

OQMG FORM 638  
REV 1 APR 48

OFFICE OF THE QUARTERMASTER GENERAL OF THE ARMY

## INTRAOFFICE REFERENCE SHEET

EXHIBIT

33

C-MEM-523

DUE, HOUR AND DATE \_\_\_\_\_

1 NO.	2 FROM—	3 TO—	4 DATE	5 MESSAGE
3	Ident Br Mem Div	Chief Memorial Division	20 Nov 50	SUBJECT: 1/Lt Ira B. Cheaney Jr., SN O-23965 (Major Discrepancy) 1. Reference attached telephone conversations between Capt Vogl and the following officers of the 57th Inf Regt (PS) pertaining to the death and burial of 2/Lt Alexander R. Ninninger, SN O-23761:  Lt Col Franklin O. Anders Major John E. Olson Major Cecil M. Sanders Captain Eugene H. Anthony Colonel Edmund J. Lilly 2d Lt Fred W. Koenig

These conversations revealed information which indicates that the remains presently interred in U. S. Military Academy Post Cemetery, West Point, New York, as 1/Lt Ira B. Cheaney Jr., O-23965, are not those of Lt Cheaney.

2. Lt Cheaney reported for duty 20 November 1941 to the Philippine Department, 57th Inf Regt (PS), commanded by Lt Col George S. Clarke. Col Arnold J. Funk relieved Col Clarke of his command 13 January 1942, shortly after the engagement at Mabatang, Bataan, P.I., approximately three miles north of Abucay, where the 57th Inf Regt CP was located, in the Abucay Church.

3. On 20 January 1942, approximately six (6) days before the Abucay-Hacienda line was evacuated back to the Pilar-Bagac line 26 January, Lt Cheaney's company was withdrawn from the area and sent to the western coast of Bataan to repel Japanese landings at Quinsuan Point in the vicinity of Agloloma. On 30 January 1942, Lt Cheaney was killed after advancing approximately one hundred (100) yards, while leading an attack on Japanese positions. A counterattack by the Japanese forced the American forces to withdraw several hundred yards. It was several days later, 7-8 February, that the Americans regained this lost ground. The remains of Lt Cheaney were recovered and identified by Capt Eugene H. Anthony who had been his immediate commanding officer in the engagements at Mabatang and Agloloma. When Capt Anthony first saw the body of Lt Cheaney, 2/Lt Fred W. Koenig, a Graves Registration Officer assigned to the 45th Infantry, was standing near the remains. After Capt Anthony had established the identification, Lt Koenig informed him that the remains of Lt Cheaney, as well as all others killed in the area, would be taken to Mariveles Cemetery. There Lt Koenig supervised the burial of Lt Cheaney.

4. In the vicinity of Mariveles there are two (2) cemeteries, Mariveles #1 and #3. Although Lt Koenig did not specify in which cemetery the burial was made, a reinvestigation was made of all unresolved Unknowns in these cemeteries. There are only two (2) Unknowns from USA Cemetery #1 Mariveles, and they have been disassociated with Lt Cheaney by circumstances of death. The Unknowns from USA Cemetery #3 Mariveles, have been disassociated with Lt Cheaney by height, weight and dental characteristics, with the exception of X-21, currently designated X-151, Manila #2. Lt Cheaney's WDAGO Form 0164, Statement of Candidate dated 4 March 1947, indicates a broken arm. An association may be established by the circumstances of recovery and dental information. Unknown X-151 Manila #2 was found to have

*Red E. Hatch*  
21 Nov 50-2:20

~~SECRET~~

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OQMG FORM 638  
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1 NO.	2 FROM—	3 TO—	4 DATE	5 MESSAGE
3	Ident Br Mem Div	(Cont'd) Chief Memorial Division	20 Nov 50	SUBJECT: 1/Lt Ira B. Cheaney Jr., SN 0-23965 (Major Discrepancy)
twenty-two (22) perfect teeth; seventeen of which were loose and five still intact in the mandible. Seven teeth were posthumously missing and three were lost as a result of a missing maxilla. Age, weight and height of this Unknown was not estimated.				
5. In June or July 1942, Lt Cheaney's parents talked with Col Clarke in San Francisco in an attempt to obtain information concerning the death of their son and to learn his burial location. Col Clarke, who did not know the facts, stated that Lt Cheaney was buried in the Churchyard at Abucay twelve steps right from the south center door. Mr Cheaney gave this information to the Honorable Richard Nixon who forwarded it to this office 26 January 1948. Upon receipt of this letter the information was submitted to the field and a search team was dispatched to the area where fragmented remains were recovered. These remains were identified as Lt Cheaney solely on the statement by Col Clarke.				
6. There are five other decedents on whom erroneous burial information has been released to the NOK by Col Clarke, i.e., buried in Abucay Churchyard. They are:				
Nininger, Alexander R., Jr. 1/Lt 0-23761 Remains approved nonrecoverable. Field notified. Notification to NOK not released pending clearance of this discrepancy.				
Maynard, David W. 1/Lt 0-38476 Remains approved nonrecoverable. Field notified. Notification sent to NOK 11 October 1949.				
Compton, John C. 1/Lt 0-413755				
Green, Arthur W. 1/Lt 0-395411				
Wilson, Kenneth L. 1/Lt 0-398233				
Nonrecoverable Board Proceedings in suspense.				
7. When a final resolution has been reached in the Cheaney case action will be taken simultaneously to resolve the cases of the five decedents listed above, taking into consideration the facts learned during the investigation of this case.				
8. The files furnished in connection with this investigation contain several references to the effect that the records of Chaplain Scecina were lost when he himself was lost on a POW ship. A photostat copy of a roster prepared by Chaplain Scecina has been obtained from the AG. This list fails to show the burial services performed by the Chaplain but does indicate some of the officers who became casualties.				

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				9. CONCLUSIONS:
				a. The remains presently interred in the West Point Academy Cemetery as 1/Lt Ira B. Cheaney Jr., O-23965, are not those of Lt Cheaney.
				b. Lt Col George S. Clarke gave incorrect information which lead to the recovery and identification of the remains at West Point as those of Lt Cheaney.
				c. Lt Cheaney was killed in action on 30 January 1942 at Quinauan Point in the vicinity of Agloloma approximately eighteen (18) air miles SW of Abucay, four (4) days after the Abucay Church had been captured by the Japanese.
				d. The remains of Lt Cheaney were identified by his Commanding Officer, Captain Anthony, and burial at Mariveles was supervised by Lt Koenig, Graves Registration Officer, on or about 8 February 1942.
				e. This branch will flag the cases of the following decedents pending reinvestigation since Col Clarke is believed to have given incorrect information relative to the burial of the remains of:
			Nininger, Alexander R., Jr. Green, Arthur W. Wilson, Kenneth L. Maynard, David W. Compton, John C.	1/Lt O-23761 1/Lt O-395411 1/Lt O-398233 1/Lt O-384762 1/Lt O-413755
				f. The cases of the five (5) decedents listed in para e. above, will be reinvestigated simultaneously because of the similarity of death and burial information pertaining to each.

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3.	Ident Br Mem Div	(Cont'd) Chief Memorial Division	20 Nov 50	SUBJECT: 1/Lt Ira B. Cheaney Jr., SN O-23965 (Major Discrepancy)
	10. RECOMMENDATIONS:			<p>a. That Unknown X-151, Manila #2 (Unknown X-638 Mausoleum), interred 30 June 1949, Plot F, Row 11, Grave 32, Fort McKinley Cemetery, be transferred to San Francisco for reprocessing by an Anthropologist in an attempt to identify these remains as those of 1/Lt Ira B. Cheaney Jr., O-23965.</p> <p>b. That if the identification of these remains as those of Lt Cheaney can be established that the NOK of Lt Cheaney be visited by a representative from this office to acquaint him with the facts in the case and to secure his permission to exchange the remains for those now interred at West Point as Lt Cheaney.</p> <p>c. That if the identification cannot be established that Unknown X-151, Manila #2, be reinterred as an Unknown.</p> <p>d. That if the remains are identified and the transfer is accomplished that the remains now in West Point be reprocessed by an Anthropologist in an attempt to identify them as either Lt Maynard or Lt Nininger.</p>
5 Attach	1. Ltr fr Col Lilly dtd 27 Oct 50 (and cy) 2. DF fr Demob Rec dtd 7 Nov 50 w/incl 3. 293 file (X-151, Manila #2) 4. 293 file (Cheaney) 5. 201 file (Cheaney)			<p style="text-align: center;"><i>COX</i> 74059</p> <p style="text-align: right;"><i>LAY</i> 73472</p>

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DPAA0004570

EXHIBIT

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DUE, HOUR AND DATE \_\_\_\_\_

1 NO.	2 FROM—	3 TO—	4 DATE	5 MESSAGE
1	Nonrec Sec Ident Br Mem Div	Corres Sec Regist Br Mem Div  Attn: Maj Lay	28 Jun 51	<p>SUBJECT: 293 files:</p> <p>Compton, John C. O-413755 Green, Arthur W. O-395411 Maynard, David W. O-384762 Nininger, Alexander R. Jr. O-23761 Wilson, Kenneth L. O-398233</p> <p>1. Forwarded are 293 files for subject deceased who were killed in action on the 11th and 12th of January 1942 in the Philippine Islands and who were supposedly interred in the Abucay Churchyard Cemetery. Nonrecoverable findings for the deceased have been approved.</p> <p>2. For detailed information on these cases see classified file on 1/Lt Ira B. Cheaney Jr. SN O-23965 (S-MEM-523)</p> <p>5 Incls 1. 293 Compton 2. " Green 3. " Maynard 4. " Nininger 5. " Wilson</p> <p><i>King</i> KING 74059</p> <p><i>Edwards</i> EDWARDS 73472</p>

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DPAA0002267

EXHIBIT  
35

SPTS-MD

17 July 1968

*714-02 Nininger, Alexander R., Jr.*  
*023761* *pb*

Mrs. Myrtle C. Willard  
152 Sherman Avenue  
New York, New York 10034

Dear Mrs. Willard:

This is in reference to your recent letter in which you requested information concerning your son First Lieutenant Alexander R. Nininger Jr.

The records of the Department of the Army indicate that your son was killed in action, 12 January 1942, in the vicinity of Mabatang and Abucay, Philippine Islands. The records further indicate that you have been informed that the remains of your son were brought to the churchyard in the town of Abucay where they were buried.

The Graves Registration Service of the Army conducted extensive investigations in the vicinity of Mabatang and Abucay in an attempt to recover and identify the remains of your son. The most recent investigation in the Abucay Churchyard was conducted during May 1950. At that time, a recovery party disinterred the entire area within the walls of the Abucay Churchyard not occupied by buildings or concrete memorials. No American remains were discovered during this most recent investigation. During previous investigations in this area, a row of graves established during the war were disinterred. These graves contained the remains of two Americans and twelve Philippine Scouts. Each of these remains has been identified. It is believed that these graves which were located just outside the south wall of the Abucay Churchyard between the wall and the river bank are the graves which were reported as having been seen by American personnel on the death march.

In an attempt to resolve the conflicting information concerning the reported burial of your son's remains at Abucay, the persons reported to have witnessed the interments or believed to have any information concerning them were contacted either by letter or by telephone. While some information was obtained from some of these persons, it did not lead to the recovery of the remains.

DISPATCHED  
OSPTS  
ADMINISTRATIVE OFFICE  
Jul 17 4 08 PM '68

SPTS-MD

Mrs. Myrtle C. Willard

17 July 1968

During the course of telephone conversations with some of the survivors, it was brought out that considerable enemy action had taken place in the vicinity of the Abucay Church and that the building and surrounding area were subjected to heavy artillery firing both during the time it was in the hands of our forces and after its capture by the Japanese. It was also brought out that in many instances the Japanese Forces desecrated the graves of American soldiers and particularly those who had been actively engaged in the defense of American positions. Graves were also opened in the hopes of finding American equipment and ammunition which might have been buried with the remains.

The death roster prepared by Chaplain Secina has been studied; however, it does not contain the burial location of the remains of any of the individuals whose service he is reported to have conducted.

All unknowns recovered from the general area of Mabatang and Abucay have been processed by accredited technicians utilizing advanced scientific and technical procedures to obtain the most accurate information possible concerning these unknowns. The information obtained as a result of this processing was compared with the information on file with the Department of the Army for your son. However, no association was possible between any of these unknowns and your son because of the difference in dental and physical information.

Having considered all the factors in this case: the contradiction with regard to the actual place of interment, the shelling of the church and surrounding areas, the desecration and opening of graves by Japanese Forces, the intensive investigations conducted in the area, and inability of Graves Registration Service of the Army to locate the remains of your son, it has been determined that his remains are nonrecoverable.


Your letter has been referred to the Commanding Officer, United States Administration Center, 9700 Page Boulevard, St. Louis, Missouri 63132 for reply to that portion of your letter requesting cause of death and unit of assignment.

SPTS-MD  
Mrs. Myrtle C. Willard

17 July 1968

Realizing the extent of your great loss, it is regretted that there is no grave at which to pay homage. May the knowledge of your son's honorable service to his country be a source of sustaining comfort to you.

Sincerely yours,

  
OREN WOMACK  
Disposition Branch  
Memorial Division

Musgrove  
77472

Kerscher  
77756



EXHIBIT

36

HEADQUARTERS  
INVESTIGATION & RECOVERY UNIT  
AMERICAN GRAVES REGISTRATION SERVICE  
BATAAN PROVINCE

28 Dec 1946

SUBJECT: INTERROGATION

1. Name of Deceased STUART, Colonel 57th Inf (PS) ✓
2. Location of burial Abucay, BATAAN
  - a. Name of locality Abucay Hacienda, Abucay, BATAAN
  - b. Coordinates N. 18.6 E 82.9
  - c. Map reference Mt. SANTA ROSA, P.I. N 1440 E 12020/10  
Sheet 3255-III Scale 1.50,000
3. Method of determining identity:
4. Statement of Informant

During the battle of Abucay, I went to the Hacienda to check on the things near my place. I saw Philippine Scouts carrying the deceased American. The Scouts did not talk much. They said the deceased is an American Colonel. I saw the Scouts bury the deceased. The Scouts were from the 57th Inf.

5. Date of Death JAN. 1942
  - a. Cause of death K. I. A.
  - b. Person who buried remains UNKNOWN SCOUTS
6. Grave marked with regulation cross ~~(Yes)~~ (No)

I certify that the foregoing information is true and correct to the best of my knowledge and belief.

/s/ Ruben Caragay  
/p/ RUBEN CARAGAY  
Signature of Informant

ABUCAY, BATAAN  
Address

/s/ Abie Abraham  
/p/ ABIE ABRAHAM  
Signature of Interrogator M/Sgt

AGRS (PATA)  
APO Address 707

A TRUE COPY:

*Charles H. Ripley*  
CHARLES H RIPLEY  
Captain, CMP

EXHIBIT

38

22 June 81

Dear John:

Good hearing from you. it's always good hearing from the families of my friends. I knew your grandfather very well.

I spent a week trying to locate the grave of your grandfather. finally an informant came to my office in Balanga, were I had my office and he gave me this information.

During the battle of Abucay's hacienda, I went to my plantation at the Hacienda to check how things were. I saw Filipinos carrying a deceased American. they didn't talk much, but did tell me that it was an American Colonel. I watched the Filipinos bury the Colonel.

Ruben Caragay  
Abucay, Bataan

John, I believe it was Colonel Stewart, as he was the only Colonel to be killed at the Hacienda. my outfit, the 31st Infantry was on the right flank of the 51st Division.

I sent to body to the American cemetery as an unknown( probably that of Colonel Stewart) due to no tags were found with the remains, but did send the statement that Mr. Caragay gave me and was hoping that the remains would be properly identified later.

I was the chief of all operations and the only American in Bataan. didn't want anyone to fool around with the operations, as they might disinter Japanese and say they were Americans.

Give my love to your Grandmother.

*Abie*

phone 1-412-789-7570

MSG Abie Abraham Retd.  
Box 934 D Evans City Road  
Renfrew, PA 16053

**KNOWN OFFICER DEAD & BURIAL LOCATIONS.**

MAP or 5  
Sketch Ref.

RANK NAME BR SIN: WHERE KILLED - DIED - Last seen - Etc. BURIED

EXHIBIT  
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Brig. Gen.	MS. Bride, Allen Clay	0-2461	Died in P.O.W. Camp, Shirakawa, Taiwan. Shirakawa
" "	Fort, Guy O.	(ISC)	Mis. Manila. Last seen Manila.
Colonel	Barry, Edwin F.	O.D. 0-9717	Died P.O.W. Camp, Tarlac, P.I. Tarlac. P.I. Tarlac.
	Bonnet, Donald V.N.	INF. 0-8476	" " " O'Donnell, P.I. O'Donnell O'Donnell
	Brezina, Frank (Ret'd)	AMC 0	" " " Shirakawa, Taiwan. Shirakawa Taiwan
	Bunker, Paul D.	CAC	" " " Karenko, " Karenko "
	Hoskins, John W. O.	FA	Mis-action S. Bagac. Last seen W. Ad. KM 165. Rpt'd capt. Bat
	Hirsch, Ralph	FA (ISC)	Died Batan hike, Last seen O'Donnell O'Donnell Bat March
	Irwin, John W.	3 <sup>rd</sup> INF (ISC)	Died Batan hike, Lyac Jct. Burial probably vicinity Lyac. BAT. P.I.
	Lloyd, Frank	INF	Missing after sur. Batan.
	McConnell, Alva	AMC (ISC)	Died Batan hike, reported last seen Bat. March
	Merrill, Giles	CAV (GS)	Mis. after Batan surrender. Last seen Red Cr. Hosp. Gunawa
	McCullough, Sam. M.	CAC	Died Bilibid Hosp. Manila. Old Bilibid. Man.
	Parker, Arthur W.	AMC 0-8847	Killed - bombg Corregidor. Corregidor. Cor.
	Seawright, Hamilton	FA	Last seen KP100 - March fr. Batan. Bat. March
	Stuart, Loren	INF	Killed Abucay Hacienda, in front of position. (Not Read) Bat
	Wappenstein, W <sup>m</sup> . A	INF	Killed 1 mi. NE Jct. Tr. 4 #429 <sup>(2)</sup> E bank Pilar R. Bat