

EXHIBIT No. 3133

(4)

DEF. DOC. #2201

Concerning Punishment of P.O.W.

(Feb. 23, 1905 Law No. 38)

Article I. If a prisoner of war offers resistance or violence to supervisors, guards, or escorts of prisoners of war he shall be punished with imprisonment with hard labor. The offender whose offence is light shall be punished with imprisonment without hard labor for not less than 6 month and not more than 5 years.

Article II. If a number of prisoners of war conspire to commit the offences specified in the preceding article, the ringleader shall be punished with death, and the remainder of the offenders shall be punished with exile for a term. He whose offence is slight shall be punished with imprisonment with hard labor.

Article III. If prisoners of war conspire and make a mass escape, the ringleader shall be punished with exile for a term. The offender whose offence is serious shall be punished with death. The rest of the offenders shall be punished with imprisonment with heavy labor. The offender whose offence is slight shall be punished with imprisonment without heavy labor for not less than 6 month and not more than 5 years.

Article IV. If a prisoner of war on parole breaks his parole, he shall be punished with imprisonment with hard labor. If a prisoner of war, breaking his parole, makes resistance with a weapon, he shall be punished with death.

Article V. If a prisoner of war, after giving his parole not to try to escape, breaks the parole, he shall be punished with imprisonment with heavy labor.

Article VI. The provisions specified in Article I--III shall not apply to offences committed while they were previously prisoners of war by those who have been taken prisoner of war again.

Article VII. When a prisoner of war is placed on trial by court martial, provisions applicable to soldiers and sailors of the Imperial Army shall be applied to him according to his rank.

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CERTIFICATE OF SOURCE AND AUTHENTICITY

I, MIYAMA, Yozō, who occupy the post of the Chief of the Archives Section of the First Demobilization Bureau, hereby certify that the document hereto attached, written in Japanese, consisting of 2 pages and entitled "Concerning Punishment of P.O.W.s (Feb. 28, 1905 Law No. 38)" is an exact and authorized excerpt from an official document in the custody of Japanese Government (the First Demobilization Bureau).

certified at Tokyo,

on this 22nd day of August, 1947

/s/ MIYAMA, Yozō  
(seal)

I hereby certify that the above signature and seal were affixed hereto in the presence of the Witness.

at the same place,

on this same date

Witness: /s/ ABE, Akira  
(seal)