

Ex 1782-A

AUSTRALIAN WAR CRIMES

BOARD OF INQUIRY

BEFORE HIS HONOR. MR. JUSTICE PHILIP

WILLIAM WATT LEGGATT, Sworn and examined:

I am VX. 44907, Lieut.-Col. William Watt Leggatt.
C.O. 2/40th. My private address is Mornington, Victoria.

I was taken prisoner at TIMOR on 23rd February, 1942.
Before I was captured we recaptured a village called Babaoe, which had been taken by the Japanese. While we were in possession of the village I saw three men of my battalion who had been tied each to each by string around their wrists. Their throats had been cut and there was evidence that they had also been shot. I was confined in Oesapa Besar.

Accommodation

No covering of any sort was provided at first, except a few native huts for the sick in a separate medical area. We built our own camp, in the manner of native huts.

Food

The only food at first was rice. No cooking utensils were provided and food was cooked in mess tins. Later we obtained some of our own kitchen utensils.

The only water available for any purpose at all, was from a swamp in the area.

Later on, about a month, we were placed on our own half-ration scale from our own rations which had been recovered from our base depot.

Medical and Hygiene

No drugs supplied at all, at first; but we had sufficient of our own drugs to carry on.

Latrines

No latrines were provided. We had to dig our own immediately and very few tools were provided for the purpose.

Work

P.O.W.'s. were employed unloading ships, mainly food.

Munitions

At one time we were asked to unload Munitions. I objected and that was stopped.

The general treatment by the Japanese of the P.O.W.'s was good and I saw only one incident of a man being struck, for stealing. The punishment administered to him was not very severe.

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Canteen

Canteen There was no canteen but we were able to buy some food from the natives.

EXECUTION OF V.X. 3597, PRIVATE TERRY, E.F., 2/40th BATT.

A copy of a letter written by me on 14th June, 1942 to the Japanese Commandant of the camp at OESAPA BESAR is attached hereto and marked with a letter "A".

The reply of Corporal Sakakura, for Lieut. M. Harada (the Camp Commandant) dated 16th June, 1942 is attached hereto and marked with the letter "B".

A copy of letter dated 16th June, 1942 from me to the Camp Commandant is attached hereto and marked with the letter "C".

I have no personal knowledge as to who actually executed Private Terry but I have been informed by some of my men that he was executed by a Japanese Sergeant, Soramento.

In July, 1942 I was taken to the Cycle Camp in Batavia.

ACCOMMODATION: Reasonable, but very overcrowded.

FOOD: Inadequate

MEDICAL & HYGIENE: Medical supplies were short but we were able to purchase some outside. Hygiene was fair.

WORK: Clearing up the town. Officers did not work except in charge of parties.

GENERAL: We were forced to salute all ranks.

The guards used to come through the camps several times a day beating up prisoners of war who did not stand strictly to attention.

I went to Changi on 12th September, 1942 and remained there until the end of hostilities.

This is the second and last sheet of the evidence of Lieut.Col. William Watt Leggatt C.O. 2/40th Batt., taken and sworn before me at Melbourne in the State of Victoria this 24th day of January, 1946.

/s/...W..Watt.Leggatt.....
DEPONENT

/s/...G.Philp..J.....
MEMBER

Australian Board of Inquiry
into War Crimes.

GIB/CR/1c

LIEUT.COL. W.W. LEGGATT
24/1/46

"C"

OESAPA BESAR

16 Jun 42

The Commandant
Australian Camp
OESAPA BESAR

KILLING OF Pte TERRY

Reference your memo of 16 Jun 42 it seems hardly credible that the summary shooting of Pte TERRY is contravention of even the customs of civilized warfare apart from the rules of the GENEVA CONVENTION should be countenanced by the Japanese authorities.

2. This Force surrendered on the condition that they would be properly treated, according to the rules of Prisoners of War.
3. Apart from the unjustified severity of the penalty should be carried out without a proper trial.
4. Please supply details of the evidence of any witnesses of the occurrence.
5. In view of the fact that the drivers are liable to be subjected to such summary treatment it is requested that they be returned to the P O W Camp.

(Sgd) W Watt Leggatt Lt Col

GIB/CR/3c

APPENDIX 2.

LT. COL. W.W. LEGGATT
24/1/46

/s/ G Philp J.