormitory, Japanese Chief and Japanese Labour-leaders were appointed to attend to the management and instruction of the Chinese labours, viz. ISE Chitoku to Chief of Dormitory, while OBATA Sonosuke, INOMATA K<sub>1</sub>yoshi, YOSHITANI Shiro, NAGASAKI Tatsuzo, HINOKIMOR<sup>I</sup> Masaharu and six others to its Leaders. Now, it has been revealed that amongst the Chinese labours a considerable number had already been suffering from malnutrition prior to their arrival into Japan and, added to that unfortunate condition, the food given to them in the Dprmitory was small in quantity and bad in quality; moreover, the so-called "Bayonet Charge Period" was enforced as from June 25th 1945 by which the working-hours were increased in order to expedite the work with the result that a great number of workers succumbed to diarrhoea one after the other involving a considerable number of deaths. On the other hand, among the leaders, some were men of base character and would often-times beat the Chinese labours which went on to indicate a poor method of labour management. In view of the above, Sha Jang feeling his responsibility as Commander of the entire Battalion, was much concerned to improve those mismanagements and did often-times took the matter up with both the competent police authorities and the Hanaoka Detached Office of Kashimagumi but invain. On the contrary, such acts on his part have given rise to antagonism of the leaders who would resort to maltreatment in reprisals. Thereupon, he made resolution that in order to find way out for the Chinese labours from such predicament, the ultimate measure would be to run away after killing the Chief of the dormitory as well as the leaders thereof; on the other hand, he also came to resolve upon inflicting punishment on NIN HO KI (Japanese pronunciation), Chief of the Chinese Cooking Squad, along with the murder of the Japanese leaders, for his malfeasance in cache of rations thereby torturing his own nationals the Chinese labours. NOW therefore:

(1) At about 9 p.m. of July 1st of the same year, the accused Sha Jang expressed his resolution of killing the Japanese leaders to the accused Sung Tao Kong and Chang Ching Teng in the Commander's room of the said dormitory and obtained the latter's consent. He urged them to carry out the plot instantly leaving the matter of modus operandi thereof and the selection of men in their hands. The latter two have in turn expressed the plot to the accused Chih Cho Ling, Ryu Ih Zai, Ih Wang Pin, Lih Shu Shen and have obtained all the consent of the latter. Thereupon, they all conspired to kill the sleeping leaders with Chinese-spades and sticks in the leaders' bed-room. Then about ten o'clock of the same night, the accused Shah Jang kept watch near the office of the said dormitory, while the accused Chang Ching Teng, Lih Shu Shen, Ih

Wang Pin rushed into the bed-room in which OBATA Sonosuke and seven others were sleeping and where the accused Chang Sai Ung, who happened to be there with full cognizance of the aforementioned circumstances, and conspiring thereto, likewise rushed into the bed-room with the weapons of Chinese-spades and sticks; where the accused hit the heads and other parts of the victims, viz.:-

The accused Ih Wang Pin hitting the leaders INOMATA Kiyoshi & YOSHITANI Shiro;

The accused Lih Shu Shen hitting the leader OBATA Sonosuke;

The accused Chang Chin Teng hitting the leaders NAGASAKI Tatsuzo & HINOKIMORI Masaharu;

The accused Chang Sai Ung hitting the aforesaid HINOKIMORI Masaharu; thereby killing instantly OBATA SONOSUKE, INOMATA KIYOSHI & HINOKIMORI MASAHARU by the concussion of the brain and the fracture of the skull; while giving severe cut on the forehead of YOSHITANI Shiro that necessitated medical treatment of about three weeks.

The accused Sung Tao Kong was keeping watch near the aforesaid office when he caught sight of NAGASAKI Tatsuzo who had received the severe injury and ran out wildly trying to escape from the ~~deger~~ danger; the accused ran after the victim up to the road in front of the dormitory, hit his head and other parts heavily with the Chinese-spade and killed him instantly by the concussion of the brain and the fracture of skull.

The accused Chih Cho Ling in the aforesaid office uttered and urged Ih Wang Pin and Lih Shu Shen to rush into the bed-room to kill the leaders therein; he also gave a thrust with the Chinese-spade on the back of ISE Chitoku, Chief of Dormitory, who came rushing out in order to escape from the disaster.

The accused Ryu Ih Zai in the aforesaid office dislocated the telephone apparatus; also generally kept watch.

As detailed above, the accused have all committed violence and kept watch, thereby killing inter the Leaders OBATA SONOSUKE, INOMATA KIYOSHI, HINOKIMORI MASAHARU and NAGASAKI TATSUZO but failed to murder and kill ISE CHITOKU, Chief of the Dormitory, and the Leader YOSHITANI SIRO upon whom the accused only committed violence and inflicted injuries.

(2) The accused Sha-Jang at about the same hour as indicated above (past 9 p.m.) in the Commander's room told the accused Kung Sai Koang, Lih Kong Long, Ryu Wang Ling, Ryu Wang Shang to kill forthwith NIN HO KI (Japanese pronunciation), Chief of the Ration Squad and obtained their consent thereto. Thus these accused conspired to the perpetration of the crime and at about ten o'clock of the same night, Sha-Jang took up the watch as he did on the above-mentioned occasion, while the other accused rushed into the ration room of the said dormitory where they got hold of NIN HO KI who was fast asleep and bound his hands in the back with putties and other stuff and, after depriving him of

his resistance, hit him hard on the head and other parts. Afterwards both Ryu Wang Ling and Ryu Wang Shang cast NIN HO KI out of the dormitory in the bound condition, thus causing him to die of the concussion of the brain and the fracture of the skull about 3.a.m. of the following day or the 2nd and thereby accomplishing the object of murder.

The aforesaid facts of the crime are manifest and synthetically proved from the following evidences, viz:-

1. The depositions in this Court of the accused Sha-Jang, Sung Tao Koag, Chang Ching Teng, Chi Cho Ling, Ryu Ih Zai, Ih Wang Pin, Lih Shu Shen and Chang Sai Ung;

2. The depositions of the above accused taken down on the Procurators' interrogatory protocols (as regards Chang Chi Teng and Lih Shu Shen throughout the first and second interrogatory protocols);

3. The depositions of the accused Ryu Ih Zai and Chang Sai Ung taken down in the interrogatory protocols of the judiciary police;

4. The statements taken down in the inspection protocols (from No.1 to No.4) at the time of the compulsory restraints;

The statement contained in the written opinion of the technical expert witness MURAKAMI TSUGIO in respect of the murdered HINOKIMORI MASAHARU and four others; 5. The statement in the medical examination executed by Dr. IZUMI Rikisaburo in respect of the victim YOSHITANI Shiro.

IN REGARD TO THE FACTS OF THE CRIME AS DETAILED UNDER (2) ABOVE:

1. The depositions in this Court of the accused Sha-Jang, Kung Sai Koang, Ryu Wang Ling, Ryu Wang Shang;

2. The depositions of the above-mentioned accused taken down in the procurators' interrogatory protocols;

3. The statement contained in the judicial police's protocol in respect of the accused Kung Sai Koang;

4. The statements contained in the afore-mentioned inspection protocols and the written expert opinion.

In view of the above, we are satisfied that the facts of the crime covering this case are sufficiently proven.

In applying the provisions of Law, as regards the accused Sha-Jang, the count of murder detailed in the facts (1) and (2) above comes under the purview of the provisions of Articles 199 and 60 of the Criminal Code, the count of attempted murder mentioned under the facts (1) above comes under the purview of the provisions of Articles 203, 199 and 60 of the said Code; however, as these acts were committed jointly and consecutively thereby constituting a continuous crime, therefore deeming, by virtue of the provisions of Article 55 thereof,

the acts as one crime of murder; as regards the accused Sung Tao Kong, Chang Ching Teng, Chih Cho Ling, Ryu Ih Zai, Ih Wang Pin, Lih Shu Shen, Chang Sai Ung, the count of murder detailed in the facts (1) above comes under the purview of the provisions of Articles 199 and 60 of the Criminal Code and the count of attempted murder comes under the purview of the provisions of Arts. 203, 199 and 60 of the said Code; however, as these acts ~~are~~ were committed jointly and consecutively thereby constituting a continuous crime, therefore deeming, by virtue of the provisions of Article 55 thereof, the acts as one ~~one~~ crime of murder; as regards the accused Kung Sai Koang, Lih Kong Long, Ryu Wang Ling and Ryu Wang Shang, their acts enumerated under the facts (2) above come under the purview of the provisions of Articles 199 and 60 of the Criminal Code: NOW THEREFORE we have selected the imprisonment for life against Sha-Jang and ~~and~~ limited imprisonment for the other accused and have therefore sentenced the accused Sha-Jang to imprisonment for life, the accused Sung Tao Kong & Chang Ching Teng to penal servitude for <sup>10</sup>8 years each, the accused Lig Shu Shen to penal servitude for 6 years, the accused Chih Cho Ling and Lih Kong Long to penal servitude for five years each, the accused Ryu Ih Zai and Chang Sai Ung to penal servitude for three years each and, as regards the accused Ryu Wang Ling and Ryu Wang Shang, we have taken into consideration the attenuating and extenuating circumstances of their crime and by virtue of the provisions of Articles 66, 71 and 68 of the said Code, we have reduced the penalty within the limit of the penal servitudes provided under the respective Articles thereby sentencing them to penal servitude for two years each. As to the costs, by virtue of the provisions of Article 237 Para. 1 of the Code of Criminal Procedure, these shall be borne by all the accused.

We have therefore pronounced the sentences as per the text of this judgment.

SEPTEMBER 11th 1945

CRIMINAL SECTION OF THE AKITA DISTRICT COURT:

Presiding Judge: SOMA Tei-Ichi;

Judge WATANABE Nobuyoshi;

Judge KUSAFUKA Kesashige.

I hereby certify that the above is an authenticated copy of the original.

NOVEMBER 29th 1945. OF THE SAME COURT.

(Signed & Sealed) TOMITA TARO,

Court Clerk.

\*\* Ih Wang Pin & Kung Sai Koang to penal servitude for 8 years each,

S. HIRABAYASHI, LL. B.  
ATTORNEY AT LAW:

T R A N S L A T I O N

- o - o - o - o - o - o - o - o -

CONTRACT

In accordance with the plan of the Japanese Empire of February 2nd 1944 and having regard to the delivery of labours by the North China Labour Association (hereinafter called "A"), A hereby undertakes vis-a-vis Kashimagumi Limited (hereinafter called "B") in respect of the employment of the labours to be delivered by A, as follows:-

ART. I: B shall for the term of two years as from the end of June 1944 (33rd Year of the Chinese Republic) employ the labours to be delivered by A.

Art. II: The terms of the labour contract shall be as per the Particulars of Enforcement Covering the No. 22 Chinese Labours sent to Japan in the 33rd Year, attached hereto.

Art. III: In the event that the disposition becomes difficult within the existing limit of the contract due to a remarkable change in economic conditions in China or in Japan or to the outbreak of unforeseen circumstances, both A and B shall get together to adjust such difficulties.

IN WITNESS WHEREOF, this Contract has been executed in duplicate each party retaining a copy thereof after being duly executed. This 8th Day of May of the 33rd Year of the Chinese Republic.

(Signed) CHI CHAO, Executive Director of the North China Labour Association.

(Signed) RYOHEY NOGI, Attorney for S. Kajima, Vice-President of Kashimagumi Limited.

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PARTICULARS OF ENFORCEMENT COVERING THE NO. 22 CHINESE LABOURS SENT TO JAPAN

(I) Working place: Akita, Japan.

(II) Method of Collection & Delivery of Labours.

(1) Method of Collection & Delivery: The NCLA shall select qualified labours in North China and get them concentrated at appropriate points for transportation to the destination.

(2) Formation: The labours shall be formed into a battalion by A on the following conditions. The battalion shall be called "So & So Labour Battalion"; if necessary Assistant Commander shall be appointed to serve under the Regular Commander.

A Commander for every group of 300 to 500 labours;  
A Secretary for each unit of 100 labours;  
A Squad Chief for each unit of 25 labours;  
A Steward or Chief Cook;  
A Cook for each unit of 25 labours;

Total number of a battalion about 300 labours with a certain latitude.

(3) Hand-luggage: shall be previously arranged by A and borne by B.

(4) Food en route: shall be provided sufficient to take care from the point of concentration to the port of arrival based generally on the "standard labour supplies" as per separate sheet, except in the case of the labours under training who shall be given proper nutriment for a period of ten days prior to departure.

(5) Place of delivery and anticipated date thereof: shall be during June at the concentration point.

(III) METHOD OF TRANSPORTATION.

(1) Protection & precaution (during transit): shall be determined by A, due regard being paid to the condition of traffic safety.

(2) Route & Organ of transportation: possibly via truck or car (by rail) by land, and via ships to be provided by B. Port of sailing shall be determined by A having regard to the points of collection while the port of arrival by B according to arrangement of ships; these shall, however, be determined by conference of A & B prior to placing of ships. Placing of ships shall be requested to the competent authorities by B.

(3) Despatch of field overseer: B shall arrange to despatch to North China one field overseer per 100 labours 30 days prior to the concentration of labours and place him under instructions of A.

(4) LEADER Escort: Shall be appointed from among the field overseers and have him take control of the labours from the time of the taking delivery until arrival at the working field (during transit).

(5) Accident reliefs: for any accident during transit, disposition shall be made in accordance with the provisions of the "Regulations relating to Accident Reliefs of the Chinese Labours" as per separate sheet.

(IV) EXPENSES RE DELIVERY OF LABOURS:

(1) Reserve expenses for delivery: shall be borne by B, and -  
a) shall be the actual expenses on the basis generally of the "delivery expenses" as per separate sheet. Collection expenses shall be paid by B to A at the ratio of ¥60.- per head of the labours at the concentration point, notwithstanding the amount actually required.

b) B shall advance the sum of ¥50.- per labour for his family allowance to be repaid within a period of six months after the assumption of work; this is not required in the case of labours under training.

(2) Transportation expenses: a) Passage money shall all be borne by B but shall be paid on arrival in Japan and shall not be included in the delivery expenses.

b) Food during transit shall be prepared by A and be borne by B.

c) Such expenses as may be deemed specially necessary by the Army or the parties concerned for safety or protection during transit shall all be borne by B.

(3) Any damage caused after delivery of the labours (damage to the spare goods of A and to the labours by accident) shall be borne by B; A shall render utmost cooperation for the prevention of damages.

(4) Flour bags and other articles to be returned: B shall forward back to A such articles as flour bags and other things to be returned to A immediately after they have been done with; if the articles are found short, then B shall compensate A for same at the current price in North China.

(5) Method of payment for the delivery of labours:

a) Reserve fund for the delivery of labours shall be paid in advance to be so remitted as to reach A about one month ahead of the date of delivery.

b) As no travelling expenses for the leader-escort and field overseers up in North China are included in the delivery expenses, B shall previously make estimate for appropriate amount and remit same together with the reserve fund above. The same provisions shall apply when B requires making purchase in North China in addition to those estimated by A.

(V) TERMS OF LABOUR CONTRACT:

(1) Term of contract: shall be full two years and (a) shall commence as from the date of arrival at the working field and end with the day of departure for home from the working field.  
(b) In case B desires to continue employing the labours, such matter shall be determined by mutual agreement two months prior to the expiry of the term subject to approval of the competent organs.

(2) Class of work: shall in principle be civil engineering, but may, if necessary, be employed in other general work.

(3) Formation of labours in work shall be done by utilizing the formation of battalion as much as possible.

(4) Computation and payment of wages: (a) wages shall be paid at the rate of ¥2.- per head per day plus board during the period of training (3 months) in Japan, and ¥5.-, or according to the amount of work done (plus board), the minimum guaranteed wages shall be ¥1.- per day per head.

(b) Wages of the staff labours shall be:-

|               |  |
|---------------|--|
| Commander -   | twice the average daily wages of ordinary labours;       |
| Squad Chief - | 1-1/2 times the average daily wages of ordinary labours; |
| Secretary -   | d o -  |
| Steward -     | d o -  |

The above shall be computed on the basis of monthly salary.



(c) Allowances: Extra shall be paid in the same manner as for the Japanese workers.

(d) Bonuses, etc. shall be given in the same manner as for the Japanese workers, payable in instalments on the New Year's day (lunar calendar), the May 5th holiday, the Mid-autumn holiday; however, such may also be paid in instalments at the time when the Japanese workers receive such pay.

(e) Terms of payment: 1) shall be paid to each individual in presence of the resident-officer. 2) T2.- shall be deducted out of the wages as reserve fund, which shall be deposited with the postal account in the name of each individual worker and shall be shown to him each month. Where such reserve fund to be drawn due to unavoidable circumstances, it is necessary to be o.k'd by Manager of the working field.

(5) Work implements: a) Pickaxes, shovels and spades shall be borne by B. b) Fatigue dress, ground "tabi" (socks), work-gloves, caps, putties, etc. necessary for the work shall be borne by B for the first supply only.

(6) Remittance: a) remittances other than the reserve fund shall be free in principle, but such remittances shall be made only through the organ established on the spot of delivery of the North China Labour Association (which shall be designated by the resident-officer). b) No restrictions shall be attached to the amount of the reserve fund as also on the cash to be brought home.

(7) Working hours: shall be the same as for the Japanese workers. The Chinese labours shall, however, be employed separately and distinctly from the general Japanese and Korean workers in the presence of the Japanese field overseers and leaders.

(8) Public holidays: a) Four (4) key holidays shall be allowed the same as for the Japanese workers. b) Three New Years days (lunar calendar), the 5th of May, the Mid-autumn day shall be made holidays; extra food shall be given in addition to the standard ration, such as "Shochu" (drink of strong strength), meat and vegetables.

(9) Setting up dormitories: this shall be done so that the Chinese labours are entirely isolated from the Japanese, particularly from the Koreans.

(10) Raising necessities of life: B shall raise necessities of life in the working district on the basis of what the average Chinese labour consumes up in North China, it being understood that, except the scheduled foodstuff, all shall be for account of the labours.

STANDARD NECESSARIES OF LABOUR

| Description                              | Items             | Unit                       | Quantity required    | Amount | Remarks |
|--|-------------------|----------------------------|----------------------|--------|---------|
| Main Food & Auxiliary Food (side dishes) | Wheat flour       | 7 kg.                      | per head per month   |        |         |
|  | Millet            | 3                          | - do -               |        |         |
|  | Corn flour        | 10                         | - do -               |        |         |
|  | Cereals           | 10                         | - do -               |        |         |
|  | Beans             | 1 kg                       | do                   |        |         |
|  | Vegetables        | 16.5                       | - do -               |        |         |
|  | Pickles           | k.5                        | - do -               |        |         |
|  | Wild boar meat    | .5                         | - do -               |        |         |
|  | Bean paste "miso" | 1                          | - do -               |        |         |
| Condiments                               | Cooking oil       | .3                         | - do -               |        |         |
|  | Salt              | 1                          | - do -               |        |         |
|  | "Shoyu" sauce     | .3                         | - do -               |        |         |
|  | Leek              | 1                          | - do -               |        |         |
| Fuel                                     | Coal              | 30                         | - do -               |        |         |
|  | Charcoal brickets | 123                        | - do -               |        |         |
|  | Firewood          | 10                         | - do -               |        |         |
|  | Matches           | 5 pcs                      | - do -               |        |         |
| Cooking utensils                         | Rice bawls        | 4 pcs                      | for 2 yrs.           |        |         |
|  | Hotwater bawls    | 2 "                        | - do -               |        |         |
|  | Chopsticks        | 4 pairs                    | - do -               |        |         |
|  | Kettle            | 4 pcs                      | per Squad for 2 yrs. |        |         |
|  | Ladle             | 10 "                       | - do -               |        |         |
|  | Spoon             | 4 "                        | per head do -        |        |         |
|  | Plate (large)     | 25 "                       | per Squad -do -      |        |         |
|  | Plate (small)     | 4 "                        | per head - do -      |        |         |
| Clothes                                  | Shirts            | shall be decided properly. |                      |        |         |

(continued)

|             |                |                                 |
|-------------|----------------|---------------------------------|
| Other stuff | Cigarettes     | 300 pcs per head per month      |
|             | Toothpowder    | 10 pckgs. per head for 2 years. |
|             | Soap           | 24 pcs per head for 2 years     |
|             | Soap (washing) | 24 " - do -                     |

(11) Bath shall be provided daily free of charge while haircutting shall be done by the labours themselves as necessary implements shall be loaned.

(12) Expenses for the dormitory, electric lights, water and fuel shall be borne by B.

(13) Board: necessary materials shall be given to the battalion or squads for cooking; cooking equipments shall be set up by B.

(14) Sanitation shall be set up by utilizing B's existing equipments.

(15) Protection and aids shall be governed by the "Regulations relating to the Relief of the Chinese Labours" as per the separate sheet hereto attached.

(16) Recreation centre shall be determined later.

**(VI) RESIDENT OFFICER:** There shall be one Japanese resident manager and one Chinese resident officer for about every 500 labours so as to take up the instructions of the labours.

(1) Status for the resident officer shall come under A and shall be commissioned by the authorities exercising competency over B.

(2) Expenses for control of the labours shall be paid in advance by B to A every three at the ratio of T1,100.- per month.

(3) Return travelling expenses shall be borne by B to be paid for each trip according regulations of the NCLA; the same shall apply in case where A's personnel or medical staffs required to make a trip. Resident officers shall be anticipated to make a trip up to North per year for the purpose of liaison.

(4) Travelling expenses for assuming office and return shall be borne by B according to regulations.

(5) In order to grasp the psychology of the labours, B shall provide an independent office for the resident officers giving free admittance to the Chinese labours.

(6) B shall provide lodging for the resident officers.

**(VII) METHOD OF REPATRIATION:**

(1) In case of repatriation due to expiration of the labour term, B shall get them repatriated en masse accompanied by a responsible escort.

(2) In case of repatriation during the course of the labour term, it shall be guided by the repatriation plan to be set up by the resident officers of the NCLA; expenses for repatriation of the resident officers shall be borne by B.

(3) The destination of repatriation shall be the original place of abode of the labours, B to bear expenses therefor.

**(VIII) EMPLOYMENT STANDARD shall be -**

- (1) One who is physically strong enough to bear heavy physical labour.
- (2) Age shall be 16 years and above; possibly young men shall be given preference.
- (3) One who is free from contagious diseases or other despicable diseases.
- (4) One who is deemed by A not to be the possessor of unhealthy thoughts & ideas.
- (5) Selection in China shall be made on the abovementioned basis, to be participated by B.

**(IX) PRELIMINARY TRAINING AFTER ARRIVAL shall be operated as follows:-**

- (1) A period of three months after arrival shall be made a training period and shall be trained along the lines below specified without employing them in heavy work from the beginning:
  - a) Instructions for living; b) Teaching of Japanese language; c) Group training;
  - d) Training for work (including preservation of public peace); e) Training on the

working field.

(2) Shall not be allowed to go out for a period of one month, but from the 2nd month may be allowed to go out en masse under escort.

(X) MEASURES FOR RUNAWAYS: When a runaway is caught, he shall be in principle brought back to the working field.

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REGULATIONS FOR THE ACCIDENT RELIEF OF CHINESE LABOURS

(1) Where the labours die during the currency of the labour term, the following consolation money shall be paid to their families in addition to funeral expenses via the Labour Association, the said payment to be deposited with the Tokyo Office of the Labour Association.

a) Death due to official injuries:

|                                 |        |
|---------------------------------|--------|
| Commander & Assistant Commander | ¥700.- |
| Steward                         | 700.-  |
| Secretary & Squad Chief         | 700.-  |
| General Labours                 | 500.-  |

b) Death due to private injuries: shall be half of the official injuries.

(2) Where labours are injured or <sup>be</sup> come ill during the currency of the labour term, in addition to the medical expenses necessary therefor, the employers shall make the following prestations:-

a) the minimum guaranteed wages per day in case of accidents due to official work.

b) only food shall be served in case of accidents due to private causes.

c) Where labours have become crippled due to official work during the currency of the labour term, the following solatium shall be paid:-

a) Where the victim is slightly disabled to work:

|                                 |        |
|---------------------------------|--------|
| Commander & Assistant Commander | ¥200.- |
| Steward                         | 200.-  |
| Secretary & Squad Chief         | 200.-  |
| General Labour                  | 100.-  |

b) Where the victim is disabled to undertake heavy labour:

|  |         |
|--|---------|
|  | ¥1500.- |
|  | 500.-   |
|  | 500.-   |
|  | 100.-   |

c) Where the victim has entirely lost ability to work:

|                                 |        |
|---------------------------------|--------|
| Commander & Assistant Commander | ¥700.- |
| Steward                         | 700.-  |
| Secretary & Squad Chief         | 700.-  |
| General Labour                  | 400.-  |

Where no decision is arrived at as to the distinction of official or private injuries or illness, such shall be determined finally by the Government authorities.

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EXPENSES FOR OBTAINING DELIVERY OF LABOURS

| <u>Items</u>                | <u>Number of Labours</u> | <u>Amount</u> | <u>Remarks:</u> |
|-----------------------------|--------------------------|---------------|-----------------|
| Personal effects            | 300                      |               |                 |
| Food en route (in transit)  | 300                      | ¥ 57,000.-    |                 |
| Food to be carried en route | 300                      | 31,500.-      |                 |
| Cooking utensils            | 300                      | 10,500.-      |                 |
| Things for Recreation       | 300                      | 9,000.-       |                 |
| Transportation expenses     | 300                      | 3,000.-       |                 |
| Collection expenses         | 300                      | 30,000.-      |                 |
|                             |                          | 24,000.-      |                 |
|                             | TOTAL                    | YEN165,000.-  |                 |

Tokyo, June 17th 1946.

Colonel Alva C. Carpenter,  
Chief of Legal Section,  
SCAP, "Meiji" Building,  
Marunouchi, Kojimachi-Ku,  
TOKYO.

Subject: Petition for Immediate Release & Liberation  
From SUGAMO PRISON of:

KONO Masatoshi (Japanese)  
SATO Yuzo ( do )  
TAKAKU Kanehiro ( do )  
TSUKADA Kaneo ( do )  
ISE Chitoku ( do )  
FUKUDA Kingoro ( do )  
SHIMIDZU Masao (Chinese )  
HYO KI-CHO<sup>alias</sup>

*W/att  
List of Exhibits*

From: Shin-Ichi HIRABAYASHI, LL.B., Attorney At Law  
Office: "Shosen" Building, 5 Kaigan-Dori, KOBE;  
Now: Sojourning in Tokyo.

My dear Colonel:

This petition is most respectfully submitted for the immediate release and liberation of KONO Masatoshi and SATO Yuzo on the strength of a very pathetic letter addressed to me by their wives dated June 1st 1946, and is also likewise intended to supplicate to you for the immediate release and liberation of TAKAKU Kanehiro, TSUKADA Kaneo, ISE Chitoku, FUKUDA Kingoro and SHIMIDZU Masao alias HYO-KI-CHO (Japanese pronunciation), all of whom are now being incarcerated at Sugamo Prison whither they had been transferred from Akita Prison on or about April 17th 1946.

It is alleged that of the above-mentioned seven persons, the first named four persons KONO, SATO, TAKAKU and TSUKADA were originally incarcerated on October 15th 1945 and the latter named three persons ISE, FUKUDA and SHIMIDZU were originally incarcerated on October 30th 1945, all at Akita Prison by and with the authority of the U.S. Armed Occupation Forces Commander in that area, and that no interrogatories whatsoever took place throughout the six months of their incarceration at Akita Prison right on to April 16th 1946 when they were transferred to Sugamo Prison.

In order to get down to the bottom of truth, I have made the most energetic investigations, the result of which is my firm and vivid conception that the real perpetrators have entirely taken refuge and faded away in the dim twilight of concerted official secrecy, while the above named seven employees at the Hanaoka work camp of Kashimagumi were compelled to eat humble pie. This unfortunate state of affairs was due, to