Doc. 3349 Evid

Folder 5

(63)

IPS Doc. No. 3349-A

Exhibit No. 3311A

EXCERPT FROM THE RECORD OF THE TRIAL
UNITED STATES OF AMERICA vs SHIGERU SAWADA, et al

Before the
MILITARY COMMISSION
Convened by the
COMMANDING GENERAL
United States Army Forces
CHINA

UNITED STATES OF AMERICA	:	
	:	
-vs-	:	
	:	PUBLIC TRIAL
SHIGERU SAWADA	:	
YUSEI WAKO	:	
RYUHEI OKADA	:	
SOTOJIRO TATSUTA	:	

VOLUME I

PAGES 1 TO 110

SHANGHAI, CHINA.

DATE 1 MAY 1946

* * * * *

CHASE J. NIELSEN

called as a witness on behalf of the Prosecution, being first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION (p. 39)

* * * * *

Q How serious were the injuries of Lieutenant Hallmark and Lieutenant Meder?
A Well they were so bad they couldn't walk--that is, walk well. They were pretty crippled up.

Q On what date were you captured, Captain?
A We were taken over by the Japs on April 21st.

Q What did the Japanese do with you after they captured you?
A Well we were loaded in coolie chairs and taken to the Japanese garrison.

(At this point Sgt. Morosumi took over the interpretations and relieved Sgt. Arita.)

Q After that happened what did the Japanese do?
A We were transferred from there by boat up to Shanghai.

Q How were you treated when they took you to Shanghai?
A Well, our trip up by boat, three of us were kept in one small room. We were handcuffed and tied by the elbows and tied tight enough to cut off the circulation.

Q How long were you kept bound in that fashion?
A We were that way while we were transferred from one place to another but while we were on the boat our arms weren't tied although we were handcuffed and at night the three of us had our legs cuffed together.

Q How many days did it take you to arrive at your next destination?
A Well we were about four days coming up the coast from where the Japs picked us up until we came to Shanghai.

Q Where did the Japs take you when you came to Shanghai?
A Well I think we were taken out to the airport.

Q Had Lieutenant Hallmark's and Lieutenant Meder's injuries been treated up to that time?
A No, they had not. (pp. 50-51)

* * * * *

Q What treatment was given to you by the questioners at the airfield?
A Well, through the questioning, when I wouldn't answer any questions I was slapped and kicked around.

Q Explain to the Commission where you were slapped?
A I was slapped around the face and head very severely.

Q Who slapped you?
A Four of the Japanese guards that took me from the prison into the building.

Q You stated that you were kicked, where were you kicked - what part of your body?
A I was kicked on the shins.

Q Who kicked you?
A These same Japanese guards.

Q How hard did they kick you?
A Hard enough that I still have the scars today.

Q Captain Nielsen, would you stand out in front of the bench and show the Commission any scars that you have on your leg from the kicking?
A I certainly will.

(The witness showed the scars on his leg to the Commission.)

Q What questions would they ask you when they were giving you this physical treatment?
A They more or less wanted to find out where we came from.

Q What questions did they ask you I said?
A Well, where I had come from, if I was Army personnel, and what I was doing in China.

Q How many times would you estimate you were slapped on the head?
A At least 20 or 30 times.

Q Were you bound during this time?
A My hands were behind the chair and my legs were tied to the chair legs.

Q How hard were you slapped?
A Hard enough to make my head ring severely.

Q Did the questioners threaten you with any other treatment while you were being questioned?
A Yes, I was given several different types of torture.

Q Did the questioners tell you they would do anything to you if you did not answer the questions?
A Well, they said that we were captured and no one in America would know where we were and if anything happened to us we would just be listed as missing in action.

Q During this treatment did you answer their questions?
A All I gave them was my name, rank and serial number.

Q What other physical treatment was administered to you at that time?
A Well, I was given what they call the water cure.

Q Explain to the Commission what that was?
A Well, I was put on my back on the floor with my arms and legs stretched out, one guard holding each limb. The towel was wrapped around my face and put across my face and water was poured on. They poured water on this towel until I was almost unconscious from strangulation, then they would let up until I'd get my breath, then they'd start over again.

Q When you regained consciousness would they keep asking you questions?
A Yes, sir, they did.

Q How long did this treatment continue?
A About twenty minutes.

Q What was your sensation when they were pouring water on the towel, what did you physically feel?
A Well, I felt more or less like I was drowning, just gasping between life and death.

Q During the administration of this treatment did you answer their questions?
A No, I did not.

Q What further mistreatment was administered to you while this questioning was going on?
A Well, the guards then brought in a large bamboo pole about three inches in diameter, this was placed directly behind my knees, I was made to squat on the floor in this position (indicating squatting position) like a kneel.

PROSECUTOR: For the purpose of the record, I will describe the position the captain demonstrated as a squatting position.

Q Continue with your explanation.
A One guard had ahold of each of my arms, one other guard then placed his foot on my thigh and would jump up and down causing severe pain in your knees.

Q Explain to the Commission just the sensations you felt from this treatment?
A Well, it felt like my joints were coming apart but after about five minutes of that my knees were so numb I couldn't feel anything else.

Q During this time did the Japanese keep on questioning you?
A Yes, sir, they did.

Q What answers did you give them to their questions?
A I told them I had given them all the information I had--my name, rank and serial number.

Q How long did this treatment last with the bamboo pole behind your knees?
A This lasted about fifteen or twenty minutes.

Q Do you know what happened to the other two members of your crew who were with you?
A I didn't know at the time but talking to them later I found out they were given similar treatment. Hallmark said they put him on a stretcher and stretched him out until he felt like his limbs were coming apart.

Q Were any other threats made to you during the questioning?
A Well, by that time it was almost sundown. They said, if I won't talk they would take me out and I would be executed.

Q What else did they tell you? What did they tell you?
A I was then blindfolded and taken out.

Q Then what happened?
A Well, the pain in my legs I could hardly walk so one guard took ahold of me under each arm and we marched about three or four hundred feet down a gravel path.

Q What happened while you were marched down the gravel path?
A I was blindfolded, I couldn't see, but I could hear different groups of Japanese soldiers marching around in the area, they were drilling.

Q What else was said while you were marching there in the area?
A Well, after marching about 400 feet we stopped and as one of these squads marched up, they also stopped by us.

Q What was said or done at that time?
A Well, as they stopped I could hear the rifle butts hit the ground and I thought this was execution.

Q Then what happened?
A Well, after a short conference between several of the officers that was with me and whoever was marching the squad, the interpreter came back and he said, "We are Knights of the Bushido of the Order of the Rising Sun; we don't execute at sundown; we execute at sunrise."

Q And then what happened?
A Well, I was taken back to my cell and the interpreter said unless I had decided to talk by morning I would be executed by sunrise.

Q Did anything happen to you while you were in your cell?
A Well, the blindfold was taken off but I still kept the handcuffs.

Q What else happened, if anything?
A Well, I was given several vegetable sandwiches and a cup of coffee.

Q Did anything else happen to you there in your cell?
A One of the guards that had been in the room with me before, administering this punishment, came back out and there was a peg in the wall and I was suspended by my handcuffs from that peg so my toes would just barely touch the floor.

Q How long were you left suspended in that position?
A Well, that was about seven o'clock at night when I was suspended from the wall. After about three hours I lost conscicusness. The next thing I could remember, the sun was just coming up and the guards were taking me down from the wall.

Q Did the Japanese ask you any questions when they took you down from the wall?
A I was not asked any questions.

Q What was your physical condition when they took you down from the wall?
A Well, my legs were still in great pain from the treatment the night before and when I let my arms down I thought they were both going to drop off.

Q What other sensations did you have that you can explain to the court?
A Well, from hanging up all night my arms were numb, my shoulders were numb, I was numb clear to the waist.

Q Were you able to stand up after they took you down from the wall?
A I was able to stand all right.

Q What kind of furnishings were in that cell?
A Two old dirty ragged blankets that were infested with all the vermins there is in China; latrine facilities was an open hole in the corner, had no lid on it, and the stench that came out of it was enough to put you to sleep.

Q From the kicking that the guards administered to you were there any open sores on your legs?
A Yes, sir, I had three open sores.

Q Was any medical attention given to your sores on your legs?
A No, no medical attention was given them.

Q Do you know what treatment the other boys received during that night?
A Well, I don't think they were molested during the night although they did receive about the same punishment I did in the afternoon.

Q You stated that Lt. Hallmark told you he had been given the stretcher treatment. Could you explain that to the Commission?
A From what he said, it was some sort of a mechanism that they put ropes around his wrists and around his ankles and it was operated with some sort of a lever but every time they move the lever this thing would stretch out. (pp: 54-57)

* * * * *

Q What date was that, Captain Nielsen, if you remember when you arrived in Tokyo?
A We arrived in Tokyo about seven o'clock in the evening, April 25, 1942.

Q Had you been permitted to shave or change your clothing or wash since the time you were captured by the Japanese?
A No, sir.

Q What condition was your clothing in at that time?
A They weren't in very good condition. Some of them were torn up in the plane wreck, after our swim in the ocean we were all muddy and dirty.

Q Had you picked up any vermin or lice while you were being held by the Japanese?
A Yes, sir, we had.

Q Were you kept bound and handcuffed during the trip into Tokyo?
A We were blindfolded before we left Shanghai and we wore our handcuffs and were tied and continued to wear the blindfold until we were inside the military police headquarters.

Q What was done with you after you arrived at the military police headquarters?
A We were put in solitary confinement, and about 15 minutes we were taken out and started to be questioned again. (p. 58)

* * * * *

Q I believe the question was, Were you mistreated on the first night in Tokyo?
A Yes, I was.

Q What happened to you during this mistreatment?
A I was slapped about the head and face and kicked on the legs.

Q Were you bound in any way?
A Yes, my hands were kept behind the chair and my feet were tied to the legs.

Q How many persons took part in the questioning of you?
A Oh, there were three guards, one interpreter, and two reporters.

Q Where did they kick you and where did they slap you?
A Slapped me about the face and head, and kicked me on the shins.

Q How hard did they kick you and how hard did they slap you?
A They slapped me hard enough to start my head aching and they kicked me on the shins drawing blood and reopening the wounds that I received in Shanghai the day before.

Q What type of questions did they sk you?
A They asked me where I had come from, if I had combed Tokyo the previous week, if I had been stationed in China or in the Philippine Islands, and if I was American Army personnel.

Q How long did this questioning continue that first night?
A This questioning continued until four o'clock in the morning.

Q During all that period did they continue to mistreat you?
A I was slapped and kicked around nearly all the time.

Q Do you know what treatment was given to the other boys that were in your airplane?
A I found out later they received the same sort of treatment. (p. 60)

* * * * *

Q During that 18 days of questioning were you allowed to take a bath or shave?
A No, sir.

Q At the conclusion of the 18 days of questioning did you sign any papers?
A Yes, sir, I signed papers.

Q What papers did you sign and what did they consist of?
A Well, they were written in Japanese but they were interpreted.

Q What did the interpreter say the papers read?
A Well, about three weeks after we had bombed Tokyo I was shown maps and charts that the Japs had picked up from one of our airplanes that had been abandoned, evidently that was the only place they had any information, and through our questioning, after they picked up these maps and charts we confessed to bombing Tokyo, told them the areas we had bombed and confessed of leaving an aircraft carrier. Other than that, a small sketch of our life's history--where we went to school, where we had our army training, that was all it consisted of.

Q When these statements were read back to you did they state you had admitted you bombed schools and churches?
A No, sir, they did not.

Q What targets did the statements say you had bombed?
A Well, the way the statement was interpreted to me was that I had bombed steel mills in the northeast area of Tokyo at the edge of a bay.

Q Did you sign the statement?
A At first I refused, but after being threatened, I signed it.

Q How were you threatened?
A Well, from previous treatment we knew what would happen to us if we did not sign.

Q Were you given a copy of the statement that you signed?
A No, sir, I was given no statement.

Q Do you know whether or not the other men that were with you signed statements?
A Yes, sir, all the men signed after being put under the same threat.

Q Do you know what their statement consisted of?
A From what they said at a later date their statement contained almost the same thing as mine, other than Farrow's crew which had bombed down at Nagoya.

Q Were you kept in solitary confinement during your time in Tokyo?
A We were kept in solitary confinement up until the last two weeks, then Farrow and I were placed in the same cell and the other boys were doubled up in cells.

Q How long were you kept in Tokyo?
A We were in Tokyo from April 25 to June 17, 1942. (pp. 61-62)

* * * * * *

Q What was the condition of the wounds on your legs at that time when you left Tokyo?
A They were all infected and in addition to that I had many bites from lice and bed bugs that were also infected.

Q Had you been afforded any medical treatment?
A No, sir, I had not.

Q Were you allowed to bathe or shave or clean your clothing during this time?
A No, sir, all the while we were in our cells we wore leg cuffs; we couldn't get our clothing off.

Q Were you given any medical treatment?
A None whatever.

Q Where did they take you after you left Tokyo?
A We were put aboard the train to Nagoya and from Nagoya to Shanghai by boat. (pp. 62-63)

* * * * * *

Q What happened to you after you got back to Shanghai?
A Well, as soon as we arrived at Shanghai we were loaded on the truck and taken down to the Bridge House. (p. 63)

* * * * * *

Q What happened to you at Bridge House?
A We were taken in and eight of us were put in a cell with fifteen other people. They were Chinese, Japanese, Jews, Dutch, French, every nationality there is in Shanghai.

Q What was the condition of the men when they got back to Shanghai - their physical condition?
A We were all quite weak, we lost quite a bit of weight; we were able to get around on our own power.

Q Explain to the Commission the condition of this cell that you were put in at Bridge House?
A This cell was approximately 12 feet deep and about 15 feet wide. There were already 15 people in there when we came in, making 23 in total. The latrine facilities was an open box in the corner. (p. 63)

Q What furniture was in the cell you had at Bridge House?
A No furniture at all. We were forced to sleep on the wood floor without any blankets.

Q How long were you held at the Bridge House?
A We were held at the Bridge House for 70 days.

Q During this period were you allowed to bathe or shave?
A No, sir, we were not.

Q What were you given to eat while you were at the Bridge House?
A At the Bridge House we'd get about a pint of conji, watery rice, for breakfast, four ounces of bread at lunchtime and four ounces of bread at night. We were given maybe as much as two quarts of water for the eight of us in the entire day.

Q What was the physical condition of the men at the end of the stay in Bridge House?
A At the end of our stay at Bridge House 7 of us were able to move around and that was about all. Lt. Hallmark was sick and had to be helped continuously and he had been that way for approximately 10 days. (p. 64)

* * * * *

Q What was the physical condition of the men that were taken before the court?
A Lt. Hallmark was taken in on a stretcher. The rest of us were on our feet but we were in a pretty weak condition.

Q What else transpired at the court martial room?
A After we had made our statements as to our education and air corps training, one of the court tribunal stood up, read a manuscript in Japanese.

Q Was that manuscript interpreted to you in English?
A I asked the interpreter to interpret it. He asked permission from the court tribunal and it was denied.

Q Did any of the other fliers make any statement to the court besides answering the questions as to their name, training, schooling?
A No other statements were made.

Q Do you know the names of the eight fliers who were brought before the court martial?
A Yes, sir, I know the names of the other fliers.

Q Tell the court the names of the fliers who were brought before this court?
A Lt. Farrow, Lt. Hite, Lt. Barr, Lt. Hallmark, Lt. Meder, Sergeant Spatz, Sergeant DeShazer and myself.

Q Were you afforded a defense counsel at the hearing?
A No, sir, we were not.

Q Did any witnesses appear before that tribunal while you were in the court room?
A There were no witnesses.

Q Were you ever served any charges or advised of the charges against you?
A No, sir, we were not.

Q Do you know whether any of the other fliers were advised of the charges under which they were tried?
A At that trial no one was advised.

Q Were the proceedings interpreted to you in English?
A Nothing was interpreted in English.

Q Was Lt. Hallmark able to sit up in the court room?
A No. Lt. Hallmark was lying on a stretcher. I doubt if he ever know was was going on, and Lt. Barr was so weak they finally had to get a chair for him to sit in.

Q At this trial did you see any of the statements that you had signed in Japan?
A No, sir, I never did see those statements again.

Q When you were brought before that court martial, were you given an opportunity to plead guilty or not guilty?
A No, sir, we were not. As a matter of fact, we didn't even know it was a court martial.

Q When they brought you before the tribunal, were you bound in any way?
A No, we weren't bound but there were about 20 armed guards in the building or right outside.

Q At this hearing did you or any of the other fliers admit that you had bombed schools, churches or civilians in the raid on Japan?
A No, sir, we did not. Nothing was said about the bombing of Japan.

Q How long did this hearing last?
A From 20 minutes to a half hour. (pp. 66-67)

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IPS Doc. No. 3349-A

Judge Advocate General's Department -- War Department

United States of America

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In the matter of the treatment and trial by the Japanese of Lt. George Barr, Lt. William G. Farrow, Lt. Robert Lt. Hite, Sgt Harold A. Spatz, Cpl Jacob D. DeShazer of the 34th Squadron of the 17th Bomber Group, USAF, and Lt. Dean E. Hallmark, Lt. Robert J. Meder, and Lt. Chase J. Nielsen all of the 95th Squadron of the 17th Bomber Group, USAF- all of whom were Doolittle Fliers who participated in the raid on Japan 18 April 1942.	Perpetuation of Testimony of George Barr, Captain, ASN O-431644, 211-47 94th Road, Queen's Village, Long Island, New York.

* * * * * * * * * * * *

Taken at: Schick General Hospital, Clinton, Iowa.

Date: 30 December 1945.

In the Presence of: W. L. Brown, Lt. Col. Inf., ASF, O-6489, Summary Court, Schick General Hospital, Clinton, Iowa, and Chester I. Lappen, Agent, SIC, Seventh Service Command. (p. 1 of Pros. Transc. Exh. 21).

* * * * *

Q Did you all go to Nanking, China on the same plane?
A Yes, sir. (p. 10 of Pros. Transc. Exh. 21)

* * * * *

Q Were you mistreated at any time?
A That was where I was tortured during questioning.

Q What time were you brought out for questioning?
A About 8:30 in the evening.

Q The evening of the 20th April 1942?
A Yes, sir.

Q Were you handcuffed and blindfolded?
A Yes, sir.

Q During the entire examination?
A No, sir, they took the blindfolds off for a while. (p. 11 of Pros. Transc. Exh. 21)

* * * * *

Q Were you mistreated downstairs?
A Yes, when I refused to answer questions.

Q What was done to you then?
A I received an assault by fists while I was handcuffed and blindfolded and later they laid me on the floor and a fellow came in with water and rags and suffocated me. He laid me on the floor and my mouth was gagged with the rags and my nostrils were left open for water to be poured down them.

Q How long was this continued?
A Until I decided that I had enough and would answer questions.

Q About how long?
A It lasted about 20 minutes.

Q Did they stop from time to time?
A Yes, sir, just long enough to ask me if I would talk.

Q Then they would continue?
A Yes, and the water was going down into my lungs. It just stopped your breathing.

Q Do you know who administered this?
A This was administered by soldiers, and the officer described just previously, looked on.

Q Could you describe the soldiers?
A No, I couldn't.

Q Who gave the command for them to administer this treatment?
A This Japanese officer in charge.

Q A few minutes ago, you spoke about being assaulted with fists. Who administered that?
A The Jap enlisted soldiers, but I couldn't describe any of them. When they administered the assault, the officer hadn't entered the room yet and when he entered the room he gave them the signal to stop.

Q How many were beating you?
A Three (3) or four (4).

Q Where did they hit you?
A In the face and body.

Q Did their blows break the skin or blacken your eyes?
A No, sir.

Q What information were they able to get from you after they gave you the so-called water treatment?
A They wanted to know where I came from. After they found that out, they let me go.

Q What information did you give them?
A That we took off from an aircraft carrier.

Q Were the other men questioned and mistreated as well?
A I believe they were from what I heard from Lt. Chase J. Nielsen. He was beaten and hung up by his thumbs. Lt. Robert J. Meder was given the water treatment.

Q Did you witness any of this?
A No.

Q Were they at the Nanking prison the same time you were?
A No,,sir, they came a few days later.

Q You were gone when they arrived?
A Yes, sir, I received this information from them at Shanghai, China when I was in a cell with members of the crew of the plane piloted by Lt. Dean E. Hallmark.

Q Were any other members of your plane crew mistreated at Nanking, China?
A When I was brought into a room after this meeting of the board of inquiry, I passed an opened room and fellows were standing around Cpl Jacob D. DeShazer. He told me later they were using pencils between his fingers and squeezing his knuckles. (pp. 12-13 of Pros. Transc. Exh. 21)

* * * * *

AUTHENTICATION

THIS CERTIFIES that this volume is a part of the Record of the Proceedings of the Military Commission appointed by Paragraph 2, Special Orders 42, Headquarters United States Forces, China Theater, dated 16 February 1946, in the trial of the case of United States of America against Shigeru Sawada, et al.

Dated 1 May 1946.

/s/ Edwin R. McReynolds
EDWIN R. McREYNOLDS
Colonel, IGD
President of Commission

SAWADA,
Shigeru

Tokyo, Japan
17 February 1948

Mr. S. A. Reese
Attorney
Legal Section, SCAP
Tokyo, Japan

Dear Mr. Reese:

Re - Record, SAWADA Trial

I hand you herewith Volumes I to V inclusive of the record in the case of the United States of America against Shigeru SAWADA, et al, tried before the Military Commission convened by the Commanding General, U. S. Army Forces, China, at Shanghai in 1946. This record which was in the possession of Legal Section, SCAP, was very kindly delivered by you to me on 8 September 1947 for use in the trial of the United States of America, et al, against ARAKI, Sadao, et al, before the International Military Tribunal for the Far East now in session in Tokyo. Excerpts from this record were introduced in the pending case and have now become Exhibit No. 3834-A (Record page 38,030) and Exhibit No. 3834-B (Record page 38,058) in the case pending before the International Military Tribunal for the Far East.

On behalf of the Prosecution I filed a petition before the Tribunal for the right to withdraw these volumes from the records of the Tribunal. Enclosed herewith is a copy of the order entered 12 February 1948 granting permission for the withdrawal of these documents from the Tribunal with the understanding that they would be returned if subsequently needed by the Tribunal.

I desire to express on behalf of the International Prosecution Section our appreciation to you and the Legal Section of SCAP for making this record available to us for use in this case.

Will you kindly acknowledge receipt of the record and copy of order entered which are transmitted herewith by signing and returning to me two of the enclosed carbon copies of this letter.

Yours very truly,

DAVID NELSON SUTTON
Associate Counsel
International Prosecution Section
GHQ, SCAP

7 Incls.

I acknowledge receipt of the foregoing letter and the copy of the record of the SAWADA trial and also copy of the order of the Tribunal mentioned therein.

R Hanley. A Rees

Attorney
Legal Section, SCAP

analysis dictated by
Steiner

INTERNATIONAL PROSECUTION SECTION

Doc. No. 3349

8 January 1948

ANALYSIS OF DOCUMENTARY EVIDENCE

DESCRIPTION OF ATTACHED DOCUMENT

Title and Nature: Record of the Trial, United States vs Sawada, Shigeru, and others - 5 Volumes

Date: 1 May 1946 Original ( ) Copy ( ) Language: English

Has it been translated? Yes ( ) No (x)

LOCATION OF ORIGINAL

IPS Document Division

SOURCE OF ORIGINAL: Legal Section

PERSONS IMPLICATED: HATA, Shunroku

CRIMES TO WHICH DOCUMENT APPLICABLE:

SUMMARY OF RELEVANT POINTS

This record was obtained on loan from Legal Section and has to be returned after use in court.

It deals with the trial of General Sawada who was accused and convicted of executing the fliers who participated in the Doolittle raid over Tokyo in April 1942.

Analyst: Steiner

Doc. No. 3349

Order of Proof No. 8

HATA Rebuttal

5

9. IPS Doc. No. 3349-B.

In regard to the trial of the Doolittle fliers in China, MIYANO was asked on cross-examination (R. 28,904) the following question:

"Did General HATA request the prosecutor of the 13th Army to ask for the death sentence for these fliers?"

He replied:

"I do not know."

He was then questioned concerning his testimony given at the SAWADA trial in Shanghai in which the defendants were tried with the unlawful trial and punishment of the Doolittle fliers. He was asked especially if he did not testify in the SAWADA trial at Shanghai as follows:

"'Q Did Nanking issue any orders to the 13th Army in regard to the treatment of the fliers?

"'A I do not remember.

"'Q Was the trial of the Doolittle fliers ordered by General HATA to be tried at Shanghai?

"'A Yes.

"'Q Did you mean by your previous answer that HATA requested the 13th Army prosecutor to ask for the death penalty?

"'A He requested so.

"'Q (To Interpreter) Will you interpret that answer

again?

"'Interpreter: He said "He requested so."

"'Q That the sentence be executed?

"'A He requested so.

"'Q Doe he mean that the General requested so?

"'A Yes, HATA.

"'Q Did General HATA request the prosecutor of the 13th Army to ask for the death sentence?

"'A He requested the death sentence.'"

He denied substantialy that he had testified to that effect, and at R. 28,914 he admitted that he was asked the questions above quoted but denied that he made the answers above quoted.

In rebuttal of this testimony of MIYANO before this Tribunal, we offer in evidence IPS Document No. 3349-B, an excerpt from the testimony of MIYANO given in the trial of the U. S. vs. Shigeru SAWADA and others before the Military Commission convened by the Commanding General, U. S. Army Forces, China, at Shanghai in 1946.

Exhibit No. 3834A

Doc. 3349-A

檢察部書類第三三四九號A

亞米利加合衆國對澤田茂其他ノ裁判記錄ノ拔萃

在中國米國陸軍司令官ノ召集セル軍事委員會ニ於ケル

亞米利加合衆國對

澤田茂

ワコウ、ユセイ

岡田リウヘイ

龍田ソトジロウ

……

公開裁判

Xdoc. 3349-A

卷一
頁一一一〇

於中國上海、一九四六年五月一日

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チエース。J。ニールセン

檢察側證人トシテ召喚セラレ、正式ニ宣誓シタル後
訊問ヲ受ケ左ノ如ク證言シタ

直接訊問（三九頁）

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問、「ホールマーク」中尉及ビ「メダト」中尉ノ負傷ハドレ位ナ重態デアリマシタカ。

答、彼等ハ歩ク事ガ出來ナカツタ程ヒドクアリマシタ、ソウデス、ヨク歩クコトガ出來ナカツタ程デス。彼等ハカナリ酷ク跛ヲヒイテ居リマシタ。

問、大尉ヨ、アナタ達ハ何日捕マツタノデスカ。

答、私共ハ四月廿一日ニ日本人ニ捕ヘラレマシタ。

問、アナタ方ヲ捕ヘテカラ、日本人ハ扱ヒマシタカ

答、私共ハ駕籠ニ積込マレテ、日本守備隊ヘ連レテ行カレマシタ。

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（コノ時有田／音譯／軍曹ガ通譯ニ出ツタ）

問、ソノ後日本人ハドウシマシタカ。

答、私共ハソコカラ小船デ上海へ移サレマシタ。

問、上海へ連レテ行ク途中彼等ハアナタ方カラ如何様ニ取扱ヒマシタカ。

答、小船デ送ラレタ折吾々三人ハ小サナ部屋ニ入レラレマシタ。

私共ハ手錠ヲハメラレ、肘ヲ血行ガトマル程ニ縛ラレマシタ。

問、ドレ程ノ間ソンナ風ニ縛ラレテ居マシタカ。

答、私共ハ一ケ所カラ他ノ場所ヘ移サレル折ニハソンナ風ニ縛ラレマシタ。然シ小船ニ乗ツテ居タ間ハ腕ハ縛ラレマセンデシタ。但シ手錠ヲハメラレ夜間ハ三人一ツシヨニ足枷ヲハメラレマシタ。

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問、次ノ場所ヘ着ク迄ニ幾日カ、リマシタカ。
答、日本人ガ私共ヲ捕ヘタ場所カラ陸岸傳上ニ上海ヘ着ク迄約四日カ、リマシタ。
問、上海ヘ着イテカラ日本人ハアナタ方ヲ何處ヘツレテ行キマシタカ。
答、私共ハ飛行場ヘ連レテ行カレタノダト思ヒマス。
問、「ホールマーク」中尉及ビ「メダー」中尉ノ傷ハソレ迄ニ手當ヲ施サレマシタカ。
答、否、手當ハサレマセンデシタ。（五〇―五一頁）
× × ×
問、飛行場デ訊問者カラドノヤウナ取扱ヲ受ケマシタカ。
答、訊問中返答シナカツタ折ニハ私ハ叩カレタリアツテコツテ訊ラレタリシマシタ。
問、何處ヲ叩カレタカ委員ニ話シテ下サイ。
答、私ハ顔ト頭ノアタリヲ非常ニハゲシク叩カレマシタ。
問、誰ガ叩イタノデスカ。
答、私ヲ監禁室カラ建物ヘ連レテ行ツタ四人ノ日本人衛兵デス。

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問、アナタハ銃ラレタト云ヒマシタガ、ドコヲラレタノデスカ、身体ノドノ部分デスカ。

答、私ハ向脛ヲ銃ラレマシタ。

問、誰ガ銃ツタノデスカ。

答、同ジ日本人衛兵デス。

問、ドンナニ語ク彼等ハアナタヲ銃リマシタカ。

答、今デモ傷痕ガ殘ツテイル程ヒドク銃ラレマシタ。

問、「ニールセン」大尉ヨ、委員席ノ前ニ立ツテ銃ラレタ爲メニアナタノ脛ニ殘ツテ居ル傷ノ痕ヲ委員ニ見セテ下サイマセンカ。

答、ハイ、御見セシマセウ。

（證人ハ向脛ノ傷痕ヲ委員ニ示シタ）

問、彼等ハアナタニコノ樣ナ肉体上ノ仕打ヲ加ヘナガラドンナ訊問ヲシタノデスカ。

答、彼等ハ大体吾々ガドコカラ來タカヲ知ロウトシタノデス。

問、彼等ガドンナ訊問ヲシタカヲ御尋ネシテキルノデス。

答、私ハ何處カラ來タカ、軍ノ者カドウカ、及ビ中國デ何ヲシテ居タカト云フ事デス。

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問、何度頭ヲ叩カレタカ見當ガツキマスカ。
答、少クモ二十度乃至三十度。
問、其間アナタハ縛ラレテ居リマシタカ。
答、私ノ手ハ椅子ノ後ニ廻ハ椅子ノ脚ニ縛ラレテ居マシタ。
問、ドノヤウニ酷ク叩カレマシタガ。
答、頭ガ、ガンガン鳴ツタ程ヒドクデス。
問、訊問者ハアナタガ訊問サレテ居タ間ニ何カ他ノ仕方デアナタヲ痛カシマセンデシタカ。
答、ハイ、私ハ種々ノ質ツタ迄ノ訊問ヲ受ケマシタ。
問、訊問者ハアナタガ訊問ニ答ヘナカツタナラバ、アナタヲドウカスルト云ヒマシタカ。
答、彼等ノ云ツタノニハ、吾々ハ捕ヘラレタノダ亜米利加デハ誰モ我々ガドコニ居ルカヲ知ツテ居ル者ハナイ若シモ我々ニ何事カ起ツタトシテモ我々ハ單ニ行動中行衛不明ト記入サレル計リダト。
問、コウ云フ取扱ヲ受ケナガラアナタハ彼等ノ訊問ニ答ヘマシタカ。
答、私ハ氏名ト階級ト認識番號ヲ答ヘタ丈ケデス。

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問、ソノ際ニ何カ他ノ肉体上ノ取扱ヲアナタニ與ヘマシタカ。

答、ハイ、彼等ノ所謂水責メヲ受ケマシタ。

問、ソレハドノヤウナ事カ委員ニ話シテ下サイ。

答、私ハ手足ヲノバシタママ床ノ上ニ仰向ケニサレ、四肢ハ各一人ノ衛兵ニ押ヘラレマシタ。手拭デ私ノ顔ノ周圍及ビ前面ヲツヽミ、ソレニ水ヲ注ギマシタ。彼等ハ私ガ窒息シテ殆ド無意識ニナル迄ソノ手拭ニ水ヲ注ギマシタ、ソシテ息ヲ吹キ返ス間起シ、ソシテ又繰返シテヤルノデシタ。

問、アナタガ意識ヲ取リ返シタ際ニハ彼等ハ訊問シマシタカ。

答、ソウデス、訊問ヲシマシタ。

問、ソウ云フ取扱ハドレ程ノ時間續キマシタカ。

答、約二十分。

問、彼等ガ手拭ノ上ニ水ヲ注イダ折ノアナタノ感ジハドンナデシタカ、肉体的ニ如何樣ニ感ジマシタカ。

答、私ハ生死ノ間ニ悶ヘテ、マア、水ニ溺レタト云フ風ニ感ジマシタ。

問、コノ樣ナ取扱ヲ受ケナガラアナタハ彼等ノ訊問ニ

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答ヘマシタカ。

答、否私ハ答ヘマセンデシタ。

問、ソノ訊問中猶其他ノ拷問ガアナタニ加ヘラレマシタカ。

答、ハイ、衞兵ハ其時直經三吋程ノ太イ竹ノ棒ヲ持ツテ來マシタ、ソシテ私ノ膝ノ直グ後ニ置イテ私ハ床ノ上ニコウ云フ格好ニ膝マヅクヤウニ跼マセラレマシタ（跼ンダ姿勢ヲ示シナガラ）

檢察官發言、記錄ノ爲メニ私ハ大尉ガ示サレタ跼ンダ姿勢ヲ記入シマセウ。

問、說明ヲ續ケラレタイ。

答、私ノ兩腕ヲ各一人ノ衞兵ガ押ヘ他ノ一人ノ衞兵ガソノ片足ヲ私ノ腿ノ上ニノセテ飛ビ上リ飛下リシタノデ私ノ膝ハ烈シク痛ミマシタ。

問、コノ取扱ノ爲ニアナタガ受ケタ感ジヲ委員ニ話シテ下サイ。

答、關節ガバラバラニナルヤウニ感ジマシタガ、約五分程タツタ後ニハ私ノ膝ハ痲痺シテ何モ感ジル事ガ出來マセンデシタ。

問、ソノ間日本人ハアナタニ訊問ヲ續ケマシタカ。

答、イイ、彼等ハ續ケマシタ。

問、アナタハ彼等ノ訊問ニ對シドンナ返答ヲ與ヘマシタカ。

答、私ハ私ノ知ツテヰル限リノコトヲー即チ私ノ氏名階級及ビ認識番號ヲ申述ベタト、言ヒマシタ。

問、コノ竹ノ棒ヲ脚ノ後ニ當テル拷問ハドレ程續キマシタカ。

答、コレハ約十五分カラ二十分程續キマシタ。

問、アナタハアナタト一ツ所ニ居タ部下ノ他ノ二人ガドウナツタカヲ知ツテヰマスカ。

答、其當時ハ知リマセンデシタガ、後日彼等ト話シ合ツテ彼等モ同樣ノ取扱ヲ受ケタ事ガワカリマシタ

「ホールマーク」ハ擔架ノ上ニネカセラレ、四肢ヲ引ツ張ラレタノデ終ニハ四肢ガバラバラニナルヤウニ感ジタト云ツテ居マシタ。

問、アナタノ訊問中其他ニ何カ威嚇ガ加ヘラレマセンデシタカ。

答、其時ハモウ殆ンド日沒時デアリマシタ。彼等ハ若シモ私ガ話サナカツタラ私ヲ連レテ行ツテ死刑ニ處スルト云ヒマシタ。

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問、其他彼等ハドノヤウナコトヲ云ヒマシタカ、何ト云ヒマシタカ。

答、ソコデ私ハ目隠シヲサレテ外ヘ連レ出サレマシタ。

問、ソレカラドウナリマシタカ。

答、私ハ脚ノ痛ミノ爲メ殆ンド歩ケマセンデシタノデ、兩腕ヲ下カラ一人ヅツノ衛兵ガ支ヘ吾々ハ三人ヅツ四百呎小石ヲ敷イタ徑ヲ進ミマシタ。

（以下次頁ヘ續ク）

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問、砂利道ヲ進ンデ行ク間、ドンナ事ガアリマシタカ。

答、私ハ目隠シサレテヰマシタノデ、見ルコトハ出來マセンデシタガ日本兵ノ幾組カガソノ邊ヲ行進シテヰルノヲ聞クコトガ出來マシタ。彼等ハ教練ヲシテヰマシタ。

問、ソコヲ歩イテ行ク間、外ニドンナコトガ云ハレマシタカ。

答、凡ソ四百呎バカリ進ンデカラ、私達ハ止マリマシタ。ソシテコレ等ノ分隊ノ一ツモ近附イテ來ルト、私達ノ傍デ止マリマシタ。

問、ソノ時、何カ云ハレマシタカ、又ハ爲サレマシタカ。

答、彼等ガ止マツタ時、私ハ銃ノ床尾ガ地面ヲ打ツノヲ聞キ、コレハ死刑ノ執行ダト思ヒマシタ。

問、ソレカラドンナ事ガ起リマシタカ。

答、私ヲ進レテ來タ將校ヤ、分隊ヲ行進サセテ來タ將校達ハシバラク相談ガ行ハレテカラ、通譯ガ戻ツテ來テ、「我々ハ旭日章ヲ持ツタ武士道ノ騎士デアルカラ、日沒時ニ死刑ハ行ハナイ、日出ニヤル」ト云ヒマシタ。

問、ソシテ、ソレカラドンナ事ガ起リマシタカ。

答、私ハ監房ニ連レ戻サレマシタ、通譯ハ私ガ明朝

マデニ話スコトニ極メナケレバ、私ハ日出マデニハ死刑ニサレルダラウト云ヒマシタ。

問、監房ニヰル間ニ何カアナタニアリマシタカ。

答、目隠ハ取リ除カレマシタガ、マダ手錠ハ掛ケラレタマヽデシタ。

問、ソノ外ニ何カアリマシタカ、何カアツタラ。

答、私ニハ野菜ノサンドウイツチガ幾切カトコーヒガ一杯與ヘラレマシタ。

問、アナタノ監房内デ、ソレ以外ニアナタニアツタコトハ。

答、先刻私ト一緒ニ室ニヰテ、アノ刑罰ヲ行ツタ衛兵ノ一人ガヤツテ來マシタ。壁ニハ釘ガアリマシタ。私ハソノ釘ニ手錠デ吊サレマシタノデ、足指ガヤツト床ニ觸レル位テアリマシタ。

問、ドレ位ノ間貴方ハソンナ姿勢テ吊サレテヰマシタカ。

答、壁ニ私ガ吊サレタノハ夜ノ七時頃デシタ。約三時間バカリノ後、私ハ意識ヲ失ヒマシタ。私ノ記憶シテ居ルソノ次ノ事ハ、太陽ガ丁度上リツツアツタコト、衛兵達ガ私ヲ壁カラ下シテヰタコトデシタ。

問、貴方ヲ壁カラ下シタ時、日本人ハ何カ訊問シマシタカ。

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答、何モ訊問ハアリマセンテシタ。

問、貴方ヲ壁カラ下シタ時、貴方ノ身体ノ工合ハドンナテシタカ。

答、私ノ足ハ前夜受ケタ取扱ヒノ爲マダ非常ニ痛シテヰマシタ。ソシテ兩腕ヲ下ゲタ時、私ハソレガモゲテシマウカト思ヒマシタ。

問、貴方ハ法廷ニ説明出來ル様ナ何カ外ノ感ジヲ持チマシタカ。

答、一晩中吊サレテヰマシタノデ、私ノ腕ハ痺レ、私ノ肩モ痺レ、腰マテ全ク麻痺シテヰマシタ。

問、壁カラ貴方ヲ下シタ後デ、貴方ハ立チ上ル事ガ出來マシタカ。

答、結構立ツコトガ出來マシタ。

（以下次頁ニ續ク）

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問、ソノ監房内ニハドンナ家具ガアリマシタカ。

答、中間ニアル凡ユル品ノタカツテキル古イヨゴレタボロボロノ二枚ノ毛布、便所ノ設備ハ開ニアル開放シタ穴デ、ソレニハ蓋ハアリマセンデシタ。ソシテソレカラ出テ來ル悪臭ハ入ヲ卒倒サセルニ十分デシタ。

問、衛兵ガアナタニ加ヘタ足蹴カラ、アナタノ脚ハ切レマセンデシタカ。

答、ハイ、三ケ所切レマシタ。

問、アナタノ脚ノ傷ニハ何カ醫者ノ手當ガ施サレマシタカ。

答、イヽエ、何等醫者ノ手當ハ施サレマセンデシタ。

問、アナタハソノ晩外ノ者達ガドンナ取扱ヲ受ケタカ知ツテキマスカ。

答、彼等ハ午后私ガ受ケタノト殆ド同ジ處罰ヲ受ケマシタガ、ソノ晩苦シメラレタトハ、私ハ思ヒマセン。

問「ホールマーク」中尉ハアナタニ證據書メヲ受ケタト云ツタト、アナタハ述ベテキマス。ソレヲ委員ニ説明シテクレマセンカ。

答、彼ノ云ツタ所ニヨルト、ソレハ或ル種ノ機械裝置デ、彼等ハ彼ノ手首ト足首ニ紐ヲマキツケ、或ル種ノ連子デソレヲ操作スルノデスガ

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彼等ガソノ鈕子ヲ動カス度ニ、コノ機械ハ鎖
ガルヤウニナツテヰマシタ。（五四ー五七頁）

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問、「ニールセン」大尉、若シアナタガ記憶シテ
ヰルナラ、東京ニ到着シタノハ何月何日デシ
タカ。

答、一九四二年四月二十五日ノ夕方七時頃ニ私達
ハ東京ニ着キマシタ。

問、アナタハ日本ノ捕虜トナツテカラ後、顔ヲ剃
ルコトヤ、衣服ヲ更ヘルコトヤ、或ハ洗フコ
トナドヲ許サレマシタカ。

答、否、許サレマセンデシタ。

（次頁ヘ續ク）

問、ソノ當時アナタノ服裝ハドンナ狀態デシタカ。

答、余リヨイ方デハアリマセンデシタ。衣服ノ或ル物ハ飛行機破壞ノ際引裂ケ、大洋ヲ泳イダ後私達ハ皆泥ダラケトナツテ居リマシタ。

問、日本人ニ抑留サレテキル間ニ何カノ虐カ或ヲツカマヘマシタカ。

答、ハイ、私達ハツカマヘマシタ。

問、アナタ方ハ東京迄來ル間、縛ラレ、手錠ヲハメラレタママデシタカ。

答、上海ヲ立ツ前ニ私達ハ目隱サレマシタ。ソシテ手錠ヲハメラレ、縛ラレマシタ。私達ハ憲兵隊本部ノ內部ニ入ルマデハ、コノ目隱ヲサレタママデシタ。

問、憲兵隊本部ニ到着シタ後デ、ドンナ取扱ヒヲ受ケマシタカ。

答、私達ハ獨房ニ入レラレ、十五分バカリスルト外ニ連レ出サレテ、又訊問ガ始メラレマシタ。

（五八頁）

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問、訊問ハ、東京ニ於ケル第一夜アナタハ虐待サレマシタカ。」ト云フコトデアツタト私ハ思ヒマス。

答、ハイ、私ハ虐待サレマシタ。

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問、コノ虐待中アナタニドンナコトガ行ハレマシタカ。

答、私ハ頭ト顔ヲ平手打サレ、脚ヲ蹴ラレマシタ。

問、アナタハドンナ風ニカ縛ラレマシタカ。

答、ハイ、私ノ手ハ椅子ノ後ニ置カレ、足ハ椅子ノ脚ニ括リツケラレマシタ。

問、アナタノ訊問ニハ、何人位参加致シマシタカ。

答、衛兵ガ三名、通譯ガ一名、ソレカラ記錄係デシタ。

問、彼等ハアナタノ何所ヲ蹴リ、何所ヲ平手打シタノデスカ。

答、私ノ顔ト頭ニ平手打チシ、向脛ヲ蹴リマシタ。

問、ドレ位ヒドク彼等ハアナタヲ蹴リ、又ドレ位ヒドク平手打致シマシタカ。

答、彼等ハ私ガ頭痛ヲ覚エル程ヒドク私ヲ平手打チシ、又向脛ヲ、出血シテ、前日上海デ受ケタ傷口ガ再ビ開イテシマフ程蹴リマシタ。

問、如何ナル型ノ訊問ヲ行ヒマシタカ。

答、彼等ハ私ニハ何所カラ來タカ、前週東京ヲ爆撃シタカ、中國カフイリツピンニ駐在シテヰタカ、又米國陸軍々人デアルカナドヲ尋ネマシタ。

問、コンナ訊問ガソノ第一夜ドレ位續キマシタカ。

答、コノ訊問ハ朝ノ四時マデ續キマシタ。

問、ソノ間中彼等ハアナタヲ虐待シ續ケマシタカ。

答、私ハ殆ンド絶エズ手打チサレ又流レラレマシタ。

問、アナタノ飛行機ニキタ他ノ者ハドンナ取扱ヲ受ケタカ、アナタハ知ッテキマスカ。

答、後デ私ハ彼等ガ同一種類ノ取扱ヲ受ケタト云フコトヲ、知リマシタ。（六〇頁）

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問、ソノ十八日間ノ訊問中アナタハ入浴又ハ髭剃ヲ許サレマシタカ。

答、否、許サレマセンデシタ。

問、十八日間ノ訊問ノ終ニアナタハ何カ書類ニ署名シマシタカ。

答、ハイ、書類ニ署名致シマシタ。

問、如何ナル書類ニ署名シマシタカ、ソレニハドンナコトガ書イテアリマシタカ。

答、ソレハ日本語デ書イテアリマシタガ、飜譯サレマシタ。

問、通譯ハソノ書類ニハ何ト書イテアルト云ヒマシタカ。

答、私達ノ東京爆撃後三週間程シテ、日本人ガ遣棄セラレタ私達ノ航空機ノ一ツカラ拾ヒ上ゲタ地圖及ビ海圖ガ私ニ示サレマシタ、ソレハ明カニ彼等ガ情報ヲ得タ唯一ノ場所デアッタ、ソシテコレラノ地圖及ビ海圖ヲ拾ヒ上ゲテ後私達ヲ

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訊問スルコトニヨツテ、私達ハ東京ヲ爆撃シタコトヲ自白シ、私達ガ爆撃シタ地域ヲ告ゲ、又航空母艦カラ飛ビ立ツタコトヲモ自白シタ。ソノ外ニ私達ノ略歴ー何所ノ學校ニ行キ、何所デ陸軍ノ教育ヲ受ケタカナドガアリマシタ。ソレガ書イテアツタコトノ全部デアリマシタ。

× × × × ×

問、コレラノ陳述ガアナタニ讀ミ聞カサレタ時、彼等ハアナタガ學校及ビ寺院ヲ爆撃シタコトヲ承認シタト云ヒマシタカ。

答、否、彼等ハサウハ云ヒマセンデシタ。

問、アナタガ爆撃シタノハ、如何ナル目標デアツタト、陳述ニハ云ツテヰマシタカ。

答、ソノ陳述ガ私ニ飜譯サレタ所ニヨルト、私ハ或ル湾ノ岸ニアル東京ノ東北地域ノ製鐵所ヲ爆撃シタト云フコトデアリマシタ。

問、アナタハソノ陳述書ニ署名シマシタカ。

答、最初ハ拒ミマシタガ脅迫サレマシタノデ、ソレニ署名致シマシタ。

問、ドンナ風ニ脅迫サレマシタカ。

答、ソレ迄ノ取扱カラシテ、若シ署名シナカツタラ、ドンナコトガ起ルカヲ私達ハ知ツテヰマシタ。

Doc 3349-A.

P19

問、アナタハアナタノ署名シタソノ陳述書ノ篇ヲ貰ヒマシタカ。

答、否、私ニハ一通モ與ヘラレマセンデシタ。

問、アナタト一緒ニキタ外ノ者達モ亦陳述書ニ署名シタカドウカヲ知ツテキマスカ。

答、ハイ、知ツテキマス、同ジヤウナ物迫ヲ受ケテ後凡テノ者ハ署名致シマシタ。

問、彼等ノ陳述書ハドンナモノデアツタカ、アナタハ知ツテキマスカ。

答、後カラノ話ニヨルト、名古屋ヲ爆撃シタ一ノアロー」機ノ搭乗員以外ノ者ノ陳述書ニハ、殆ド私ノモノト同一ノ事柄ガ書イテアリマシタ。

問、東京ニキタ間、アナタハ獨房ニ監禁セラレテキマシタカ。

答、最後ノ二週間マデハ私達ハ獨房ニキマシタガ、ソレカラ「ランケロー」ト私ハ同一ノ監房ニ入レラレ、外ノ者達ハ幾ツカノ監房ニ雜居サセラレマシタ。

Doc. 3349-A

問、アナタ方ハドノ位ノ間東京ニ抑留サレテヰマシタカ。

答、私達ハ一九四二年ノ四月二十五日カラ六月十七日迄東京ニ居リマシタ。（六一一ー六二頁）

問、アナタガ東京ヲ發ツタ當時、雨脚ノ傷ハドンナ工合デシタカ。

答、傷ハ皆化膿シ、ソノ上虱ヤ南京虫ニソコラ中ヲ喰ハレ、ソレガ亦化膿シテ居リマシタ。

問、何カ醫療ヲ施サレタコトガアリマスカ。

答、イヽエ、私達ハアリマセン。

問、東京ニ居ル間、入浴シタリ、ヒゲヲ當ツタリ、衣服ヲ洗ツタリスルコトヲ許サレマシタカ。

答、イヽエ、私達ハ監房ニ居ル間ズット足カセヲハメサセラレテヰマシタ。ソレデ私達ハ衣服ヲ脫グコトモ出來マセンデシタ。

問、何カ醫療ヲ施サレマシタカ。

答、イヽエ、全然。

問、アナタ方ハ東京ヲ發ツテカラ何所ヘ連レテ行カレマシタカ。

答、名古屋行キノ汽車ニ乘セラレ、名古屋カラ船デ上海ヘ行キマシタ。（六二ー六三頁）

× × × ×

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P21

問、アナタ方ガ上海ヘ戻ツテカラドンナ事ガ起リマシタカ。

答、サヨウ、上海ヘ着クヤ否ヤ私達ハトラックニ乗セラレ、「ブリッヂ。ハウス」ヘ連レテ行カレマシタ。（六三頁）

× × × × ×

問、「ブリッヂ。ハウス」デハドンナ事ガアリマシタカ。

答、私達ハ中ヘ連レ込マレ、ソノ中ハ名ハ十五人ノ他ノ人々ト一緒ニ監房ニ入レラレマシタ。コノ十五人ハ中國人、日本人、「ユダヤ」人、「オランダ」人、「フランス」人トイツタ、上海ニ居ル凡ユル國籍ノ者デシタ。

問、上海ヘ戻ツタ時ノ皆ノ狀態ハドウデシタカ。

答、皆全ク衰弱シテ居リ、体重モ少カラズ減少シテ居リマシタ。私達ハ自分ノ力デ動キ廻ルノガヤツトデシタ。

問、「ブリッヂ。ハウス」デアナタ方ガ入レラレテヰタ監房ノ狀態ヲ委員ニ説明シテ下サイ。

答、コノ監房ハ奥行約十二フイート、幅凡ソ十五フイートガアリマシタ。私達ガ入ツタ時ニハ、ソコニハ既ニ十五人ノ者ガ居リ、全部デ

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問、アナタ方ハドノ位ノ間東京ニ抑留サレテキマシタカ。

答、私達ハ一九四二年ノ四月二十五日カラ六月十七日迄東京ニ居リマシタ。（六一一六二頁）

問、アナタガ東京ヲ發ツ當時、兩脚ノ傷ヘドンナ工合デシタカ。

答、傷ハ皆化膿シ、ソノ上虱ヤ南京虫ニソコラ中ヲ喰ハレ、ソレガ亦化膿シテ居リマシタ。

問、何カ醫療ヲ施サレタコトガアリマスカ。

答、イヽエ、私ハアリマセン。

問、東京ニ居ル間、入浴シタリ、ヒゲヲ當ツタリ、衣服ヲ洗ツタリスルコトヲ許サレマシタカ。

答、イヽエ、私達ハ監房ニ居ル間ズット足カセヲハメサセラレテキマシタ。ソレデ私達ハ衣服ヲ脫グコトモ出來マセンデシタ。

問、何カ醫療ヲ施サレマシタカ。

答、イヽエ、全然。

問、アナタ方ハ東京ヲ發ツテカラ何所ヘ連レテ行カレマシタカ。

答、名古屋行キノ汽車ニ乘セラレ、名古屋カラ船デ上海ヘ行キマシタ。（六二一六三頁）

× × × ×

Aloe. 33409-A

問、アナタ方ガ上海ヘ戻ツテカラドンナ事ガ起リマシタカ。

答、サヨウ、上海ヘ着クヤ否ヤ私達ハトラックニ乗セラレ、「ブリッヂ。ハウス」ヘ連レテ行カレマシタ。（六、三頁）

× × × × ×

問、「ブリッヂ。ハウス」デハドンナ事ガアリマシタカ。

答、私達ハ中ヘ連レ込マレ、ソノ中ハ名ハ十五人ノ他ノ人々ト一緒ニ監房ニ入レラレマシタ。コノ十五人ハ中國人、日本人、「ユダヤ」人、「オランダ」人、「フランス」人トイツタ、上海ニ居ル凡ユル國籍ノ者デシタ。

問、上海ヘ戻ツタ時ノ皆ノ狀態ハドウデシタカ。

答、皆全ク衰弱シテ居リ、体重モ少カラズ減少シテ居リマシタ。私達ハ自分ノ力デ動キ廻ルノガヤツトデシタ。

問、「ブリッヂ。ハウス」デアナタ方ガ入レラレテヰタ監房ノ狀態ヲ委員ニ説明シテ下サイ。

答、コノ監房ハ奥行約十二フイート、幅凡ソ十五フイートデアリマシタ。私達ガ入ツタ時ニハ、ソコニハ既ニ十五人ノ者ガ居リ、全部デ

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Doc. 3349-A

二十三人ニナリマシタ。用便ヲスル所ハ、間ニアル蓋ナシノ箱デナリマシタ。（六三頁）

問、「ブリツヂ。ハウス」デアナタ方ノキタ監房ノ中ニドンナ家具ガアリマシタカ。

答、家具ハ何ニモアリマセンデシタ。私達ハ一枚ノ毛布モナシニ木ノ床ニ寝ナケレバナラナカツタノデス。

問、「ブリツヂ。ハウス」ニハドノ位ノ間抑留サレテヰマシタカ。

答、「ブリツヂ。ハウス」ニハ七十日間抑留サレテヰマシタ。

問、ソノ間入浴シタリ、ヒゲヲ剃ツタリスルコトヲ許サレテヰマシタカ。

答、イヽエ、許サレテヰマセンデシタ。

問、「ブリツヂ。ハウス」ニ居ル間、食物ハ何ヲ與ヘラレマシタカ。

答、「ブリツヂ。ハウス」デハ朝食ニハ固、ツマリ水ツポイ米飯約一パイント、晝食ニハパン四オンス、ソシテ夕食ニモパン四オンスガ與ヘラレマシタ。水ハ私達八人ニ一日中充分ニクオートバカリガ與ヘラレマシタ。

問、「ブリツヂ。ハウス」抑留人終リ頃人皆ノ健康狀態ハドウデシタカ。

Xloc. 3349-A

答、「ブリツヂ。ハウス」抑留ノ最後ニハ、私達ノ中七人ハ動クノガヤツトデ、ソレ以上ハ殆ンド何モ出來マセンデシタ。「ホールマーク」中尉ハ病氣デ、常ニ傍カラ手ヲ貸シテヤラネバナラズ、約十日程モソンナ狀態デ居リマシタ。（六四頁）

× × × × ×

問、法廷ヘ連レ出サレタ者達ノ健康狀態ハドウデシタカ。

答、「ホールマーク」中尉ハ擔架デ運ビ込マレマシタ。殘リノ者ハ自分デ立ツテヰマシタガ、カナリ衰弱シテ居リマシタ。

問、軍法會議室デハ外ニドンナコトガアリマシタカ。

答、私達ガ學歷ヤ空軍ノ訓練ニ就イテ陳述ヲシタ後デ、判士ノ一人ガ立上ツテ日本語ノ草稿ヲ讀上ゲマシタ。

問、ソノ草稿ハ英語ニ飜譯サレマシタカ。

答、私ハ通譯者ニ飜譯スルヨウニ賴ミマシタ。通譯ハ判士ニ許可ヲ仰ギマシタガ拒絕サレマシタ。

問、飛行士達ノ中デ誰カ自分ノ氏名、訓練、學歷等ニ就テノ訊問ニ答ヘタ以外ニ、何カ述ベタ者ガアリマスカ。

答、外ニハ何ノ陳述モ爲サレマセンデシタ。

Doc. 3349-A

問、アナタハ軍法會議ニ附サレタ八人ノ飛行士ノ名前ヲ知ツテヰマスカ。

答、ハイ、私ハ他ノ飛行士達ノ名前ヲ知ツテ居リマス。

問、本法廷ニ於テ、ソノ軍法會議ニ附サレタ飛行士達ノ名前ヲ云ツテ下サイ。

答、「フアロウ」中尉、「ハイト」中尉、「バー」中尉、「ホールマーク」中尉、「メダー」中尉、「スパツツ」軍曹、「ドシエイザー」軍曹、ソレニ私デアリマス。

問、アナタ方ハ審問ノ時辯護士ヲ附ケラレマシタカ。

答、イヽエ、附ケラレマセンデシタ。

問、アナタ方ガ法廷ニヰル時、訴訟ニ誰カ證人ガ立チマシタカ。

答、證人ハ一人モ出マセンデシタ。

問、アナタ方ハ起訴狀ヲ受ケタコト又ハアナタ方ニ對スル起訴事項ニ就テ知ラサレタコトガアリマスカ。

答、イヽエ、アリマセン。

問、他ノ飛行士達ノ中デ誰カ自分達ノ裁判ノ起訴事項ヲ知ラサレタ者ガアツタカドウカ知リマセンカ。

答、ソノ裁判デハ誰モ知ラサレマセンデシタ。

問、審理ハ英語ニ飜譯サレテ聞カサレマシタカ。

Xerc. 3349-A.

答、全然英語ニハ飜譯サレマセンデシタ。

問、「ホールマーク」中尉ハ法廷デチヤント坐ツテヰルコトガ出來マシタカ。

答、イヽエ、「ホールマーク」中尉ハ擔架ノ上ニ横タハツテ居リマシタ。彼ハ恐ラク何ガ行ハレテヰタノカ知ラナカツタノデハナイカト思ヒマス。ソシテ「バー」中尉ハ非常ニ衰弱シテ居リマシタノデ、日本人モ遂ニ余儀ナク彼ニ椅子ヲ與ヘマシタ。

問、コノ裁判デアナタハアナタガ日本デ署名シタ陳述書ノドレカヲ見マシタカ。

答、イヽエ、私ハソレラノ陳述書ヲ二度ト再ビ目ニシマセンデシタ。

問、アナタ方ハソノ軍法會議ニ引キ出サレタ時、有罪カ無罪カヲ主張スル機會ヲ與ヘラレマシタカ。

答、イヽエ、與ヘラレマセンデシタ。全クノ所、私達ハソレカ軍法會議デアルトイフコトサヘモ知ラナカツタノデス。

問、法廷ニ連レテ來ラレタ時、アナタ方ハ縛ラレテヰマシタカ。

答、イヽエ、縛ラレテハヰマセンデシタ。シカシ二十人許リノ衛兵ガ建物ノ内部トスグ外ニ居リマシタ。

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Doc. 3309-A

問、コノ審問デアナタカ若シクハ他ノ飛行士ノ誰カ
ガ日本空襲ノ際、學校、教會、或ヒハ非戰闘員
ヲ爆撃シタト云フコトヲ承認シタノデスカ。
答、イ、エ、致シマセン。日本空襲ニ就テハ何ニモ
云ハレマセンデシタ。
問、コノ審問ハドノ位續イタノデスカ。
答、二十分乃至三十分デアリマス。（六六ー六七頁）

（以下次頁ニ續ク）

027

アメリカ合衆國

陸軍省ー法務部

一九四二年四月十八日日本空襲ニ參加セル「ドウリットル」飛行隊員ニシテ、アメリカ空軍第十七爆撃隊第三十四戰隊員「ジョージ・バー」中尉「ウイリアム・Gアアロウ」中尉「ハイト」中尉「ロバート・Aスパッツ」軍曹「ゼコツブ・D・デイシエーザー」伍長並ビニアメリカ空軍第十七爆撃隊第九十五戰隊員「デイーン・E・ホールマーク」中尉「ロバートJメダー」中尉及「テエイズJニイールセン」中尉ニ對スル日本側ノ取扱ヒ並ビニ審判ニ關スル件

XNO. 3309-A

「ニュー・ヨーク」州「ロング・アイランド」「クイーンズ・ヴイレツデ」九四番街二一一ー四七番地

認證番號〇ー四三一六四四、大尉「ジョーデ・バー」

證言保存

聽取場所「テイオワ」州「クリントン」「シツク」綜合病院

日時、一九四五年十二月三日。

Doc. 3309-A

P.28

立會人「アイオワ」州「クリントン」「シック」綜合病院印決訟判所、〇一六四八九、經理部、歩兵中佐「W・L・ブラウン」及第七軍管區SI○機關「チエスター・エ・ラップン」（檢察部記錄法廷記二十一號一頁

× × × × × × × ×

問、アナタ方ハ皆同ジ飛行機デ中國ノ南京ヘ行ツタノデスカ。

答、ハイ。（檢察部記錄法廷記二十一號十頁）

× × × × × × × ×

問、アナタハ何時カ虐待ヲ受ケタコトガアリマスカ。

答、私ハ訊問ノ時拷問ヲ受ケタコトガアリマス

問、何時訊問ニ引出サレマシタカ。

答、夜八時半頃デス。

問、一九四二年四月二十日ノ夜デスカ。

答、ソウデス。

問、アナタハ手錠ヲカケラレ目隱ヲサレテヰマシタカ

答、ハイ。ソウデシタ。

Doc. 2340-A

P29

検察部文書第三三四九號A

問、全訊問ヲ通ジテデスカ。

答、否、彼等ハシバラク目隱ヲ取リ除ケマシタ（檢察部記錄法廷證二十一號十一頁）

× × × ×

問、アナタハ階下デ拷問サレマシタカ。

答、ハイソウデス、私ガ訊問ニ答ヘナカツタ折ニ。

問、ソノ折ニドウサレマシタカ。

答、私ハ手錠ヲハメラレ目隱ヲサレテ居タ時、拳固デ毆擊サレマシタ、ソノ後デ彼等ハ私ヲ床ニ横タヘ一人ノ男ガ水トボロ切ヲ以ツテ來テ私ヲ窒息セシメマシタ。彼ハ私ヲ床上ニ横タヘボロ切ヲ私ノ口ニツメ、水ヲ注入スル爲メニ私ノ鼻腔ヲ其儘ニシテ置キマシタ。

問、ソレハドレ位ノ間續キマシタカ。

答、私ガモウ迎モ堪ラナクナツテ訊問ニ答ヘヨウト決心スル迄續キマシタ

問、大体ドノ位ノ時間デシタカ。

答、大体二十分程續キマシタ。

問、彼等ハ時々ヤメマシタカ。

Doc. 3249-A

P.30

問、彼等ハ又續ケマシタカ。

答、ソウデス、ソレデ水ガ私ノ肺ヘ入リマシタ、ソシテ全ク私ノ呼吸ヲ止メマシタ。

問、アナタハ誰ガコレヲヤツタカ知ツテ居マスカ。

答、ソレハ兵ガヤツタノデス、先程申上ゲタ將校ハ見テ居マシタ。

問、アナタハソノ兵ヲ云ヒ現スコトガ出來マスカ。

答、否ソレハ出來マセン。

問、誰ガコウ云フ取扱ヲスルヤウニ彼等ニ命ジタノデスカ。

答、監督シテ居タソノ日本ノ將校デス。

問、數分前ニアナタハ拳固ノ襲撃ヲ受ケタト云ヒマシタ、ソレガヤツタノデスカ。

答、日本ノ徴募兵デスガ、私ハ彼等ノドレモ言ヒ表ス事ハ出來マセン。彼等ガ拳固ヲ見舞ツタ時ニハソノ將校ハ未ダ室ニ入ツテハ居マセンデシタ、彼ハ室ニ入ツテ來ルト、彼等ニ止メルヤウニ合圖シマシタ。

問、何人ガアナタヲ殴ツテ居マシタカ。

答、三人カ四人デス。

問、アナタノドコヲ殴リマシタカ。

答、顏ト身体デス。

問、彼等ニ毆ラレタタメ皮膚ガ裂ケタリ眼ノ周リガ黒クナツタリヒナカツタデスカ。

答、否。

問、彼等ハ所謂水責メヲシタ後デ、アナタカラドンナ情報ヲ得マシタカ。

答、彼等ハ私ガドコカラ來タカヲ知ラウトシタノデス。

ソレガ判ルト、彼等ハ私ヲ去ラセマシタ。

問、アナタハドンナ情報ヲ彼等ニ與ヘマシタカ。

答、吾々ハサル航空母艦カラ飛ビ立ツタコトデス。

問、他ノ人々モ同樣ニ訊問サレタリ拷問サレタリシマシタカ。

答、私ガ「チエース、J、ニールセン」中尉カラ聞イタ處ニヨルト、彼等モ同樣訊問及ビ拷問ヲ受ケタト思ハレマス。同中尉ハ毆打サレ拇指デ吊リ上ゲラレタノデス。「ロバート、J、メダト」中尉ハ水責メヲ受ケマシタ。

問、アナタハ其ノ中ノドレカヲ目擊シマシタカ。

答、否。

問、彼等ハアナタト同時ニ南京ノ監獄ニ居マシタカ。

答、否、彼等ハ數日遲レテ來マシタ。

問、彼等ガ來タ折ニハアナタハモウ居ナカツタノデスカ。

Xlov. 3349-A.

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答、ソウデス、私ハコウイフ情報ヲ、「デイーン
E、ホールマーク」中尉ガ操從シテ居タ飛行
機ノ乘員ト中國ノ上海デ同ジ監房ニ居タ際ニ
彼等カラ聞キマシタ。

問、アナタノ飛行機ノ他ノ乘員達ノ中デ中國南京
デ拷問サレタ人ガアリマシタカ。

答、私ハコノ訊問ヲ受ケテ後他ノ室ヘ連レテ行カ
レタ折ニ、或ル開ケ放シタ室ノ前カラ通リマ
シタガ、ソコニハ「ゼコツブ、D、デイシエ
ーザー」伍長ヲ圍ンデ數人ノ者ガ居マシタ。
其後彼カラ聞イタノデスガ、彼等ハ彼ノ手ノ
指ノ間ニ鉛筆ヲハサンデ關節ヲシメツケテ居
タノデス（檢察部記錄法廷證二一號ノ一二ー
一三頁）

Doc. 3349-A P.33

檢察部文書第三三四九ーA

出典證明書

本文書ハ亞米利加合衆國對澤田蔵及其他ノ裁判ニ於テ一九四六年二月十六日附中國方面米國軍司令部特別命令第四二號第二條ニヨリ任命サレタル軍事委員會ノ裁判記錄ノ一部ナル事ヲ茲ニ證明スル

一九四六年五月一日

總監部陸軍大佐
軍事委員長

エドウヰン、R、マクレイノルヅ
／署名／

Cert.

IPS Doc. No. 3349-B

Exhibit No. 3134B

EXCERPT FROM THE RECORD OF THE TRIAL
UNITED STATES OF AMERICA vs SHIGERU SAWADA, et al

RETURN TO COURT 361

Before the
MILITARY COMMISSION
Convened by the
COMMANDING GENERAL
United States Army Forces
CHINA

UNITED STATES OF AMERICA	
-vs-	
SHIGERU SAWADA YUSEI WAKO RYUHEI OKADA SOTOJIRO TATSUTA	PUBLIC TRIAL

VOLUME III

PAGES 211 TO 307

SHANGHAI, CHINA. DATE 1 MAY 1946

* * * * *

MASATOSHI MIYANO
was called as a witness on behalf of the defense (p. 277)

* * * * *

DIRECT EXAMINATION (p. 277)

* * * * *

Q Did General Hata order the 13th Army to set up a military tribunal?
A He ordered so.

Q Did he order that the Doolittle Fliers would be tried by this military tribunal?
A Yes. (p. 286)

* * * * *

Q Did Nanking issue any orders to the 13th Army in regards to the treatment of the fliers?
A I do not remember.

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Q Was the trial of the Doolittle fliers ordered by General Hata to be tried at Shanghai?
A Yes.

Q Did you mean by your previous answer that Hata requested the 13th Army prosecutor to ask for the death penalty?
A He requested so.

Q (to Interpreter) Will you interpret that answer again?

INTERPRETER: He said he requested so - requested that the sentence be executed; he requested so.

Q Does he mean the general requested so?
A Yes, Hata.

Q Did General Hata request the prosecutor of the 13th Army to ask for the death sentence?
A He requested the death sentence. (pp. 286-289)

AUTHENTICATION

THIS CERTIFIES that this volume is a part of the Record of the Proceedings of the Military Commission appointed by Paragraph 2, Special Orders 42, Headquarters United States Forces, China Theater, dated 16 February 1946, in the trial of the case of United States of America against Shigeru Sawada, et al.

Dated 1 May 1946.

/s/ Edwin R. McReynolds
EDWIN R. McREYNOLDS
Colonel, IGD
President of Commission

Doc. 3349-B
3834B
FILE COPY
RETURN TO ... 361

檢察側文書三三四九ノB號　法廷證　號

亞米利加合衆國對澤田茂其他

ノ裁判記錄ヨリノ拔萃

在中國ノ米國陸軍司令官ノ召集ニカヽル軍事委員會

ニ於テ

米國對　澤田茂

ワコ　ユーセイ　公判

岡田隆平

龍田外次郎

第三卷二一一頁ヨリ三〇七頁

上海　一九四六年五月一日

× × × ×

宮野マサトシハ辯護側證人トシテ召喚セラル（二七七頁）

× × × ×

直接尋問（二七七頁）

× × × ×

問、畑大將ハ第十三軍ニ軍事裁判ヲ開ク樣命ジマシタカ

答、彼ハ左樣ニ命令シマシタ

問、彼ハ「ドーリトル隊ノ飛行士達ヲソノ軍事裁判ニカケルヨウ命ジマシタカ

答、左樣デス（二八六頁）

Xloe 3349-13

問、南京カラ第十三軍ニ對シソノ飛行士達ノ取扱ニ關シテ命令ガ發セラレマシタカ

答、記憶イタシマセン

問、畑大將ハ「ドーリトル」隊ノ飛行士ノ裁判ヲ上海デ行フヨウ命ジマシタカ

答、左樣デス

問、貴方ノ前ノ答ヘハ畑ガ第十三軍檢察官ニ死刑ヲ求刑スルヨウ要請シタトイフ意味デスカ

答、彼ハソノ樣ニ要請シタノデアリマス

問、（通譯者ニ向ツテ）ソノ答ヘヲモウ一度通譯シテ下サイ

通譯者、彼／畑／ハ左樣ニ要請ヲシタ卽チソノ判決ヲ執行スルヨウ要請シタト答ヘタノデアリマス彼／畑／ハ左樣ニ要請シタノデス

問、彼ハ畑大將ガ左樣ナ要請ヲナシタトイフノデスカ

答、左樣、畑ガ要請シタノデアリマス

問、畑大將ハ第十三軍ノ檢察官ニ死刑ヲ求刑スルヨウ要請シタノデスカ

答、彼ハ死刑ヲ要請シマシタ（二八八頁ー二八九頁）

Cert.

Doc. 3349-B.

出典證明書

此ノ巻ハ亜米利加合衆國ガ澤田茂及其他ニ對スル裁判ニ於テ一九四六年二月十六日附中國方面米國軍司令部特別命令第四二號第二條ニヨリ任命サレタル軍事委員ノ裁判記録ノ一部ナル事ヲ玆ニ證明スル

一九四六年五月一日

總監部臨軍大佐
軍事委員長
エドワード・ウヰン・アール・マクレイールズ
／署名／

CHARGE OUT CLIP

DATE: 8 Jan 1947

EVIDENTIARY DOC. NO. 3349

TRIAL BRIEF _____

EXHIBIT DOC. NO. _____

BACKGROUND DOC. NO. _____

FILE NO. _____

PRESS TRANS _____

U.S.S.R.S. _____

DEFENSE DOC. NO. _____

Signature Steiner

Room # 376