

BEFORE THE
MILITARY COMMISSION
convened by the
COMMANDING GENERAL,
United States Army Forces
Western Pacific

UNITED STATES OF AMERICA)

-vs-)

TOMOYUKI YAMASHITA)

) PUBLIC TRIAL
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)
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)

High Commissioner's Residence,
Manila, P. I.
23 November 1945

Met, pursuant to adjournment, at 0830 hours.

MEMBERS OF MILITARY COMMISSION:

MAJOR GENERAL RUSSEL B. REYNOLDS, Presiding Officer
and Law Member

MAJOR GENERAL LEO DONOVAN

MAJOR GENERAL JAMES A. LESTER

BRIGADIER GENERAL MORRIS C. HANDWERK

BRIGADIER GENERAL EGBERT F. BULLENE

APPEARANCES:

(Same as heretofore noted)

REPORTED BY:

E. D. CONKLIN

L. H. WINTER

M. M. RACKLIN

I N D E X

WITNESSES

	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
Akira Muto		3082	3097	3108
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Hiroshi Hashimoto	3112	3131	3146	
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EXHIBITS

<u>DEFENSE EXHIBIT NO.</u>	<u>FOR IDENTIFICATION</u>	<u>IN EXHIBIT</u>
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P R O C E E D I N G S

GENERAL REYNOLDS: The Commission is in session.

You may proceed.

MAJOR KERR: Sir, all members of the Commission are present, the Accused and Defense Counsel are present.

AKIRA MUTO

called as a witness on behalf of the Defense, having been previously sworn, resumed the stand and further testified as follows through Interpreter Commander Bartlett, assisted by Major Pratt and Lieutenant Asano:

CROSS-EXAMINATION (Resumed)

CAPTAIN PACE: I believe there was a question before the Commission at the close of yesterday's session, which I will withdraw at this time.

GENERAL REYNOLDS: Very well.

Q (By Captain Pace) Did you testify that when a commander desired prisoners of war to do work for them, they would put a request in for such prisoners of war?

A (Through Commander Bartlett) That is correct.

Q What information would the request give?

A I am not familiar with the precise details, but it is my understanding that the object of the work or purpose for which it was being done, the type of labor required, and the number of individuals required, would be set forth in the request.

Q And who approved or disapproved the request?

A The commander of the prisoner of war camp would make a study of the request, and then obtain from his superior approval, if he approved, for allotting the prisoners

to the work. However, I have had not a single experience in this matter.

Q You testified that that is how the prisoners of war happened to be on Palawan, didn't you?

A Yes.

Q Was that approved by the commander of the prisoner of war camp, and his superior?

A The sending of prisoners to the Island of Palawan appears to have been done a long time in the past, and I am not in a position to say exactly how it was done at that time.

Q How do you know what happened a long time in the past?

A I have heard about it later.

Q The commander at Palawan was still responsible to the PW commander who let him use those prisoners, wasn't he?

A Yes, he had a responsibility to the commander of the prisoner of war camp with respect to the prisoners that he had working for him.

Q Who was Yamashita's Deputy Commander?

COMMANDER BARTLETT: I cannot put that into words without more specification as to the purpose for which the deputy was appointed.

Q (By Captain Pace) Who was second in command of the 14th Area Army?

A (Through Commander Bartlett) This question appears to be based on American custom, and from a Japanese point of view it is a question to which I cannot give an answer.

Q Who was Yamashita's immediate subordinate?

A With respect to his headquarters, the Chief of Staff was second in command, but this condition changed with respect to units under the command.

Q What was the strength of the 14th Area Army on January 9, 1945?

COMMANDER BARTLETT: Will you repeat the question, please?

(Question read)

A (Through Commander Bartlett) On Luzon Island there were approximately 230,000. With respect to other sectors, that is to say, in the south, having no idea what losses they had incurred, I am unable to give an estimate as to their strength.

Q (By Captain Pace) Does your figure for Luzon include the 4th Air Army?

A It is with the 4th Air Army included.

Q When did you lose communication with Batan Island?

A Communications held up with Batan Island until April, after which we communicated through a unit stationed at Aparri.

Q Did you ever hear of the protest of the Spanish Government concerning the murder of Spanish civilians in Manila?

A There was a telegram telling about this that came from Tokyo.

Q As Chief of Staff, did Yamashita have you investigate that?

A I did.

Q When did you get the telegram?

A In Baguio, early in April.

Q And what did you do in your investigation?

A I sent a telegram to General Yokoyama, Commander of the Shimbu Group, instructing him to immediately investigate and send an urgent reply with respect to the complaints received from Tokyo.

Q What else did you do?

A At Baguio, there was nothing else that I could do about it.

Q Was there anything to prevent you from leaving Baguio?

COMMANDER BARTLETT: Will you read the question, please?

(Question read)

A (Through Commander Bartlett) At that time, in April, when the telegram arrived, American troops were extremely active in the vicinity of Baguio, and their arrival was expected at any minute. Communication between Baguio and Manila was entirely confined to radio.

Q What did Yokoyama reply to your message?

A The reply telegram had a meaning to the effect that while investigation had been made, Manila was already occupied by American troops and it was impossible to tell what the facts of the case were.

Q When did you get that reply?

A The reply came approximately one week after my telegram had been sent.

Q You are certain this happened in April, are you?

A According to my memory, it was April.

Q Did you know that Spain broke relations with Japan because of this incident?

A We heard this through the San Francisco radio newscast, and decided that this was something that must be investigated with great vigor and speed.

Q Did you listen regularly to the San Francisco news broadcasts?

A We could hear it frequently when the weather conditions were favorable.

Q Prior to American landings on Luzon, did you regard guerrilla activity as one of your most serious problems?

A Yes.

Q What instructions did Yamashita give concerning the control of guerrilla activity?

A I believe, according to my memory, it was about the middle of November; as a result of the Leyte campaign, General Yamashita stated that it would be necessary to break up the bands of armed guerrillas, and gave orders to that effect.

Q Did the subordinate commanders report to Yamashita the results of their efforts to wipe up the guerrillas?

A Receiving a report that American submarines were landing arms in the vicinity of Lamon Bay, an expedition was sent to take care of that situation, but without conclusive results. That was one report.

Immediately following the issuing of these orders in November, the units in Batangas were very busy preparing defense positions, and it appeared at that time there were not many guerrillas in that vicinity, and we received no

particular reports from that sector. I also received a report that a small band of guerrillas operating on the road between Manila and Lingayan had been disposed of.

Q Are those the only two reports that you received?

A I also received word of the mopping up of certain guerrillas in the vicinity of Fort McKinley.

Q How many other reports did you receive?

A I have no memory of any other reports.

Q For the entire period between November 1944 and April 1945?

A No; it is only a question of the end of last year, that is to say, November and December and part of January of this year.

Q All right. What reports did you receive after that?

A After arriving in Baguio we attacked Volckman's guerrillas and there conducted punitive expedition which amounted almost to a battle with organized troops.

Q What other reports did you receive?

A After the landing of American troops the American Army became the large, principal enemy and from that time on we received practically no reports concerning guerrillas.

Q Where did this battle take place near Baguio?

A About 20 or 30 kilometers north of Baguio and at San Fernando there was what might be termed almost a "pitched battle".

Q What day at San Fernando?

A As I remember it, it was between the middle and end of March.

GENERAL REYNOLDS: The Commission interrupts. Will you establish whether he means San Fernando, La Union.

There is more than one such city.

Q (By Captain Pace) Was this in San Fernando, La Union Province?

A No. It was the San Fernando north of Lingayen Bay.

GENERAL REYNOLDS: That is San Fernando, La Union.

Let us fix the point.

Q (By Captain Pace) What Province is that in?

A I am not familiar with the provinces.

GENERAL REYNOLDS: Then let us have him point it out on the map.

THE WITNESS (Indicating San Fernando, La Union).

GENERAL REYNOLDS: The witness is pointing to San

Fernando, La Union.

Q (By Captain Pace) In the Japanese Army is it customary to report the casualties inflicted upon the enemy to your higher headquarters?

A The units were accustomed to report casualties inflicted on the enemy.

Q Did you receive reports that your troops had killed over 60,000 Filipino guerrillas?

A How many did you say? No. I never heard anything like that.

Q What number did you hear they killed?

A I have never added up the total figures, and since the reports came in piecemeal I am not familiar with how many were reported.

Q Can you make an estimate?

A I am afraid I cannot make an estimate at this time.

Q What was to be done with persons who gave food and money to the guerrillas?

COMMANDER BARTLETT: Will you read the question?

(Question read)

A There had been no thought given to any handling of such persons; only for general disposition of guerrillas.

Q (By Captain Pace) What was to be done with men and women who were suspected of being guerrillas?

A The policy set forth to me by General Yamashita concerned only armed guerrillas and did not take into consideration any women and children.

Q What was to be done with persons suspected of being guerrillas?

A Nothing was ever said about any consideration of suspects. All instructions concerned guerrillas with arms.

Q Was anything ever said concerning women and children?

A Nothing was ever said about women and children in connection with guerrillas.

Q Were any orders ever issued concerning women and children in any connection?

A I have no memory of any orders saying to do this or to do that concerning women and children.

Q Were there any facilities in the Japanese Army for trying guerrillas?

A If in a punitive expedition any guerrillas were caught they would in due course be brought before a court martial.

Q When was Colonel Nagahama relieved?

A As I remember it, the recommendation was sent to Tokyo in the middle of December and the relief took effect as of the 1st of February of this year.

Q Are you positive that he wasn't relieved in March 1944?

A No. He was relieved on the 1st of February and left Baguio immediately.

Q February 1945; is that right?

A Yes.

Q What land areas did Count Terauchi's command cover after November 1 1944?

A Including the Philippines and extending west through Burma, all lands south of the Philippines.

Q Will you name them, please?

A Since I had no connection with many of those places

I cannot remember them all.

Q Did it include Burma?

A Yes.

Q Where did the 103rd Division come from?

A That was a division activated here.

Q Where did the 8th Division come from?

A I know where they originated in Japan but I am not familiar with their movements between the time they may have left Japan and the time they arrived here. I cannot say where they came from directly.

Q Didn't they fight in China?

A I don't seem to be able to recall.

Q Is Yokoyama a friend of yours?

A He is an old acquaintance but perhaps not enough to call him a friend.

Q After he came to the Philippines didn't you ever talk to him about where he had been?

A I never talked to him about anything in the past.

Q And he never told you that he had been fighting with the 8th Division in China; is that right?

GENERAL REYNOLDS: The Commission interrupts and remarks that the questioning does not seem to pertain to matters at issue. Are you bringing out something that really pertains to this case?

CAPTAIN PACE: Yes, sir. The testimony of this witness earlier was that the troops that Yokoyama took command of here were in an unsatisfactory state of training, raw troops sent from Japan, and that control, therefore, was very difficult.

CAPTAIN SANDBERG: Sir, I should like to correct counsel's last statement. He didn't say that all of the troops were untrained.

GENERAL REYNOLDS: I believe Defense is correct on that. His force consisted of large components of new replacements who were untrained. But you may proceed.

A I cannot remember.

Q (By Captain Pace) How many troops that you had here on January 9, 1945 were veterans of the China and Manchurian campaigns?

A I cannot give you any idea. I don't know.

Q Doesn't the Japanese Army make any attempt to determine the experience and combat training that their units have received?

A Each unit has its own records, of course. However, to say offhand exactly how many had had what experience with respect to all of the troops is something that I could not do. Of course, if I were to make a special study, that could be discovered.

Q Can you make an estimate of what percentage of the command had had combat training?

COMMANDER BARTLETT: Will you repeat that question?

GENERAL REYNOLDS: Prosecution must rephrase the question. "Combat training" could mean "preparation for combat" and you may have in mind "participation in combat".

CAPTAIN PACE: Yes, sir.

GENERAL REYNOLDS: Let us be certain.

Q (By Captain Pace) Can you give an estimate as to what percentage of your command had been in combat?

A Those who had had combat experience I believe were 30 or 40 per cent.

Q Where had they had their experience?

A They were either from China or who had been to some southern area and had experience there. Troops from Manchuria had had practically no combat experience.

Q In the Japanese Army has a commanding officer authority to punish officers under him?

A Yes.

Q What punishment can he administer?

A First, that differs with respect to ranks. With respect to officers there is "heavy arrest", which means staying right in his quarters at all times; "light arrest" and "reprimand". With respect to noncommissioned officers and lower ranks, up to the maximum of 30 days garrison confinement.

Q Can officers in the Japanese Army be court-martialed?

A From the very beginning that was possible. That means "of course".

Q Did Iwabuchi have authority to punish the Naval land troops in Manila after February 3, 1945?

A Yes.

Q Did Yamashita have any fishing units under him?

A He did not have any directly under him, but there were such units in each area who were responsible to the local unit commanders.

Q Were these commanders part of Yamashita's army troops?

A There were two types of fishing units: some that were Army and some that were Navy.

Q What type of unit was the Army unit?

A Those units had for their mission, when American landing craft should approach, to attack them by colliding with them with small boats with explosive charges in them.

GENERAL REYNOLDS: There will be a recess for approximately ten minutes.

(Short recess)

GENERAL REYNOLDS: The Commission is in session.

You may proceed.

Q (By Captain Pace) Where was the first meeting that you attended with Yamashita where he met Ricarte?

A In the President's mansion.

Q President Quezon's mansion?

A It was the official residence of President Laurel.

Q Where was the second meeting held?

A At Fort McKinley.

Q Where was President Laurel's mansion located?

A I believe it was in the very center of the City of Manila.

Q Where was the third meeting held?

A The third time it was in Manila on the occasion of the opening meeting of the Philippine Patriotic League, at which time the General made his appearance in order to greet the meeting.

Q Where in Manila?

A I did not go at that time, and I do not know just where it was.

CAPTAIN PACE: The Prosecution has no further questions.

GENERAL REYNOLDS: The Commission has questions.

EXAMINATION BY THE COMMISSION

GENERAL REYNOLDS: Did General Yamashita ever declare Manila to be an open city?

A The commander of the city, of the forces in the City of Manila, made an announcement in the city to that effect. That is the unit which later became the Kobayashi

group.

GENERAL REYNOLDS: He still hasn't answered the question.

A General Yamashita did not make such an announcement himself.

GENERAL REYNOLDS: With reference to the announcement made by the local commander in Manila, was this decision transmitted to the American troops?

COMMANDER BARTLETT: Will you read the question?

(Question read.)

THE WITNESS: No, not to the American troops.

GENERAL REYNOLDS: Is there any question in the mind of the witness as to what we mean by the term "declaring Manila an open city"?

A What I said was not -- I did not understand it as the expression "open city." What I mean to convey is that General Yamashita did not desire to have fighting in the city.

COMMANDER BARTLETT: I find that the word used by the Japanese for "open city" is "open city" for want of a better word, and my attempt of the translation of it was probably misunderstood by the witness.

GENERAL REYNOLDS: Ask the witness whether he understands the meaning of the term "open city" as it is defined and discussed in the Geneva Convention.

A I am not familiar with the details, but I believe I have a good knowledge of the general meaning of the term.

GENERAL REYNOLDS: In his judgment was the announce-

ment made by the local commander in Manila a direct declaration that Manila would be an open city within the meaning of the Geneva Convention?

THE WITNESS: It was different.

GENERAL REYNOLDS: The Defense may proceed.

REDIRECT EXAMINATION

Q (By Colonel Clarke) General Muto, why didn't General Yamashita declare Manila an open city?

A General Yamashita gave serious thought to the question of declaring Manila an open city, and the first reason that he did not do so was that in order to do so it would be necessary for him to make an announcement to that effect to the entire world; that he did not possess the authority to do so.

The second reason is that Manila, having been the principal supply base for the southern sector for three years contained an enormous amount of military supplies, that with the American landing, as imminent as it was, and with the transportation facilities available to the Japanese, it would have been impossible to render Manila a city not to be defended.

Since it appeared useless to advise Tokyo with respect to an impossibility, it was determined to evacuate Manila in a tactical manner, and having withdrawn as much of the supplies as possible, endeavor to keep the fighting out of the city.

EXAMINATION BY THE COMMISSION (Cont'd)

GENERAL REYNOLDS: The Commission finds it difficult to reconcile this statement with your preceding

statement that General Yamashita wished to avoid combat in Manila. Do you desire to discuss the matter?

A I would like to explain it, if it may be pointed out to me in what respect the two statements appear not to be consistent.

GENERAL REYNOLDS: In the one case the witness has testified that General Yamashita gave orders for the evacuation of the city, which the local troop commanders failed to execute. In the current discussion the witness is stating that General Yamashita could not declare the city an open city because of the supplies which he must protect and clear.

A I understand. What I wish to convey is this: That while General Yamashita wished to clear the city of Japanese troops and supplies there were in the city large numbers of air force and navy troops who were not subject to his command, and that if having made an announcement, a declaration of an open city, these troops were left in the city, then despite his announcement the facts of the case would have been that the city would be defended, and he preferred to try and make the city, in fact, an undefended city to the extent that he could without making any declaration to that effect.

GENERAL REYNOLDS: Since General Yamashita considered the question of declaring Manila an open city, did he at that time give any consideration to the evacuation of the civilian population?

A There was also considered and a conclusion reached that it was impossible of accomplishment.

GENERAL REYNOLDS: Why?

A At that time the efficiency of the railroad was very low. The number of motor transport vehicles available was very low, and weather permitting the city was subject to constant bombing by American air forces. In addition, if the Japanese army were to assume the responsibility of moving these people there would arise the problem of feeding them, and taking all these factors into consideration it was determined that the evacuation of the civilian population was an impossibility.

GENERAL REYNOLDS: Did General Yamashita issue any orders to his local commanders in the Manila area which would have directed them to prevent civilians leaving the city who wished to do so?

A On the contrary he had made known his wishes that any civilians who desired to leave the city would be permitted to go gladly.

GENERAL REYNOLDS: In view of that statement why were they held in the city in such localities as the Intramuros?

A If such was done, then that was directly contrary to the expressed wishes of General Yamashita.

GENERAL REYNOLDS: You may proceed.

COLONEL CLARKE: Is that point cleared up, sir?

GENERAL REYNOLDS: Yes.

REDIRECT EXAMINATION (Cont'd)

Q (By Colonel Clarke) Was it true that civilians did not wish out of the city, but on the contrary came into the City of Manila?

A Apparently some of them wished to leave the city, and the same time others desired to come into the city. I cannot give you any idea of numbers, but there was such a movement going on.

GENERAL REYNOLDS: The Commission interrupts. Since counsel has started to explore the point, we must have it clear. The way the question was phrased would be too broad over a long period of time, but the matter to which we are directing our attention involves the period of the defense of the City of Manila with American troops occupying parts of the residential areas. Now, it will be necessary to ask the witness whether there was any great demand by civilians to enter the city during the period of actual fighting.

Q (By Colonel Clarke) Were there any civilians that entered the City of Manila during the period about February, 1945?

A I was at Baguio at that time and I do not know of conditions which prevailed in February.

GENERAL REYNOLDS: Very well. Proceed.

COLONEL CLARKE: I believe there was a question being answered by General Muto at the time the last question was asked.

Will you read the original question back?

I think it had to do with Manila not being declared an open city.

GENERAL REYNOLDS: If that is the question involved he has given a thorough discussion on it. Unless there is something else you want you may proceed.

COLONEL CLARKE: I did not know whether he was through with that question or not.

GENERAL REYNOLDS: Well, you may explore and see.

COLONEL CLARKE: I think it has been entirely covered, sir.

Q (By Colonel Clarke) On cross examination yesterday, you were asked whether or not you were a participant in the young officers revolt in the Japanese Army. Do you know anything about that revolt?

A At that time I was a major and was no longer a young officer -- a lieutenant colonel, and was no longer a young officer. At that time there was a Marshal Muto, a very great man in Japan, and I am wondering whether that has not risen a little confusion between the Marshal and myself as General Muto.

Q Were you or were you not a participant in the revolt?

A No connection at all.

Q You were asked on cross-examination whether there were any troops in Cavite under General Yamashita in October, November and December, 1944. Your answer was that you do not remember if any troops were there; but, if any army troops were there, yes.

A Yes.

Q Were there any navy troops in Cavite at that time?

A Since Cavite was navy territory, there were naval troops there.

Q Were any naval troops in Cavite at that time under the command of General Yamashita?

A What months were those?

Q October, November and December, 1944.

A No.

Q You testified that Marshal Terauchi left Manila in November of 1944, is that correct?

A I said so yesterday, and there is no mistake about it.

Q At that time, did the command of Marshal Terauchi cease over the troops in this area?

A No; his command continued afterwards to include the Philippines.

Q When did the Southern Supreme Command cease to have any control over the troops in the Philippines?

A The 30th of August of this year.

Q Was General Yamashita's headquarters subordinate to the Supreme Southern Command until that date?

A Yes.

Q Yesterday you testified that you had not heard anything concerning a report that prisoners of war were starving to death?

A Yes.

Q And later you testified, in answer to the question as to whether or not you thought the rate of death in the army of starvation was about the same as the prisoner of war camps, that in your opinion the rate was higher in the Japanese army.

CAPTAIN PACE: What page, sir?

COLONEL CLARKE: 3076 and 3077.

GENERAL REYNOLDS: If you are going into that question, it will also be necessary to establish dates; because obviously, when the Japanese army withdrew into the hills they faced a different situation than they did prior to the defense of Manila. That is to say, they faced a different situation in March, April and later months, than they did in October, November, December and January. So if you are going into the question, you must do it by dates.

COLONEL CLARKE: There is an apparent inconsistency, and I was attempting to clear up the inconsistency. He said he didn't know of any starvation, and later he said the rate was higher.

GENERAL REYNOLDS: You are quite right, but in exploring it, since you have opened the subject, the Commission desires that it be established by dates: What was the condition from October 1 to January 1, for example, and what was the situation from February 1 to, say, April 30? Then we will be able to visualize what the situation really

was. Really the Commission is concerned with the matter only for the period prior to the liberation of American prisoners of war and civilian internees, which took place on February 3 or thereabouts.

COMMANDER BARTLETT: Will you read the last two questions, please?

(The last two questions were read by the reporter as hereinabove recorded.)

A (Through Commander Bartlett) Yes. With respect to that --

COLONEL CLARKE: Wait a minute. I want to ask him another question.

Q (By Colonel Clarke) Is your opinion based upon the proportionate rate of death between October 1944 and the surrender, in September 1945?

A (Through Commander Bartlett) I had never heard of deaths from starvation among the prisoners, but when the Counsel told me that there had been and asked me whether I thought there were -- how they compared with deaths in the Japanese army, I told him that I thought that the deaths in the Japanese army from starvation were probably greater.

COMMANDER BARTLETT: Will you read that answer, please?

(Answer read)

COMMANDER BARTLETT: I would like to change that word "Counsel" to "Prosecutor".

GENERAL REYNOLDS: That, indeed, was his testimony, but we want to know if it refers to the period prior to February 3.

COLONEL CLARKE: Yes, sir. I want to establish whether he meant the entire period at that time.

Q (By Colonel Clarke) Can you give us the proportion of deaths by starvation as between prisoners of war and Japanese soldiers, for the months of October, November and December 1944?

MAJOR KERR: If the Commission please, this witness stated yesterday that he did not know what deaths had occurred in the prisoner of war camps. I submit, therefore, that there is no foundation laid for that question at this time.

GENERAL REYNOLDS: Well, in another part of his testimony he has compared the deaths in the Japanese army with the deaths in the prisoner of war camps; now we would like an answer to that question as to the dates.

Will you read the last question, please?

(Question read)

GENERAL REYNOLDS: Let him answer that question.

Q (Through Commander Bartlett) I cannot give you an accurate statement, but I can give you my impression.

Q (By Colonel Clarke) And what will be the basis of your impression; what knowledge will you have upon which to base that impression?

A First I base it on my knowledge of conditions in the military hospitals serving the troops in the City of Manila, which were absolutely full of malnutrition cases. Also, at that time, in spite of the heat we were requiring a great deal of labor from such troops. And from that springs my opinion that probably the death rate was greater

among the Japanese soldiers than among prisoners of war.

GENERAL REYNOLDS: There will be a recess for approximately ten minutes.

(Short recess)

GENERAL REYNOLDS: The Commission is in session. You may proceed.

Q (By Colonel Clarke) In making your comparison as to the pro-rated deaths between the army and civilians, of starvation, you stated that you based your opinion, insofar as the military was concerned, on the hospital deaths?

A Yes.

Q Upon what information do you base your opinion as to the prisoners of war death?

A I used the information that I received here, with respect to deaths of prisoners of war.

COLONEL CLARKE: Shall we go into the January, February and March on that basis, sir?

GENERAL REYNOLDS: I doubt if it will be productive, but if you would like, you may do so.

Q (By Colonel Clarke) In speaking of the labor groups of prisoners on Palawan yesterday, you were asked a question as to whether or not the commanding officer on Palawan was responsible to the commander of the prisoners of war.

(Translated to the witness by Commander Bartlett.)

Q You answered that the commanding officer on Palawan had a responsibility to the commander of the prisoners of war.

A The borrowing unit commander had complete responsibility for the prisoners, and in case anything should go wrong

there, his was the full responsibility. That is the answer I intended to give yesterday.

Q Was that the answer you gave yesterday?

A I believe that I will always give that answer to such a question.

Q Was that the answer you gave yesterday?

A I believe I gave the same answer yesterday that I gave today.

COLONEL CLARKE: The reason for this is, sir, that afterwards we were informed that the interpretation did not bring out the sense of his answer, sir.

GENERAL REYNOLDS: I think we can leave the point, because I don't think there is any question that in this case his answer of today and the answer of yesterday were identical as to their meaning. That is, we would accept the two answers as being identical.

The Commission, however, will interrupt to inquire of the witness whether the use of American prisoners of war on that Palawan Airfield was in accordance with the terms of the Geneva Convention for the use of prisoners of war. And add this statement: "In the opinion of the witness".

(Translated to the witness by Commander Bartlett.)

THE WITNESS: (Through Commander Bartlett) If the time when that project was started was a time when there was no likelihood of attacks by American aircraft then I believe it was a permissible use.

GENERAL REYNOLDS: We will then find it necessary to inquire as to his views on the matter at the time of the alleged massacre.

THE WITNESS: (Through Commander Bartlett) I believe that when conditions were as they then were, it was no longer an appropriate use for prisoners.

GENERAL REYNOLDS: Proceed.

COLONEL CLARKE: That is all, sir.

GENERAL REYNOLDS: Is there anything further from the Prosecution?

CAPTAIN PACE: We have three questions, sir.

GENERAL REYNOLDS: Let us restrict it, please, to three.

CAPTAIN PACE: Yes, sir.

RE-CROSS EXAMINATION

Q (By Captain Pace) When did Yamashita learn that the Imperial Headquarters had directed that naval forces would be under the army for land combat?

A That was way before; in fact, when I was at Sumatra the same orders were given to us there. And when General Yamashita arrived here, he found those long-standing orders already here.

Q Were they in effect here when he arrived?

A Those orders had gone all over the South Sea Command.

Q When did Yamashita talk to Laurel about declaring Manila an open city?

COLONEL CLARKE: We don't believe that that was in the testimony at all, sir, that he talked to Laurel about declaring Manila an open city.

CAPTAIN PACE: It is a leading question, sir; I can make two questions out of it.

GENERAL REYNOLDS: We are restricting you to three

questions. In view of the objection by Counsel and the recollection of the Commission as to this testimony, the question will not be answered.

CAPTAIN PACE: I will rephrase it, then.

Q (By Captain Pace) Did Laurel talk to Yamashita about declaring Manila an open city?

A There was no such talk from President Laurel to General Yamashita.

Q Are you positive of that?

A As far as I am concerned, I am positive.

GENERAL REYNOLDS: How many questions now from the Defense?

COLONEL CLARKE: About one or two, sir.

GENERAL REYNOLDS: We will grant you two.

REDIRECT EXAMINATION

Q (By Colonel Clarke) Were these orders concerning the transfer of command of naval land troops to the army a standing order from Tokyo?

A It is of the nature of a standing order.

Q When would that order become effective in operations?

A It would automatically take effect with the commencement of land operations.

COLONEL CLARKE: That is all, sir.

GENERAL REYNOLDS: Unless this witness is recalled for some essential purpose by the Defense or Prosecution or Commission, he will be considered excused.

COLONEL CLARKE: I think we will put him on to complete the map.

(Witness excused.)

CAPTAIN SANDBERG: In connection with General Muto's testimony the Defense wishes at this time to invite the attention of the Commission to an excerpt from Prosecution's Exhibit 399 in evidence. This is a letter from the Liaison Committee for the Imperial Japanese Army and Navy dated the 5th of this month and it is addressed to Colonel Munson, General Staff Corps, United States Army, G-2; subject: "Placing Naval units in the Philippines under the command of General YAMASHITA".

"1. The Liaison Committee (Tokyo) of the Imperial Japanese Army and Navy is the official means of liaison between the Imperial Japanese Army and Navy and the armed forces of the Supreme Commander for the Allied Powers.

"2. The undersigned, Lieutenant General S. Arisue, IJA, is the Chairman of the Liaison Committee (Tokyo) of the Imperial Japanese Army and Navy".

There were two questions that were asked and the most pertinent at this time was the second question.

GENERAL REYNOLDS: While we are to consider the document, read both questions and both answers.

CAPTAIN SANDBERG: Yes, sir.

"3. A request has been received by the Liaison Committee through the office of Colonel Munson, GSC, G-2, for the original Japanese records answering the two following questions: 1. Did General YAMASHITA, Tomoyuki, command all Navy forces in Manila during January and February, 1945? 2. Did YAMASHITA'S command extend to actual control over Navy Forces in land action after commencement of hostilities in or near Manila? That the request included

a request for the answers to the two said questions in the event that the original Japanese records were unavailable.

"4. A search for original Japanese documents which might have borne on the two said questions has been made but none have been found. Many original Japanese records were destroyed prior to the cessation of hostilities.

"5. To the best of the knowledge and belief of the Liaison Committee the answer to the first question is, while not all of the Navy personnel on the land throughout the Philippines was under the command of General YAMASHITA during January and February, 1945, the Navy personnel on the land in the city of Manila during January and February, 1945, was under the command of General YAMASHITA.

"6. The answer to the second question (that is, as to control) is not known. It is known that General Yamashita was in or around Baguio during January and February, 1945, and that if there was any communication between him and the Japanese forces in or near the city of Manila during the period in question the communication was very poor.

"/s/ S. Arisue
/t/ S. Arisue,
Lieutenant General, IJA
Chairman "

GENERAL REYNOLDS: The comments of counsel are noted. The Commission should state that the reply to the second question must also be weighed against the testimony of the Japanese commanders who have discussed at some length the communication facilities available in Baguio and the Shimbu Group and the efficiency of the radio facilities even to dates. That is to say, the quality of radio communication had been discussed by the Commanding General of the Shimbu

Group period by period, starting in in January and continuing until well after the fall of Manila.

CAPTAIN SANDBERG: Yes, sir.

CAPTAIN REEL: Colonel Hiroshi Hashimoto.

HIROSHI HASHIMOTO

called as a witness on behalf of the Defense, being first duly sworn, was examined and testified as follows through Commander Bartlett, assisted by Major Pratt and Lieutenant Asano.

DIRECT EXAMINATION

Q (By Captain Reel) What is your name?

A Hiroshi Hashimoto.

Q And your address?

A Tokyo City; Ushigome Ward; Benten Street, No. 44.

Q And your rank in the Japanese Army?

A I am a full Colonel.

Q And you are now a prisoner of war?

A Yes.

Q When did you come to the Philippine Islands?

A First day of November of last year.

Q And where did you come to in the Philippine Islands?

A I came by air to San Fernando.

Q And what was your mission here?

A I was enroute to the Island of Mindinao to join the staff of the 100th Division.

Q Did you ever get to Mindinao?

A I never did get away.

Q And why didn't you get to Mindinao?

A There was no air transport available to go there.

Q Did you assume a position here in Luzon?

A Yes.

Q And what was that position?

A On the staff of the Manila Defense.

Q And was that called the Kobayashi Corps?

A Yes.

Q Now, was this Kobayashi Corps made up of numerous divisions?

A Yes.

Q About how many men were in the Kobayashi Corps?

A There were at that time five battalions of infantry.

Q And where were they located?

A At Santa Mesa.

Q And that is when you first came here?

A Yes.

Q Now, at some time shortly after that were most of these troops transferred away from the City of Manila?

A They went to Wawa, which is on the east of Manila.

Q Now, were any of the Kobayashi Corps left in Manila?

A Yes.

Q About when were these troops transferred to Wawa?

A The transfer started about 10 January and was practically complete by 25 January.

Q These troops that were left in Manila, how many were there?

A About 1800 in the City of Manila.

Q And were these the so-called Noguchi Detachments?

A Yes.

Q And was there a Colonel Noguchi here in charge of

them?

A Yes.

Q Did you stay in Manila with the Noguchi Detachment?

A Yes.

Q All right. Now, before we come to that, do you know when the order was issued to move the bulk of the Kobayashi Corps out to Wawa?

A I think it was about the end of December.

Q And where did that order come from?

A That came from the Shobu Group.

Q Is the Shobu the 14th Army Group?

A Yes.

Q What was the mission of the 1800 men of the Noguchi Detachments who remained in Manila?

A First, the maintenance of order within the City of Manila; next, to guard military supplies remaining in the City of Manila, and to guard the large bridge across the Pasig River -- "bridge" or "bridges".

Q Where were these Noguchi troops placed within the City of Manila?

A Post Office; Water Works Office; Yokohama Specie Bank; Freight Depot; the City Office --

CAPTAIN REEL: The City Hall?

COMMANDER BARTLETT: The City Hall.

A (continuing) -- the Legislative Hall; Intramuros. That's all.

Q (By Captain Reel) Now, how big a detachment was in Intramuros?

A Approximately 100 men.

Q And where in Intramuros were they?

A Along the east edge of the Walled City.

Q And is that near the Manila Hotel?

A It is about 800 meters from the Manila Hotel.

Q Now, you have told us where the detachments were placed. Why were they placed in the spots that you have named?

A As I said before, their mission was to guard bridges, and they were placed in the vicinity of the bridges that they were to guard.

Q Were they also placed at locations where supplies were?

A Sentries were put around supply points.

Q Now, you stated that one part of the mission was to guard the supplies. Were the supplies being moved out of the City of Manila at that time?

A Yes.

Q And who was doing that moving?

A At the first part of the time the line of communications was doing that.

Q And "line of communications" is equally translated as "commissariat"; it is "hei-tan" on the chart?

COMMANDER BARTLETT: That is what it is.

Q (By Captain Reel) Did these Noguchi detachments have any instructions to destroy supplies?

A There were no orders, and it was not part of their mission.

Q They were simply to guard them while others were moving them out, is that correct?

A Yes.

Q And why wasn't any order given to destroy those supplies in the event the Americans should take Manila?

A This was started about the middle of November and

it has been anticipated that the transportation of these supplies would be completed before the arrival of the American troops.

Q When did your intelligence lead you to expect the Americans would arrive?

A As I understood it or estimated it it was expected after the 20th of February.

Q Now, in addition to these 1,800 Noguchi detachment, were there a large number of naval troops in the City of Manila?

A Yes.

Q And can you tell us, with reference to that map, if you wish, just where they were located? You might explain those red dots are not units.

A. There is an Escolta Street just north of the river, as I am indicating on the chart, and there were some troops there. There were a few in the Walled City, as I point to the south of the river.

GENERAL REYNOLDS: Let me interrupt. Are these Army troops or Navy troops? The question dealt with Navy troops.

COMMANDER BARTLETT: I asked the witness the question: "Are all these troops you are speaking of Navy troops?" The answer is, "Yes."

THE WITNESS: Naval headquarters was the third house, or third building, to the south of the Legislature. The main force was dispersed along south of that, as I indicated. There were many naval troops in the neighborhood of Nichols Field. There were naval troops at

McKinley. In the neighborhood of San Juan there were naval troops.

Q Now, do you know how many naval troops there were in the places that you have pointed out?

A I cannot give you an accurate figure.

Q Well, an approximation, then.

A At Escolta there were one or two hundred; at the north of the Walled City, on the river bank, about two hundred; at San Juan, about a thousand or a few more. The rest of the naval forces were all south of that along the shore.

Q Is that in the Pasay region?

A Yes.

Q Now, can you tell us, roughly, how many naval troops there were altogether in the City of Manila?

A From 15,000 to possibly 20,000.

Q Were there naval troops in the Malate and Ermita areas?

A I don't know.

Q Were there naval troops in the area between the naval headquarters and Nichols Field?

A Yes.

Q Were there any of the Noguchi detachment in that southern part of the City between the naval headquarters and Nichols Field?

A No.

Q Now, when did you first hear of the Americans coming to Manila?

A The 3rd of February.

Q Before I explore that further I want to ask a question that deals with one that I asked before. Do you know where the naval storehouses were located?

A There were some at Escolta; there were also many supplies in the large building in which the naval headquarters were located south of the Legislature, as I said before.

Q Now, back to the 3rd of February, what occurred on the 3rd of February?

A At the Far Eastern University, the first contact between American and Japanese troops occurred.

Q And about what time of the day was that?

A 1830 to 1900 hours.

Q And where were you at that time?

A I was in my detachment headquarters at the post office.

Q Did someone bring you a report of this engagement?

A I heard about this contact when I went to the post office and contacted the unit involved by telephone.

Q Were there some troops of the Noguchi unit in that battle?

A There were about 50 troops from Noguchi at the Far Eastern University.

Q Were they guarding supplies at the Far Eastern University?

A Yes.

Q Now, what was your reaction when you heard of this engagement on the 3rd of February?

A I was extremely surprised at this arrival of the

troops and was frightened.

Q And why were you surprised?

A I had not expected American troops to arrive so quickly.

Q Did you report to the colonel, Colonel Noguchi, immediately after hearing this?

A Colonel Noguchi discovered, knew this at the same time that I did.

Q Now, what was your opinion at the time as to whether or not this constituted the beginning of a full-scale invasion of Manila by the American troops?

A It was my opinion at the time that this was a mere reconnaissance unit and Colonel Noguchi was of the same opinion.

Q Now, what did you do after reporting to Colonel Noguchi?

A I established a liaison with Colonel Kobayashi, the commander of the Kobayashi unit, who was, as I said before, at Wawa, outside the City of Manila. However, by reason of static and the extraneous noises, it was extremely difficult to hear or make myself heard over the telephone, and as a result on the following morning, the 4th, I went out to Colonel Kobayashi to apprise him of his situation.

Q Is that Colonel, or Major General?

A Major General.

Q And what time on the 4th of February did you leave Manila?

A It was very early in the morning of the 4th,

possibly one o'clock or two o'clock.

GENERAL REYNOLDS: The Commission will recess until 1:30 this afternoon.

(Whereupon, at 1135 hours, 23 November 1945, a recess was taken until 1330 hours, 23 November 1945.)

AFTERNOON SESSION

(The trial was resumed, pursuant to recess, at 1330 hours.)

GENERAL REYNOLDS: The Commission is in session.
You may proceed.

MAJOR KERR: Sir, all members of the Commission are present, the Accused and Defense Counsel are present.

GENERAL REYNOLDS: Read back the last six questions and answers, please.

(The portion of the record referred to was read by the reporter as above recorded.)

CAPTAIN REEL: Sir, the guard officer in charge of prisoners has not yet brought the witness over from the stockade. We inquired about it and have been sending after him for the last 20 minutes.

GENERAL REYNOLDS: How far is it?

CAPTAIN REEL: From here to the stockade, sir? I think it is only about 100 yards.

GENERAL REYNOLDS: Do you know, Major Kerr, whether the MPs have gone over after him?

MAJOR KERR: No, sir. This is the first word I have had of it. I didn't know he was not here.

CAPTAIN REEL: I think Captain Williams is out after him, sir.

GENERAL REYNOLDS: The Commission will recess until the witness arrives.

(Short recess)

GENERAL REYNOLDS: Are you ready to proceed?

CAPTAIN REEL: Yes, sir.

HIROSHI HASHIMOTO

the witness on the stand at the time of recess, having been previously duly sworn, was examined and further testified as follows through Interpreter Asano, with the assistance of Commander Bartlett and Major Pratt:

DIRECT EXAMINATION (Resumed)

Q (By Captain Reel) Now, when you left Manila on the 4th of February, was there any fighting going on in Manila?

A (Through Interpreter Asano) I have heard that there was some fighting going on in the vicinity of Santo Tomas University on or about the 3rd of February.

Q Did you see any fighting?

A No, I haven't.

Q Did you report to General Kobayashi in Wawa?

A Yes, I did; I reported to him over the telephone.

Q And was that the first report he had received of the occurrences on the 3rd of February?

A Yes, it was the first report.

Q Now, did you stay at General Kobayashi's headquarters at Wawa after that?

A The first report over the telephone was unsatisfactory. Therefore, I personally went out to Major General Kobayashi's headquarters and stayed there ever since.

Q Now, was communication kept up between Colonel Kobayashi's headquarters and the City of Manila?

A The communication between Major General Kobayashi's headquarters and army headquarters in Manila was maintained. In the case of telephone, it was maintained until the night of the 3rd or the early morning of the 4th. However, the

wireless communication was maintained until on or about the 18th of February.

Q And between the time of your arrival at General Kobayashi's headquarters and the 18th of February, did you get reports of what was going on in Manila?

A We had been listening in to some of the communications that were sent to headquarters of Shimbun Shudan, and thus we learned what was going on in Manila.

Q Did you get or hear any reports of the killing of civilians in Manila?

A No, I never heard of such reports.

Q Did you get or hear any reports of rape in the City of Manila?

A No, I never did hear such a report.

Q Did you get or hear any reports of atrocities occurring in the City of Manila?

A No, I haven't heard of any such cases.

Q Now, when you say there was wireless communication, was that wireless telephone or Morse Code wireless?

A It was wireless code.

Q And to your knowledge, in the Japanese army was there such a thing as wireless telephone?

CAPTAIN REEL: That is, voice transmission; explain that it means "voice transmission".

A (Through Interpreter Asano) In the battle of Manila, a radio telephone wasn't being used.

Q (By Captain Reel) Now, approximately what time did it become apparent to you or your headquarters that there would be a battle in Manila?

INTERPRETER ASANO: Will you read that question, please?

(Question read)

A (Through Interpreter Asano) The battle of Manila became apparent on or about the 10th of February.

Q And what happened on or about the 10th of February that made that apparent?

A One reason that city fighting in Manila was apparent was because the American forces had crossed the river near San Juan and had penetrated the naval defense there.

(At this point the witness left the stand and proceeded to the map of Manila and vicinity and indicated thereon.)

THE WITNESS: (Through Interpreter Asano) And on about the 9th or 10th of February, I received a report from the unit stationed near Paco Station, stating that there was a pitched battle going on around that neighborhood.

Q Now, at any time was an attempt made by the Noguchi Units to get out of Manila?

A This unit attempted to withdraw from the City of Manila by way of Paco Station, and there engaged American forces, and pitched battle was ensued there; and that area was taken or lost on about two or three occasions.

Q So that the battle at the Paco Station resulted from the attempt of the Noguchi units to get out of Manila?

A That is what I estimate.

Q Now, did you get any reports from naval units?

A No, I haven't.

Q Now, on or about the 10th of February, did the

Kobayashi headquarters draw up plans to extricate the Noguchi units? If "extricate" is too long a word, then "to get them out of the city".

A Yes, we did plan to rescue or evacuate the Noguchi unit from the City of Manila, and the plan was submitted to the Shimbu Group headquarters.

Q When was this?

A On or about the 10th of February.

Q What was the plan?

A The number of men used for this plan was about 5,000 from the Shobu -- Shimbu Group. The plan was to attack from the direction of Caloocan, Nipo, Quezon Air Field, and Antipolo.

Q And at the time of this attack, were the Noguchi units to attempt to break out from the city in the same direction?

A We received a wire to the effect that the Noguchi unit will attempt escape offense on the 14th of February; therefore attempt at rescue from the outside began on the 14 of February.

Q What happened to this venture?

A Because resistance of American force confronting the Shimbu Group was so stiff, that this plan was not effective.

Q Now, was there any other purpose, other than rescuing the Noguchi units, in sending these 5,000 men towards the city from the east?

A This rescue plan had two purposes: The first was to break up the offensive preparation being made by the American

forces situated east of the Shimbu Group, and the secondary purpose was to rescue the Noguchi unit in the City of Manila.

Q Was it any part of the plan to try to retake the City of Manila?

A No, there was no plan included in retaking of Manila.

CAPTAIN REEL: "No plan included in retaking of Manila"; is that the entire translation?

INTERPRETER ASANO: Yes.

CAPTAIN REEL: Then I had better ask it again.

Q (By Captain Reel) Was it part of the plan that this force of 5,000 were to take Manila?

A No, it wasn't the plan to retake Manila.

Q Why not?

A We knew that the recapture of Manila was difficult and absurd, because we only possessed infantry and we did not have any artillery support.

Q And was it part of the general plan that there should be no occupation of Manila by the Japanese troops?

MAJOR KERR: If the Commission please, the Prosecution objects again to leading of the witness.

GENERAL REYNOLDS: The objection is sustained. These important questions should be phrased in a more orthodox manner.

CAPTAIN REEL: The difficulty of interpretation, sir, requires leading sometimes. I will rephrase it.

Q (By Captain Reel) What was the Japanese plan relative to the defense or occupation of Manila?

A The purpose of the troops stationed in Manila were

to maintain order, guard bridges, and to guard the military supplies.

CAPTAIN REEL: I don't think that answers the question. I will ask it again.

Q (By Captain Reel) Does the witness know about a plan to evacuate Manila?

A (Through Interpreter Asano) It was our plan to evacuate the city completely after the supplies were evacuated.

Q And when you say "our plan there", you mean the Noguchi unit?

A No, that is the plan we received from the Shimbu group headquarters.

Q Was that plan ever changed so far as you know?

A No.

Q Now, this battle, the failure of the rescue mission, did that occur in the hills east of Manila?

A The rescue operation took place to the east of Montalban and U. P. University and to the north at Novaliches.

Q And that is outside of the City of Manila?

A Yes, it is.

Q Now, go back for a minute to December 1944 or January 1945, do you know anything about a proclamation that was posted in the City of Manila?

CAPTAIN REEL: Will you read that question back?

(Question read.)

THE WITNESS: Yes, there was a proclamation issued to the public in the City of Manila.

Q (By Captain Reel) Just posted on the walls in the city?

A Yes, the proclamation was posted in the conspicuous places in town and was also published in the newspapers.

Q In what languages?

A In the newspaper the proclamation was written in English, Japanese and Tagalog.

Q And the posters?

A The posters were written in English and Japanese.

Q And to the best of your recollection, what was the subject matter of these posters or proclamations?

A I don't remember very well, but I believe the context of the proclamation said something like this, to this effect, that Manila will now be a battlefield and that the inhabitants should carry on their daily routine.

Q Were any plans made relative to evacuation of civilians from Manila?

A No, we did not have any conclusive plan of evacuation of civilians of Manila. However, we expected congestion of traffic if anything of such nature took place. Therefore, we had drawn plans and stationed sentries as traffic controllers.

Q And were the sentries stationed to facilitate traffic out of Manila for people who wished to go?

A The plan to post sentries was to have them placed in a strategic point or at a strategic point so that they could instruct the civilians regarding the matter of evacuation.

Q Were signs put up advising the sentries of the proper roads out of the city?

A No, there was not.

Q Now, I think you testified that the Noguchi units had no orders to destroy buildings. I will ask you whether you know of a naval order to naval units to destroy buildings?

A I do not know.

CAPTAIN REEL: That is all.

CROSS EXAMINATION

Q (By Captain Hill) When did you become chief of staff for General Kobayashi?

A The latter part of March of this year.

Q Then you were not chief of staff during the time about which you have testified?

A It is so.

Q And during the period from November 1944, when you arrived here, until March 1945, you were merely in charge of Japanese civilians and the transportation of supplies in this area, is that not true?

A Yes, it is. When the battle started on the 4th of February I had to do something with operations of war.

Q I believe you testified in your direct examination that when you first learned of the Americans entering the City of Manila that you were in your headquarters in the post office, is that correct?

INTERPRETER ASANO: Will you please read the question?

(Question read.)

THE WITNESS: No, I stated that I reported to the post office.

Q (By Captain Hill) Where were you when you first learned of the Americans entering the city?

A The first news of American forces entering Manila was heard by me while I was eating supper at the Rainbow Cafe.

Q Isn't it a fact that when you first heard the news of the Americans entering Manila you were drunk in the

Rainbow Night Club in Manila?

A Absolutely not so.

Q Do you know this gentleman by the side of me here (indicating Mr. Bonuvar)?

A Yes, I do know him.

Q And has he interviewed you on two different occasions recently?

A Yes, he has.

Q Did this gentleman, Mr. Bonuvar, interview you on 11 October 1945?

A I met him sometime this year, but I am not sure of the date.

Q Well, on that day, on the 11th of October, didn't you state to Mr. Bonuvar that on the night of 3 February 1945, when you learned of the news of the Americans entering Manila, that you were drunk in the Rainbow Night Club?

A No, I did not.

Q Did you say to Mr. Bonuvar at that time that you were drinking in the Rainbow Night Club on the night of 3 February 1945?

A I was eating supper, that is all.

GENERAL REYNOLDS: The Commission interrupts. The night life of the witness may constitute an interesting interlude, but does it have any bearing on this case?

CAPTAIN HILL: It goes to the credibility of this witness, whether he is telling the truth about any of these matters.

GENERAL REYNOLDS: Very well, proceed.

Q (By Captain Hill) Now, I will ask you if during

the month of December, 1944, in January 1945, if dynamite and other explosives, including gasoline, were not placed in various buildings in the City of Manila, to your knowledge?

A No, I haven't, except that I have heard that there was a plan to destroy the bridges.

Q I want to ask you if you did not, in your conversation with Mr. Bonuvar, on October 11th of this year state to him that buildings had been already loaded with dynamite and gasoline ready to be blown up?

A No.

Q I will ask you if you did not tell Mr. Bonuvar that that was done on orders of General Kobayashi?

A No.

Q And if you didn't further state to Mr. Bonuvar at that time that all of this was done by Colonel Suzaki as chief of staff to General Kobayashi, that he was directly in charge of placing dynamite and gasoline in the buildings?

A No.

Q You were in Singapore, were you not, in 1941, under Yamashita?

A Yes.

Q Does the fact that you served under Yamashita there influence you in any way in not telling this Commission the truth in this hearing?

CAPTAIN REEL: Sir, there is no evidence that this witness is not telling the truth. We object to that as most improper; that is a most improper question.

CAPTAIN HILL: I think it is perfectly proper, your

Honor. I am attacking the credibility of this witness, and our rebuttal testimony will set out everything that we are asking him here.

CAPTAIN REEL: It is a novel way of attacking the credibility of the witness here.

GENERAL REYNOLDS: The Commission feels that the questions should not be asked which by their very nature would degrade the witness. You can get the same information in a more adroit manner.

CAPTAIN HILL: I will withdraw the question.

Q (By Captain Hill) Do you have any knowledge of atrocities being committed by the soldiers under Yamashita in the Singapore campaign?

CAPTAIN REEL: We object, sir; there is no charge here of anything like that. This case has to do with October 1944 and not Singapore or any other place.

CAPTAIN HILL: Well, it is a similar offense, your Honor.

GENERAL REYNOLDS: The objection is sustained.

Q (By Captain Hill) Do you know whether or not the detachment of troops that you left here in Manila did actually destroy any of the buildings here in Manila?

A No, I do not know.

Q You have told the Commission that one of the missions of the troops or detachment of troops that you left here in Manila was to maintain order. Does that include as one of their duties the prevention of atrocities here in Manila?

A Of course that includes such matters.

Q When did you first find out the atrocities that had been committed by the Japanese soldiers and sailors here in Manila?

A I haven't heard anything regarding the matter yet.

Q Do you know what happened to General Kobayashi?

CAPTAIN REEL: Wasn't this last question answered? May we have it read back, please?

(Record read.)

GENERAL REYNOLDS: Let's rephrase the question or repeat the question, rather, and get a very carefully translated reply.

CAPTAIN REEL: We would like to ask the interpreter if he gave a full literal translation of all that the witness said.

GENERAL REYNOLDS: The manner prescribed by the Commission will accomplish the same thing. Repeat the question, please.

(Question re-read.)

CAPTAIN REEL: I think it was the question before that that the witness gave the answer, and it was not all translated.

GENERAL REYNOLDS: I think that is the very question at issue.

COMMANDER BARTLETT: While the examiner was asking that question the witness volunteered some extraneous information. The interpreter said, "Let that go until you answer this question," and then repeated the question just read by the reporter. The answer was as given by the interpreter.

The extraneous matter was not translated.

GENERAL REYNOLDS: Take the third question from the bottom of the list, the third question back and read that.

(Record read.)

CAPTAIN REEL: There was further information given by the witness to the answer to that question to the effect that "when we drew up that plan we didn't foresee there would be any atrocities."

GENERAL REYNOLDS: We would rather get that from the chief interpreter.

COMMANDER BARTLETT: The interpreters were all listening to the question.

GENERAL REYNOLDS: Ask him the question again and get a new reply.

(Record read.)

GENERAL REYNOLDS: Incidentally, that is a perfect example of a sentence that is too long and grammatically disjointed, a question too long to go through and have the witness give the answer back by translation. Read the question again.

(Question re-read.)

THE WITNESS: At first our plan was to maintain order regarding the military supplies, bridges and so forth and maintain order that way, because there was a report that a number of guerrillas had entered the City of Manila.

GENERAL REYNOLDS: Now, read the second from the last question back, please.

(Record read as requested.)

THE WITNESS: And I had distributed troops to protect the water and electric systems of the city also.

GENERAL REYNOLDS: Now, read the next question, the last question.

(Question read as requested.)

THE WITNESS: I never did receive such a report.

GENERAL REYNOLDS: And now read the final question, if there was another question.

(Question read as requested.)

THE WITNESS: He is dead.

GENERAL REYNOLDS: In this series of replies the witness has introduced the subject of guerrillas. The Commission desires the Prosecution to explore what orders, if any, he received or issued or what actions he took, if any, to control this inflow of guerrilla activities.

Q (By Captain Hill) Did you receive any orders instructing you what to do with guerrillas that had entered Manila?

A Once I received an order to mop up the guerrillas.

Q When did you receive that order?

A I do not remember very well, but it must have been in the latter part of November or early December.

Q Of what year?

A Last year.

Q And from whom did you receive that order?

A That order came from General Yamashita.

Q And what did you do, if anything, relative to carrying out that order?

A By the order of Major General Kobayashi, which was

given to each unit, a detachment of each unit was ordered to assist the Kempei-tai or the Japanese military police in arresting the guerrillas.

GENERAL REYNOLDS: You may inquire now whether he actually undertook this "mopping-up" program and the methods employed.

CAPTAIN HILL: Yes, sir.

GENERAL REYNOLDS: Including the meaning of the term "mopping-up."

Q (By Captain Hill) Did the Noguchi unit at that time take action towards the guerrillas and carry out the orders of Kobayashi?

A Yes, the order was carried out.

Q Tell the Commission what the Noguchi unit did in carrying out that order.

A At that time the Japanese military police detachments were located in four sectors of the city; north, south, east and west, and our troops were dispatched to reach these detachments to assist in arresting of the guerrillas, and our main duty was to be stationed as sentries on the outskirts of a certain area while the M. P.'s made the arrests and while our troops were stationed as sentries on the outer boundary of the area, the M. P.'s went inside and investigated and made arrests.

GENERAL REYNOLDS: The Commission will recess for approximately ten minutes.

(Short recess.)

GENERAL REYNOLDS: The Commission is in session. You may proceed.

Q (By Captain Hill) Explain to the Commission the meaning of "mopping up" as used in connection with the guerrillas.

A (Through Lieutenant Asano) Guerrillas are person or persons that are armed and takes action against the Japanese Army.

Q What I want you to explain is the meaning of the words "mopping up".

A The main purpose is to capture the guerrilla and to obtain information. However, in most occasions we are -- The main purpose is to capture the guerrilla and obtain information. However, guerrillas are armed and this constitutes hostile action and in due course are shot.

Q Did the Noguchi units continue to work with the M. P.'s in Manila during January and February of 1945?

A Once we received the report that there were a group of guerrillas hiding around Fort McKinley and Japanese M. P. unit was ordered to suppress them. Therefore we assisted the M. P. units.

CAPTAIN HILL: Read the question back.

(Question read)

CAPTAIN HILL: I ask that that answer be stricken as not responsive.

GENERAL REYNOLDS: The answer may be stricken from the record.

CAPTAIN HILL: Will you read the question again?

(Question again read)

GENERAL REYNOLDS: Pose the question again.

(Translated by Lieutenant Asano)

THE WITNESS (Through Lieutenant Asano): In the latter part of January we did assist the M. P.'s in Manila -- City of Manila. I wish to make a correction: It was in the latter part of December that our unit assisted the M. P. units in Manila City.

Q (By Captain Hill) Did they assist the M. P. units in January and February of '45?

A No.

Q Then the "mopping up" of the guerrillas was another mission of the Noguchi unit which you have not mentioned?

A No. It wasn't our mission.

Q Do you know the date of the proclamation which you testified about in your direct examination?

LIEUTENANT ASANO: Read the question.

(Question read)

A I believe it is on about the 5th or 6th of January of this year.

Q (By Captain Hill) When did the Japanese commence the construction of pillboxes and other means of defense within the City of Manila?

A When the air offense or air attack was started on Manila air-raid shelter was already constructed in this area and at the same time they were usable as fortification.

Q Did the Japanese construct pillboxes in various parts of the City of Manila?

A I don't think they have constructed many.

Q Did they construct other means of defense in the City

of Manila?

A No.

Q Were meetings held by staff officers of Kobayashi's command relative to the defense of Manila?

A Once or twice.

Q Were not regular weekly meetings held among the officers to discuss the defense of the City?

A No.

Q Referring again to a conversation or interview with Lieutenant Booth of the United States Army on October 16th, did you tell him that such weekly meetings were held in various neighborhoods among company commanders for the discussion and formation of defenses of the City?

A No, I haven't.

Q When did the Japanese lay the mines in the streets of Manila and at various other important points?

A In the latter January we made preparation to lay mine in the principal points of the main roads.

Q And when were dynamite and other explosives placed under the bridges across the Pasig River?

A On or about the 20th of January dynamite were placed on two of the bridges and the other bridges were left alone.

Q And wasn't this done upon the order of General Yamashita?

A Probably it is so.

Q Well, isn't it so?

A I do not remember exactly, but it could have been from General Yamashita's headquarters or from General Yokoyama's headquarters.

Q Referring again to the interview that you had with Lieutenant Booth of the United States Army on 16 October 1945, didn't you tell him that the order to destroy all of the bridges was given by Yamashita and didn't you answer that they were given by him?

LIEUTENANT ASANO: Will you read the question again?
(Question read)

A (Through Lieutenant Asano) I do not remember as to what I said then.

CAPTAIN HILL: That's all.

GENERAL REYNOLDS: The Commission would like to inquire of the witness if he has any recollection of the number of guerrillas who were rounded up and shot while his unit was assisting the Kempei Tai.

(Translated by Lieutenant Asano)

THE WITNESS: I do not know. I have heard that hidden caches of weapons were confiscated.

CAPTAIN REEL: Will you read that answer? We couldn't understand it.

(Answer read)

GENERAL REYNOLDS: Apparently he does not understand the question. How many guerrillas were rounded up by his unit and the Kempei Tai in the City of Manila?

(Translated by Lieutenant Asano)

THE WITNESS: I do not know.

GENERAL REYNOLDS: Ask him if it were ten thousand, approximately.

(Translated by Lieutenant Asano)

THE WITNESS: No.

GENERAL REYNOLDS: Five thousand.

(Translated by Lieutenant Asano)

THE WITNESS: We assisted the campaign during a raid on a certain barrio near Fort McKinley and that was the only occasion we had anything to do with the Kempei Tai. So therefore I do not know much regarding the arrests.

GENERAL REYNOLDS: Ask the reporter to hunt back and find his statement about guerrillas.

COMMANDER BARTLETT: There is more to that answer.

GENERAL REYNOLDS: What is it?

COMMANDER BARTLETT: There is more to that answer.

THE WITNESS (Through Lieutenant Asano): Our unit surrounded the barrio and the Kempei Tai went in there to search and arrest.

GENERAL REYNOLDS: Ask the reporter to hunt back and find the statement of the witness about subduing guerrilla activity in Manila and his unit's connection with the Kempei Tai during that process.

CAPTAIN HILL: I think it was just prior to the recess, sir.

REPORTER CONKLIN: Mr. Racklin, one of the other reporters, sir, was reporting at that time. With your indulgence I shall call him, sir.

GENERAL REYNOLDS: We are seeking the place where the witness made the statement that numerous guerrillas had entered the City of Manila and that he had some connection with subduing them. We want to know what he said.

REPORTER RACKLIN: "Q Did you receive any orders instructing you what to do with guerrillas that had entered

Manila?

"A Once I received an order to mop up the guerrillas.

"Q When did you receive that order?

"A I do not remember very well, but it must have been in the latter part of November or early December.

"Q Of what year?

"A Last year.

"Q And from whom did you receive that order?

"A That order came from General Yamashita.

"Q And what did you do, if anything, relative to carrying out that order?

"A By the order of Major General Kobayashi, which was given to each unit, a detachment of each unit was ordered to assist the Kempei Tai or the Japanese military police in arresting the guerrillas.

"GENERAL REYNOLDS: You may inquire now whether he actually undertook this 'mopping-up' program and the methods employed, including the meaning of the term 'mopping-up'."

GENERAL REYNOLDS: Go ahead.

REPORTER RACKLIN: "Q Did the Noguchi unit at that time take action towards the guerrillas and carry out the orders of Kobayashi?

"A Yes, the order was carried out.

"Q Tell the Commission what the Noguchi unit did in carrying out that order.

"A At that time the Japanese military police detachments were located in four sectors of the city; north, south, east and west, and our troops were dispatched to each of these detachments to assist in arresting of the guer-

rillas, and our main duty was to be stationed as sentries on the outskirts of a certain area while the M.P.'s made the arrests and while our troops were stationed as sentries on the outer boundary of the area, the M.P.'s went inside and investigated and made arrests."

Then there was a recess.

GENERAL REYNOLDS: Will you read his story that the only assistance rendered in connection with guerrillas was at Fort McKinley?

REPORTER CONKLIN: "Q Did the Noguchi units continue to work with the M.P.'s in Manila during January and February of 1945?"

"A Once we received the report that there were a group of guerrillas hiding around Fort McKinley and Japanese M. P. unit was ordered to suppress them. Therefore we assisted the M. P. units."

Then a motion to strike the answer as not responsive was made and the motion was granted.

"The Witness: In the latter part of January we did assist the M.P.'s in Manila -- City of Manila. I wish to make a correction: It was in the latter part of December that our unit assisted the M. P. units in Manila City.

"Q Did they assist the M. P. units in January and February of '45?"

"A No.

"Q Then the 'mopping up' of the guerrillas was another mission of the Noguchi unit which you have not mentioned?"

"A No. It wasn't our mission."

GENERAL REYNOLDS: Does the Prosecution intend to present the document from which you have been reading to the Commission?

CAPTAIN HILL: We intend in rebuttal, sir, to put on the witness stand the officers that had the interview with him and have them recite the substance of their interviews.

GENERAL REYNOLDS: Does the Defense have further examination of this witness?

CAPTAIN REEL: Yes, sir.

REDIRECT EXAMINATION

Q (By Captain Reel) Now, as I understand it, the duties of the Noguchi units relative to guerrillas except for the incident at Fort McKinley were simply to act as sentries; is that right?

MAJOR KERR: If the Commission please, this is redirect examination, and leading questions certainly are not called for -- particularly as leading as that one.

CAPTAIN REEL: Sir, it is perfectly proper on redirect when a matter has been brought out on cross to refer to that matter in so many words.

GENERAL REYNOLDS: The testimony of this witness has been so confused that the Commission desires that it be approached by the simplest and most direct method.

CAPTAIN REEL: I will withdraw the question and rephrase it, sir.

Q (By Captain Reel) With the exception of the incident at Fort McKinley, was the duty of the Noguchi detachment, in so far as guerrillas were concerned, merely to act as sentries?

A Yes, our duty was security only.

CAPTAIN REEL: Can that be interpreted as "sentry," or "lookout"?

GENERAL REYNOLDS: It would have the same meaning. Let us go ahead. "Security," "sentry," "military lookout," in a military sense are similar terms.

Q (By Captain Reel) And during the months of January and February, 1945, you did not even have that function, is that correct?

A No, we did not have much to do with M. P.'s, because our principal duties were to guard the bridges and the supplies, and we didn't have much time to assist the M. P.'s.

Q Now, you spoke of an order from General Yamashita relative to guerrillas.

CAPTAIN REEL: Translate that, will you, because we had better break this question up.

(Translated to the witness by Interpreter Asano.)

Q (By Captain Reel, continuing) Reading from Prosecution's Exhibit 4, the captured order dated 11 October of the 14th Army group --

(Translated to the witness by Interpreter Asano.)

Q (Continuing) -- I will ask you if the order which will be read to you is not the order you saw.

CAPTAIN REEL: I will now read that; then I will

give it to you so you can translate it.

"In view of the special characteristics of the Philippine operations, subversive activities of the residents and attacks in our rear by airborne raiding forces must be considered. In order to avoid mistakes in conducting the operations, take precautions against armed guerrillas, subjugate them quickly, and put a stop to their activities."

GENERAL REYNOLDS: The Commission will recess for approximately ten minutes.

(Short recess.)

GENERAL REYNOLDS: The Commission is in session. The Interpreter may proceed.

CAPTAIN REEL: Sir, at the suggestion of the Chief Interpreter, I will ask the Interpreter to inform the witness that what he is about to read was translated originally from Japanese to English, and this is an attempt to reconstruct from English back to the original Japanese.

GENERAL REYNOLDS: Very well.

(Translated to the witness by Commander Bartlett.)

THE WITNESS (through Interpreter Asano): Yes, I do understand.

Q (By Captain Reel) Was that the order to which you had reference?

A (Through Interpreter Asano) I think -- I believe that it was this order that I was referring to.

Q Now, relative to these mines and dynamite under

bridges, was it part of the mission of the Noguchi units to slow up the American advance in order to protect the supplies?

LIEUTENANT ASANO: Will you read the question, please?

(Question read.)

A (Through Interpreter Asano) At first we were under the impression that the Americans would land at Batangas, and if the enemy should approach the City from the direction of Batangas our intentions were to delay the American movements by blowing these bridges up.

Q (By Captain Reel) And that was part of the order that came down from higher headquarters, is that correct?

A Yes, it is.

Q Now, there has been some question about who that order came from. Let me ask this: Was the chain of command through which any order would issue, from General Yamashita to General Yokoyama, from General Yokoyama to General Kobayashi, from General Kobayashi down to your units?

CAPTAIN HILL: If the Commission please, every question that counsel has asked has been leading, very much so. I have tried to be as lenient as possible, but I don't like to have him put every single word into the witness' mouth.

CAPTAIN REEL: Sir, we appreciate the leniency of counsel for the Prosecution, but may I point out that on redirect examination, to shorten matters up and save time, it is perfectly proper to bring out what has been brought

out in cross in so many words.

GENERAL REYNOLDS: To settle this particular question, the Commission will assume that the answer will be "Yes," and you may proceed with another question. But you are cautioned to use shorter sentences, more direct sentences.

CAPTAIN REEL: Yes, sir. Just one more matter.

Q (By Captain Reel) The construction of air raid shelters, I think you testified was at the time of air raids, when the air raids started. Do you know when that was?

A I believe it was since November of last year.

GENERAL REYNOLDS: You just said you had one more question.

CAPTAIN REEL: One more matter; just one or two questions on the matter, sir. I don't believe I said "question." If I did, I will not ask further.

GENERAL REYNOLDS: We will permit you a little latitude.

CAPTAIN REEL: Thank you, sir.

Q (By Captain Reel) And was there any construction of pill boxes or air raid shelters after the plan to evacuate was put into effect?

LIEUTENANT ASANO: Will you read the question, please?

(Question read.)

A (Through Interpreter Asano) I believe they weren't being constructed at that time.

CAPTAIN REEL: That is all.

GENERAL REYNOLDS: Does the Prosecution have anything

of real value to ask this witness?

CAPTAIN HILL: No questions, sir.

GENERAL REYNOLDS: The witness is dismissed.

(Witness excused.)

CAPTAIN REEL: Sir, at this time we wish to offer in evidence a statement, which we do not have the original of, but the Prosecution has. It is a statement a copy of which was given to us by the Prosecution, and we have made photostatic copies of that copy.

(Photostatic copy of statement of Liese-Lotte Stamer de Perez was marked Defense Exhibit K for identification.)

CAPTAIN REEL: This, sir, is a statement marked Defense Exhibit K for identification, which was referred to earlier in this proceeding. The Commission will recollect that on one occasion a group of nine or ten statements were put into evidence by the Prosecution, and we asked the Prosecution whether or not they intended to put in this tenth or eleventh statement, that of Liese Lotte Stamer de Perez.

GENERAL REYNOLDS: Are you in a position to state the page in the record where this occurred?

CAPTAIN REEL: I am not at the moment, sir, but I shall be glad to locate it.

GENERAL REYNOLDS: Very well.

CAPTAIN REEL: At that time, the chief of Prosecution stated that he did not intend to offer it because it was purely cumulative. We now wish to offer it.

We call attention only to certain short parts of

this statement. On the page numbered 73, the fifth question and answer set, beginning:

"Q. Were the soldiers navy or army?

"A. Navy.

"Q. How do you know?

"A. Because a Japanese captain living near our home, here, told me that there were no more army men left in the city. In fact, I saw them moved out.

"Q. When did he tell you that?

"A. The 2nd or 3rd of February, 1945.

"Q. Who was this captain?

"A. Captain Yuwasaki.

"Q. Where was he living? 7

"A. In a house next to ours on 1502 Looban, Paco, Manila, P. I."

Then on the same page:

"Q. Did the Japanese accuse your husband or Domingo Alontaga or any of the other men of being guerrillas or saboteurs or anti-Japanese?

"A. My husband was not a guerrilla nor was Domingo nor did they engage in any anti-Japanese acts. I don't know about the other people but I did not see any anti-Japanese acts being committed by them. I have heard that there were some guerrillas living on our street and I have heard also from a Filipino whose name I don't know, that Colonel Martinez who was killed on the street was a leader of

guerrillas and had an underground office opposite his house."

The rest of the statement has to do with the particular atrocity which was taken up at the time.

There is one further thing; at the bottom of page 74 --

GENERAL REYNOLDS: You are giving the Commission too piecemeal an approach to this document. You started on the bottom of page 73 --

CAPTAIN REEL: Yes, sir.

GENERAL REYNOLDS: You read part of the answer.

CAPTAIN REEL: Yes, sir. Do you want me to read the whole answer?

GENERAL REYNOLDS: The whole answer, yes.

CAPTAIN REEL (reading): "But the Japanese who made us go to Padre Faura Street and Taft Avenue and the Japanese who were at that corner and killed my husband and the other men did not make any accusation. Later, I saw Juanito, Mrs. Jimenez houseboy who escaped. He told me that before the Japanese machine-gunned the men at the corner, the Japanese asked them whether they were guerrillas and the men answered no. Then the Japanese asked them, 'Do you want to die, or are you ready to die?' Juanito said that all answered no, but the Japanese machine-gunned them anyway. Juanito also told me that my husband was bayoneted to death while standing with the other men. Juanito said that he actual-

ly saw it although he did not want to tell me."

Then the sixth question and answer group down the page:

"Q Do you know why the Japanese killed those men?

"A I don't know but I presume that the whole street was condemned to death due to the fact that Colonel Martinez was the leader of the guerrillas and had his office in the house of Mrs. Jimenez where we stayed. It was an underground office of the guerrillas and Colonel Martinez should not have permitted us to stay there."

We offer that statement in evidence.

GENERAL REYNOLDS: Are there comments by the Prosecution?

MAJOR KERR: If the Commission please, I would like to call the Commission's attention to the last question and answer on page 74:

"Q Did you see any guerrilla activities yourself?

"A No, I did not. But I presume from what that Filipino told me, there were guerrillas among the people on that street and perhaps because of that, the Japanese shot and killed many innocent people like my husband and Mr. Jimenez.

"Q Did the Japanese make any accusation against any of the men at the time of the shooting or before it?

"A. No."

GENERAL REYNOLDS: The document is accepted by the Commission for such probative value, if any, as it shall be held to possess.

(Defense Exhibit K for identification was received in evidence and so marked.)

GENERAL REYNOLDS: A properly certified copy should be prepared or furnished, to be included with the record in the case. This particular copy, a photostat, bears no signature.

CAPTAIN REEL: The original copy is in the hands of the Prosecution. The only copy we have, sir, is the copy they gave us.

MAJOR KERR: If we have the original, sir, of course we will be very glad to make it available to the Defense so they may have a properly certified copy made.

GENERAL REYNOLDS: Very well.

CAPTAIN SANDBERG: At this point, we should like to invite the attention of the Commission to certain excerpts from the report of the XIVth Corps, which has already been introduced in evidence. Certain of these excerpts become pertinent at this time and have not yet been read to the Commission.

MAJOR KERR: If the Commission please, is it the Commission's desire at this time that we argue on the evidence which has been already introduced? If so, the Prosecution will no doubt have some comments to make in return, after the Defense has made its comments; and it would seem rather extraordinary at this time to go into

certain exhibits and proceed to comment upon them, rather than putting in new evidence.

GENERAL REYNOLDS: What is the purpose?

CAPTAIN SANDBERG: If the Commission please, it is not our intention and we did not state that we wish to argue at this point, but yesterday we introduced into evidence certain excerpts from the XIVth Corps Report and stated at that time that we would call such portions of them as being pertinent when they did become pertinent, rather than reading them then.

GENERAL REYNOLDS: All you propose to do now, then, is to refer to certain pages?

CAPTAIN SANDBERG: That is right.

GENERAL REYNOLDS: Proceed.

CAPTAIN SANDBERG: Page 86 and page 87:

"The enemy strength in greater MANILA was estimated to be 18,000. Of this number three-fourths were supposed to be navy personnel, and one-fourth army. From various sources and from the nature of his resistance at the entrance of the city, it was deduced that within the city itself (1) there were few if any organized combat units (2) the enemy defense would be of a passive nature, (3) enemy communications were crippled, (4) most enemy weapons had been recovered from destroyed aircraft and sunken ships, and (5) there was no enemy reserve or mobile combat force. As it was later proven, the enemy expected the

American forces to approach from the South. Thus as the two divisions moved into the city from the North, Rear Admiral Mitsuji Iwafuchi, the overall defense commander, found his organized positions facing the wrong way, his poorly-equipped troops about half the strength of the American forces, his command deprived of communications, and his forces without hope of assistances from air or naval units. However, the stubborn resistance of the garrison did credit to his truculence as a fighter, and the ruthless destruction of property was a reflection of the tenacity of his efforts.

"No doubt when peace comes the enemy will argue that it was American shells that destroyed MANILA, but such arguments can be refuted by unquestioned evidence. As the troops of the 37th Division approached the PASIG they were met on every side by the sound of explosions and falling buildings. That these demolitions were previously planted and installed is authenticated by captured Order No. 43 dated 3 February from the Imperial Naval Defense Command:" --

I may say, sir, that we have read this order before; I think we can dispense with the rest of it.

Now, on page 123 of the Report:

"At Fort Santiago, the fighting continued

all day in and around the ruined buildings, thick walls, ancient dungeons, and numerous tunnels and recesses which harbored enemy, and which one by one were turned into death-traps by hand grenades, flame throwers, and gasoline poured down into the holes and ignited. The Battalion took Fort Santiago very quickly but did not subdue it until nightfall."

And on page 157:

"The enemy's planning, as usual, was sound and detailed, and his organization of the ground was expert. His communications proved to be poor, contributing to a lack of coordination between commands and a sometimes woeful misconception of our situation and movements. Quantities of ammunition, weapons, equipment, vehicles and fuel destroyed or merely abandoned by the enemy in the path of our advance, contrasted with the shortages of these same items - most frequently of transportation and uniforms - in immediately adjacent areas, all was attributable to weak overall organization and the confusion caused by our rapid movements. Captured documents revealed ambitiously planned penetrations, demolition missions, and banzai charges - nearly all heroically termed 'suicide missions' - which time after time materialized only as inept and easily defeated efforts by disorganized

groups. The enemy's selection of the hours of darkness for nearly all of his local offensive actions failed to give him the advantage it had provided against unprepared troops earlier in the war and in jungle terrain of the South Sea Islands."

And from pages 226 to 227:

"However, as previously encountered enemy forces, the defenders of the approaches to the city of MANILA showed a marked tendency to withdraw. Information later obtained shows that these northern approaches to MANILA (PLARIDEL - CALUMPIT - MEYCAUYAN) were outposted by small detachments only. Although several captured Operations Orders of these units stated their mission was 'to destroy or annihilate the enemy,' events showed the execution of intelligence and delaying missions only, with the enemy withdrawing eastward after brief contact.

"It was determined that the bulk of the MANILA DEFENSE FORCE (otherwise known as the KOBAYASHI HEYDAN) withdrew from the City, prior to our entry, and occupied defensive positions in the SIERRA MADRE (MONTALBAN - MARIKINA - WAWA area). However, some elements of this force remained in the northern sector and on the southern outskirts of the City, and were engaged by our forces."

From pages 249 and 250 of the Report:

"The text of the broadcasts made 21 and 1 March follows:

"ATTENTION ALL OFFICERS AND MEN OF THE IMPERIAL JAPANESE NAVY:

"Ever since our attack on the city of Manila you have fought bravely and you have fought well. You were ordered to engage us in the center of this city with the Walled City and this building as the core of your defense.

"You were ordered to hold us away from TAFT Avenue and the sea. You destroyed the bridges to hold us on the other side of the river but you failed. You were ordered to engage us to the front so that the Army could sweep down from the hills in an annihilating attack from our rear. You were promised that your Wild Eagles would blast our planes from the sky yet you see our little observation planes watching all your movements and telling our artillery where to shower you with shells. Your planes did not come on the 8th, the 11th, the 18th, and on the 24th. Could your leaders have lied to you to make you carry on the hopeless fight?

"Your Army was going to attack from NOVALICHES and then they were going to attack from MONTALBON and MARIGUINA. They did neither.

The Army was going to silence our artillery from the north yet each hour our artillery fires on you with ever increasing fury. Your comrades thought that they would find safety at Malabon, but instead they met death in the rice paddies there.

"Your life is yours to take or to keep as you desire, but is it true loyalty to the Emperor to throw away your life for a cause that is now hopeless?

"Fate has given you three choices:

"(1) You can commit suicide."

"(2) You can hold out a few hours and be blown to dust.

"(3) You may come to an honorable understanding with us and live to serve the new Japan when the war is over.

"If you surrender (come under the protection of) to us you will not be humiliated or disgraced. Our troops will not fire for 30 minutes during the time you may come in to us."

And finally, from page 262 of the Report:

"The SHIMBU SHUDAN (41st Army) controlled all the enemy forces in the MANILA area, except the MANILA NAVAL DEFENSE FORCE (See Inclosure #3). Its Commanding General, Lt. Gen. YOKOYAMA Shizuo, had formerly commanded the 8th Inf. Div."

GENERAL REYNOLDS: The comments of Defense are noted.

1ST LIEUTENANT LLOYD S. MILLEGAN

recalled as a witness on behalf of the Defense, having been previously duly sworn, was examined and testified further as follows:

MAJOR KERR: You have been sworn previously?

THE WITNESS: Yes.

MAJOR KERR: You have testified previously at this proceeding?

THE WITNESS: Yes.

MAJOR KERR: I will remind you that you are still under oath.

DIRECT EXAMINATION

Q (By Captain Sandberg) Will you state your name, rank and organization again?

A Lloyd S. Millegan, 1st Lieutenant, O-1686259.

Q What is your present assignment?

A Executive Officer, Philippine Research and Information Section, Counter Intelligence Section, Headquarters AFPAC.

Q Does that section have custody of the documents pertaining to the Japanese occupation of Manila?

A Yes, sir.

CAPTAIN SANDBERG: Will you mark this as our next exhibit?

(Photostat of The Tribune of December 19, 1944, was marked Defense Exhibit L for identification.)

Q (By Captain Sandberg) I show you Defense Exhibit L and ask you if that is a true photostatic copy of the first

and second page of the Manila Tribune for Tuesday,
December 19, 1944?

A Yes, sir, it is.

CAPTAIN SANDBERG: The attention of the Commission
is invited to the article in the lower lefthand corner.

"Evacuate City, Guinto Reiterates.

"In view of the extreme uncertainty of the procurement
of foodstuffs, the evacuation of the City of Manila by the
people whose presence here is unnecessary is still timely,
Military Governor Leon G. Guinto reiterated Monday.

"The Governor stressed the point that the government
is exerting its best efforts to try to procure foodstuffs
from the provinces and bring them to Manila to relieve the
food situation in the Metropolitan area, but emphasized the
fact that their procurement and their shipment to Manila
depends on a number of circumstances which the government
has to surmount before it can succeed.

"Governor Guinto, therefore, is bringing home to
the people of Manila who need not stay here, if they have
adequate places to go, to leave the city for the provinces,
where foodstuffs, especially rice are selling cheap."

GENERAL REYNOLDS: The Commission inquires whether
Governor Guinto is a Japanese or a Filipino official?

CAPTAIN SANDBERG: I would state that he is a Filipino
designated as Military Governor of the city, I believe, by
the Japanese authorities.

GENERAL REYNOLDS: Are you offering this?

CAPTAIN SANDBERG: I offer that in evidence.

GENERAL REYNOLDS: The document is accepted by the

Commission subject to whatever probative value, if any,
it may be held to possess.

(Defense Exhibit L for
identification was received
in evidence.)

CAPTAIN SANDBERG: Will you mark this, please?

(Photostat of the Tribune of
November 15, 1944, was marked
Defense Exhibit M for
identification.)

Q (By Captain Sandberg) I show you Defense Exhibit
M and ask you if that is a copy of the Manila Tribune for
the 15th of November, 1944?

A Yes, sir.

CAPTAIN SANDBERG: The attention of the Commission
is invited to the overall headline: "Archbishop's Palace
Bombed!

"Foe Raiders Also Wreck Ermita Block.

"Guerrero Families Suffer from Latest Enemy Terror
Attack.

"United States planes raiding Manila on Tuesday
indiscriminately dropped bombs on the historic palace of the
Catholic Archbishop of Manila in Intramuros, which received
a direct hit; on the yard of the Apostolic Delegation; and
on a residential neighborhood in Ermita.

"A bomb dropped in the center of a group of Guerrero
residences on A. Mabini, Isaac Peral and Cortada streets,
reduced more than half of the block to ruins. At least ten
persons were believed to have been killed, among them Dr.
Luis Guerrero, Jr.

"The two houses occupied by Dr. Luis Guerrero and
his family, the house and pharmacy owned by Francisco Casas,

the houses of Jose Guerrero and Mons. Cesar Ma. Guerrero, auxiliary bishop of Manila, were completely demolished. The other houses including that of Dr. Alfredo L. Guerrero, directly behind this group of houses were partly damaged by the concussion of the bomb and by the fire which started immediately after.

"Entire Block Left in Ruins.

"The damaged homes formed more than one half of the block bounded by Isaac Peral, A. Mabini and Cortada streets, while the houses on Isaac Peral across from the Guerrero residence were also demolished by the concussion of the bomb and destroyed by fire. These houses formed one half of the next block formed by Isaac Peral, A. Mabini, Cortada and San Luis."

We will dispense with reading the rest and refer the Commission also to the photograph on the first page, captioned:

"Amid the Ruins. His Grace Michael J. O'Doherty, Archbishop of Manila, views the ruins of the historic palace on Arzobispo Street in Intramuros, seat of Catholicism in the Philippines for more than 300 years. The palace was wrecked by a bomb indiscriminately released by a U. S. raiding plane on Tuesday."

MAJOR KERR: The Prosecution objects to this offer of the exhibit on the grounds that it is wholly immaterial. The Prosecution is not claiming the Japanese destroyed or damaged this particular structure at this particular time, and I, therefore, fail to see the relevancy of this exhibit.

GENERAL REYNOLDS: The document is considered to have probative value and is accepted by the Commission for such probative value as it may be held to possess.

(Defense Exhibit M for identification was received in evidence.)

CAPTAIN SANDBERG: I will ask to have this marked as the next exhibit.

(A photostat of "The Tribune" dated December 17, 1944, was marked Defense Exhibit N for identification.)

Q (By Captain Sandberg) I show you Defense Exhibit N and ask you if that is a photostatic reproduction of the first page of the Manila Tribune of December 17th, 1944?

A Yes, sir, it is.

MAJOR KERR: If the Commission please, in connection with the previous exhibit the Prosecution would like to point one item out before we proceed to the next proffered exhibit. On page 1 of the Tribune issue for November 15th, we call the Commission's attention to the following item under the heading "Compulsory labor service for all able-bodied citizens prescribed in new order.

"President Jose Laurel on Tuesday promulgated Executive Order No. 100 prescribing compulsory labor ser-

vice for the construction or repair of roads, bridges and other public works, including air fields, port works and other military establishments."

I believe that it is unnecessary to read the balance of that article.

GENERAL REYNOLDS: The comments of the Prosecution are noted.

CAPTAIN SANDBERG: The attention of the Commission is invited to the article in the lower left-hand corner.

"U. S. Raiders exact toll on civilians.

"Enemy air raiders which attacked Manila for the third consecutive day on Saturday continued exacting toll among the civilian population. Scores were killed and wounded in Paranaque, Bagungdiwa, Mandaluyong, Bagumpanahon and other city districts.

"The total plane-flights for the day numbered 230 over the Manila area. Reports from other regions said that there were some planes over the Clark Field area and Lipa, Batangas.

"On the Escolta, one man was killed and six, including women and children, were wounded at about 11 a. m. on Saturday when a shell exploded right on the street.

"Splinters and shrapnels struck pedestrians crowding the busy street, but prompt action by the police and the Civilian Protection Service prevented panic. Damage to property was slight, however."

I believe it is unnecessary to read the balance.

MAJOR KERR: If the Commission please, the Prosecution objects to this proffered exhibit on the ground that

it is wholly irrelevant. Here again the material involved does not relate to any one of the instances alleged by the Prosecution to have been committed by the Accused.

We submit that it has no bearing whatsoever on this case.

GENERAL REYNOLDS: The document is accepted by the Commission for such probative value, if any, as it may be held to possess.

(Defense Exhibit N for identification was received in evidence.)

CAPTAIN SANDBERG: Will you mark this as the next exhibit?

(A photostat of "The Tribune" dated January 11, 1945, was marked Defense Exhibit O for identification.)

Q (By Captain Sandberg) I show you Defense Exhibit O and ask you if it is a true photostatic copy of the first page of the Manila Tribune for Thursday, January 11, 1945?

A Yes, sir, it is.

CAPTAIN SANDBERG: The attention of the Commission is invited to the leading article, column 3:

"Foo Bombers kill scores in Intramuros.

"Whole family wiped out -- civilians hard hit.

"Stalking over Manila on Tuesday night, enemy raiders bombed Intramuros, killing scores of Filipino civilians and blasting buildings and residences.

"One bomb scored a direct hit on the residence of Dr. Gavino Pobre, former city councilor, on Solana street near Cabildo. Practically the entire Pobre family was reported wiped out.

"The building occupied by the Philippine Constabulary

Academy No. 2 nearby was also hit.

"The search for victims among the debris was started at daylight Wednesday and continued until the afternoon. Scores, it is believed, were killed.

"More Casualties.

"More casualties were reported Wednesday when the enemy continued their attacks on the city, bombing several points and strafing civilian centers. Many persons were wounded. They were treated at the different hospitals and clinics. At least three persons were wounded on Mulawen Boulevard Wednesday morning by splinters and shrapnels.

"On the Manila north road through Meycawayan, Bulacan, more casualties were registered when enemy planes swooped down and strafed people on the road, most of whom were on their way to nearby towns to procure rice and foodstuffs.

"Sleepless Night

"City residents passed a sleepless night as the raiders kept up their operations until very late. Total blackout was strictly enforced and the authorities enjoined city residents to abide by blackout regulations strictly for their own safety and for the general safety of the other citizens.

"The Intramuros raid caused one of the greatest number of casualties. The blasted area is on the block between Magalianes and Solana streets. Fire started following the explosion.

"One bomb fell in front of the San Francisco church, century-old Catholic temple in Intramuros.

"Many among the wounded were taken to the City Hall where they were given first aid treatment. The more seriously wounded were treated at the Philippine General Hospital and other institutions."

The Defense offers Exhibit O into evidence.

MAJOR KERR: The same objection.

GENERAL REYNOLDS: The objection is not sustained, and the document is accepted by the Commission for such probative value as it may be held to possess.

(Defense Exhibit O for identification was received in evidence.)

CAPTAIN SANDBERG: Will you mark this as the next Defense exhibit?

(A photostat of "The Tribune" dated November 14, 1944, was marked Defense Exhibit P for identification.)

Q (By Captain Sandberg) I show you Defense Exhibit P and ask you if it represents pages 1 and 2 of the Manila Tribune for November 14th, 1944?

A Yes, sir, it does.

CAPTAIN SANDBERG: The attention of the Commission is invited to the lead article in the first column:

"Enemy Terror Tactics Hit New High as Raiders Bomb, Strafe Residential Sections.

"Hundreds of Filipinos Believed Killed or Wounded in Manila Raid -- Many Houses Wrecked -- San Nicolas, Intramuros Suffer.

"Enemy terror bombing tactics hit a new high in Manila yesterday as formations of raiding planes indis-

criminally strafed and dropped bombs on residential sections of the city, causing death or injury to hundreds of Filipino civilians and heavy damage to Filipino property.

"Hardest hit in the Monday raid were the districts of San Nicolas, Intramuros, Pandacan, Santa Ana, Paco and Sampaloc. The downtown section had its first bombing scare as low-flying enemy planes roared over the business center.

"The hospitals were filled with the wounded.

"Police reports until last night were incomplete, but it is believed that hundreds were either killed or wounded."

I believe it is unnecessary to read the rest.

GENERAL REYNOLDS: Any comments by the Prosecution?

MAJOR KERR: The Prosecution objects for the same reasons as previously stated.

GENERAL REYNOLDS: The objection is not sustained. The document is accepted for such probative value, if any, as it may be held to possess.

CAPTAIN SANDBERG: Will you mark this as the next exhibit?

(A photostat of "The Tribune" dated October 4, 1944, was marked Defense Exhibit Q for identification.)

Q (By Captain Sandberg) I show you Defense Exhibit Q and ask you if it is a true photostatic copy of the Manila Tribune for Wednesday, October 4th, 1944?

A Yes, it is.

CAPTAIN SANDBERG: The attention of the Commission is invited to the article on the third column just under the chart:

"Evacuees Grow in Number Daily.

"Driven by the ever-worsening food situation in the city and attracted by the coming harvest in the provinces, groups of evacuees have continued to increase in number, according to records available at the special transportation service of the Bureau of Public Welfare.

"For the month of September around 800 provincial folk were dispatched to the provinces by the welfare bureau free of charge on the railroad. This number was but a small part of the total number of migrating provincianos who in their eagerness to reach home are resorting to all kinds of transportation: by bull cart, push cart, by trucks and even by hiking on easy stages.

"There are to date more than 1,000 prospective evacuees who are awaiting their turn to be shipped by the welfare bureau; and there are seven times more than this number whose applications are still pending. Majority of the later applicants are willing to pay for their own passage and are only seeking the help of the bureau to secure them railroad tickets. This shows the eagerness, it was observed, of the people to go to the provinces.

"As the rates of transportation fare, especially on trucks are considered beyond the reach of the evacuees, most of whom are indigent and laid-off employes, they are planning to appeal to the proper authorities to make the necessary representations to the truck owners and operators to lower their prices at reasonable level."

Attention is also invited to the lead article on the right-hand side:

"Rice Order Seeks People's Welfare," describing
the rice situation in October, 1944.

The Defense offers this document in evidence.

GENERAL REYNOLDS: Any comments by the Prosecution?

MAJOR KERR: None.

GENERAL REYNOLDS: The document is accepted by the Commission for any probative value that it may be held to possess.

(Defense Exhibit Q for identification was received in evidence.)

CAPTAIN SANDBERG: Will you mark this as our next exhibit?

(Defense Exhibit R was marked for identification.)

Q (By Captain Sandberg) I show you Defense Exhibit R and ask you if it is a true photostatic representation of pages 1 and 4 of the Manila Tribune for October 21, 1944.

A Yes, sir, it is.

CAPTAIN SANDBERG: Attention of the Commission is invited to the article in the first column entitled "Rice Supply Committee Organized.

"Eight Filipinos, Two Japanese Named Members.

"For the purpose of studying and devising ways and means of insuring an adequate supply of rice and corn in order to alleviate the present economic distress and to avoid the recurrence of the present acute shortage of these cereals, President P. Laurel, through Administrative Order No. 28, on October 13 created a joint committee composed of eight Filipinos and two Japanese."

I believe it is unnecessary to read the balance of that.

GENERAL REYNOLDS: The document is accepted by the Commission for such probative value, if any, as it shall be held to possess.

(Defense Exhibit R for identification was received in evidence.)

CAPTAIN SANDBERG: Will you mark this as our next exhibit?

(Photographic copy of "The Tribune" dated January 21, 1945 was marked Defense Exhibit S for identification.)

Q (By Captain Sandberg) I show you Defense Exhibit S and ask you if it is a true photostatic representation of the Manila Tribune for Sunday, January 21, 1945.

A Yes, sir, it is.

CAPTAIN SANDBERG: The attention of the Commission is invited to the article in the lower lefthand corner:

"City Trying to Help, But Family Heads Must Procure Own Food.

"The obligation to bring in foodstuffs to feed himself and his family is a matter for the family head to handle directly, because of the extreme difficulty of carrying prime commodities from the provinces as a result of the invasion of Luzon by the American troops.

"This was explained by Military Governor Leon G. Guinto in a speech he delivered at Plaza Moriones on Friday afternoon. The Governor is conducting a speaking tour in the interest of peace and order in the metropolitan area.

"While he had said that the city government is helpless in solving the city's food problem in the face of the increasing danger to the city because of the invasion, Governor Guinto, nevertheless, is trying to help by inviting the rice producers and dealers and other prime commodity merchants to try to bring foodstuffs into Manila.

If they could do so, he said, the dealers should ask reasonable prices or exchange their commodities with goods the city residents may have."

I believe it is unnecessary to read the balance.

GENERAL REYNOLDS: The document is accepted by the Commission for such probative value, if any, as it may be held to possess.

(Defense Exhibit S for identification was received in evidence.)

CAPTAIN SANDBERG: Will you mark this as the Defense's next exhibit?

(Photostat of the Tribune of January 1, 1945, was marked Defense Exhibit T for identification.)

Q (By Captain Sandberg) I show you Defense Exhibit T marked for identification and ask you if that represents a true photostatic reproduction of the Manila Tribune for Monday, January 1st, 1945?

A Yes, sir, it does.

CAPTAIN SANDBERG: The Commission's attention is invited to the article in the lower lefthand corner:

"Evacuation of City in Full Swing.

"The evacuation of the City of Manila will be carried out to the fullest extent until only about one third of the people remain in the city, and composed mainly of the essential elements, it is indicated at the City Hall.

"Military Governor Leon G. Guinto calls on every Manilan to take heed of the advice to evacuate the city without delay, considering only, if nothing at all, the question of personal safety. The earlier the people act accordingly, it is stressed, the better for all concerned, especially women and children.

"It has been noted in the last few days, it is pointed out, however, that many people of Manila have taken the advice and left the city at once. Finding no means of transportation, the people, in many cases, walk their way to the provinces. Long caravans of men and women, young and old, are daily seen trekking their way either to southern or northern Luzon, carrying their baggage and belongings either

on their backs or on their shoulders.

"Better Life Outside.

"The provincial folk who will remain in the provinces and the people of Manila who evacuate Manila for the provinces, it is assured, will not regret having made that choice. It is impressed upon them that what they sorely lack in Manila, they will surely find in plenty in the rural sections of the country where food is available at much lower cost.

"Thus, it is affirmed, it can be clearly seen and understood by even the simple-minded people that life in the provinces at this time is much rosier than in Manila where the specter of starvation is hovering in many homes."

CAPTAIN SANDBERG: We will ask to introduce this document into evidence.

GENERAL REYNOLDS: The document is accepted by the Commission for such probative value as it may be held to possess.

(Defense Exhibit T for identification was received in evidence.)

CAPTAIN SANDBERG: Will you mark this for identification?

(Photostat of the Tribune of January 4, 1945, was marked Defense Exhibit U for identification.)

Q (By Captain Sandberg) I show you Defense Exhibit U marked for identification and ask you if that is a true photostatic reproduction of the Manila Tribune for Thursday, January 4th, 1945?

A Yes, sir, it is.

CAPTAIN SANDBERG: The attention of the Commission

is invited to the article in the lower righthand corner:

"Many People of Manila Leaving in Response to Governor's Orders.

"In response to the urgent call of Military Governor Leon G. Guinto, many families of Manila have left for the province and many more are packing up their things preparatory to evacuating the city.

"These people are leaving for the provinces for only by doing so will they feel in themselves the sense of personal security from the scarcity of foodstuffs and bullets. Those who have decided to precede the others in the evacuation of Manila did so in order to avoid congestion.

"The scarcity of foodstuffs in Manila and the mounting cost of living here, it is pointed out, continue to be serious. While private transportation is virtually paralyzed, it is said, the supply of food in Manila will remain acute, and if this situation persists, as all indications seem to indicate it will, the people of Manila will certain face starvation.

"Go to the provinces and go there at once," is the Governor's insistent advice for the Manila people."

We offer this document into evidence.

GENERAL REYNOLDS: The document is accepted by the Commission for such probative value, if any, as it shall be deemed to possess.

(Defense Exhibit U for identification was received in evidence.)

CAPTAIN SANDBERG: Your witness.

CROSS-EXAMINATION

Q (By Major Kerr) Do you know who published the Manila Tribune during the time of the Japanese occupation?

A I believe the publisher was a Filipino.

Q Isn't it a fact that the publication was dominated and controlled by the Japanese propaganda organization?

A The Manila Tribune started operating in January of 1942 and continued through the first few days of February 1945. It was staffed by Filipinos. There were Japanese advisors there during the whole period of publication.

Q Do you know whether or not it was actually controlled and its news columns censored by the Japanese representatives?

A There were Japanese advisors there that went over the news.

Q Does the CIC regard the Manila Tribune for that period of time as a reliable source of information?

A Sir, I studied the Manila Tribune from 1942 through and have used them on various studies which the CIC has compiled. I found as to actual events, that the actual events taking place, that they are reliable for that period. We have confirmed that from other sources.

Q The stories of the actual events, however, are colored, are they not, by the Japanese point of view?

A I assume it is the general point of view of the whole newspaper during the Japanese occupation.

Q That is the general point of view would be strictly pro-Japanese, is that correct?

A It could hardly be otherwise during the Japanese occupation. We took that into consideration when we used it.

The actual events, however, are true.

MAJOR KERR: That is all.

CAPTAIN SANDBERG: Thank you, that is all.

(Witness excused.)

GENERAL REYNOLDS: Do you have anything else ready for today?

CAPTAIN REEL: No, nothing in particular. We have other witnesses but we will put them on tomorrow.

GENERAL REYNOLDS: The Commission will recess until 8:30 tomorrow morning.

(Whereupon, at 1630 hours, 23 November 1945, the trial was adjourned until 0830 hours, 24 November 1945.)

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Yamashita, Tomoyuki, 1885-1946, defendant.

BEFORE THE
MILITARY COMMISSION
convened by the
COMMANDING GENERAL,
United States Army Forces
Western Pacific

UNITED STATES OF AMERICA)

-vs-)

TOMOYUKI YAMASHITA)
-----)

PUBLIC TRIAL

High Commissioner's Residence
Manila, P. I.
24 November 1945

Met, pursuant to adjournment, at 0830 hours.

MEMBERS OF MILITARY COMMISSION:

MAJOR GENERAL RUSSEL B. REYNOLDS, Presiding Officer
and Law Member

MAJOR GENERAL LEO DONOVAN

MAJOR GENERAL JAMES A. LESTER

BRIGADIER GENERAL MORRIS C. HANDWERK

BRIGADIER GENERAL EGBERT F. BULLENE

APPEARANCES:

(Same as heretofore noted.)

REPORTED BY:

E. D. CONKLIN

L. H. WINTER

M. M. RACKLIN

I N D E X

WITNESSES

	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
Goichi Kira	3183	3196	3209	3213
Kikuo Ishikawa	3214	3231	3246	3248
" (By the Commission)	3249			3250
"	3251		3253	

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P R O C E E D I N G S

GENERAL REYNOLDS: The Commission is in session.

You may proceed.

MAJOR KERR: Sir, all members of the Commission are present, the Accused and Defense counsel are present.

GOICHI KIRA

called as a witness on behalf of the Defense, being first duly sworn, was examined and testified through Interpreter Asano, assisted by Commander Bartlett and Major Pratt:

DIRECT EXAMINATION

Q (By Captain Reel) What is your name?

A (Without aid of Interpreter) Kira, Goichi.

Q (Through the Interpreter) What is your rank in the Japanese Army?

A (Through the Interpreter) Major General in the Intendance.

Q Are you a prisoner of war?

A Yes.

Q What do you mean when you say "Intendance"?

A Head of the Intendance Department in the 14th Area Army.

Q What does the Intendance Department do?

A The duty of the Intendance Department is to aid and administer in the preparation and planning of supplies and food to the 14th Area Army.

Q Did this include supplies other than food?

A Yes.

Q Clothing and other necessities?

INTERPRETER ASANO: Will you read the question?

(Question read.)

A Yes.

Q (By Captain Reel) And did it include the fiscal part of the procurement of supplies, the financial part of the procurement of supplies?

A Yes, I did handle matters regarding finances of the supplies.

Q Did you actually procure the supplies, or did you requisition them from some other group?

A Both.

Q And what was your relationship with the commissariat?

A My duty is to assist the commanding officer and the duty of the line of communication officer is independent, therefore, I did not have much to do with him.

GENERAL REYNOLDS: There is this one word that we would like to have clarified. We understood the witness to say "independent" in the last answer, or did he say "Intendance"?

Will you read the answer?

(Answer read.)

GENERAL REYNOLDS: Mr. Reporter, how do you spell the word "Intendance"?

REPORTER RACKLIN: I-n-t-e-n-d-a-n-c-e.

CAPTAIN REEL: It is related to our quartermaster.

Q (By Captain Reel) You say you had nothing to do with the chief of the commissariat. Do you mean you had no direct connection with the chief of the commissariat?

A Yes.

Q When did you come to the Philippine Islands?

A In August of 1944.

Q And was it your duty to be conversant with the food situation in so far as the Army was concerned?

A Since some time has passed and I do not have a record with me I cannot give a detailed answer, but I will answer what I know.

Q Well, the question merely was a foundation question. Was it part of your job to handle the food situation, in so far as the Japanese Army was concerned?

GENERAL REYNOLDS: The Commission will accept the fact that the duties are related, and that they pertain to the witness within the structure of the Japanese Army.

CAPTAIN REEL: All right.

Q (By Captain Reel) Did these duties include knowing about the food situation in so far as prisoners of war and civilian internees was concerned?

A Yes, it does include the matter and I do know something regarding the matter.

Q All right. Now, will you tell us, to the best of your recollection, what was the food situation when you arrived in the Philippines in August of 1944?

A Up to that time the activities of the American submarines were very strong, and regardless of the actions taken by the American submarines some supplies were coming in from Saigon, French Indo-China.

Q And was this largely a rice supply?

A Yes.

Q Now, after that did the food situation become worse?

A Since my arrival to the Philippines the activities

of aircraft and submarines in this vicinity was intensified, thus our plan was disrupted in importing supplies from Indo-China.

Q And what was the extent of that disruption?

A I don't know, but ships from Indo-China were not only carrying rice and food, but were carrying weapons, also, and I am not very much familiar with the number of ships sunk.

Q Well, in October, in late October of 1944, did a shipment of rice arrive that was destined for the southern islands?

A I do not remember very accurately, but I believe that it was September of last year.

Q And did this rice get to the southern islands?

A Supply from Saigon to the 14th Army was very difficult at that time. Therefore we contacted the headquarters of the southern Army and managed to requisition that rice for the 14th Army.

Q Now, did you requisition all of the rice?

A In the first place that rice was intended for the troops under the command of the southern Army, and I was not -- strike that.

I believe that the whole lot was taken by the 14th Area Army. This lot of rice did not belong to the 14th Army, and it belonged to the subordinate units of the southern Army, and it was not within my jurisdiction to handle the rice in this area.

GENERAL REYNOLDS: The answer given is too long to work well through an interpreter. You must break it up

into shorter sections and let us have it piecemeal, or otherwise we will make serious mistakes.

COMMANDER BARTLETT: Will you strike out the entire answer physically, and we will repeat it?

"This rice belonged to subordinate units of the southern area Army, and since it did not belong to the 14th Area Army it was not within my purview. However, it is my belief or understanding that all of that rice was diverted to the Philippines.

Q (By Captain Reel) So because of necessity for rice in the Philippines the southern islands were cut off from their supply in so far as this ship was concerned?

A As I have mentioned before, I believe that all of the rice was landed in the Philippines.

Q Now, was this rice used for prisoners of war and internees as well as for the Japanese Army?

A Yes.

Q When the Leyte campaign started did it become necessary to send more rice to Leyte?

A Yes, very much.

Q And was the result a cut in the allotment of rice in Luzon?

A As I have mentioned before, the food situation was in such a state that we had to requisition the rice that was intended for the other area, and that was a condition in the Philippines. At that time we were short of food in Luzon, but since we had to send an enormous quantity of rice to the Leyte campaign we had to use up all our extra supplies and supplies stored for operations. Due

to that the rice supply in Luzon was practically exhausted
and the daily rations to the troops were first cut from
400 to 300 grams and had to be cut to 100 grams per day.

Q Now, in the latter part of November 1944 did another shipment of rice arrive from Cagayan?

A Yes.

Q And how many tons were in that shipment, approximately?

A Approximately 16,000 tons.

Q Now, was any of that rice sent to Leyte?

A Yes.

Q How much?

A Approximately half was sent to Leyte.

Q Did it ever get there?

A Large quantity didn't get to Leyte due to the intense activity of aircraft and submarines of the Americans.

Q Now, the remaining 50 per cent was kept here. What was that used for?

A It was distributed among the Army personnel and POW camp and civilian internee camp.

Q And how long would this supply last?

A It was my estimation that it would sustain the troops little over a month and it should last until the end of December.

Q And that would sustain the troops and prisoners of war and internees for a month?

A Yes.

Q On the basis of what ration would that sustain the soldiers, P.W.'s and internees for one month?

A The standard of ration per day at that time was 600 grams.

Q Well, would this rice give everybody 600 grams for one month?

A I thought we could manage for a month.

Q Well, the question was this: Was the standard ration cut below 600 grams?

A It was my contention that in the last of December there would be more rice and, figuring on a long war, cutting down on daily rations was imminent. Therefore we had to make this supply of rice go as far as possible and the daily ration of the Army was cut, and in the place of cut ration potatoes, pumpkins and corn were supplemented.

Q To how many grams of rice was the ration cut?

A I recollect that the figure sent by the Commanding Officer of the 14th Area Army was within 400 grams per day. According to the information I received, each Army group cut this ration further in order to make the supply of food last longer.

Q And how much further below 400 grams did they actually cut it?

A The cut of ration in each Army group was not uniform, but in some units the daily ration was cut to 300 and in other instances maybe more.

Q Now, just before the American landings in Luzon was an attempt made to get more rice from Cagayan?

A We had been sending out a successive demand or requisition for rice like an arrow.

Q And what happened to the requisition?

A Regretful to say, no rice arrived.

CAPTAIN REEL: May I ask the interpreter if the phrase "like an arrow" doesn't mean translated into English "urgent".

GENERAL REYNOLDS: We will accept "urgent" as the

appropriate translation of what he said.

LIEUTENANT ASANO: I can only translate what he says.

CAPTAIN REEL: Yes. We understand that that is a proper translation.

LIEUTENANT ASANO: He said "like an arrow" and I can only translate what he says.

GENERAL REYNOLDS: You are doing all right.

A (continuing) As a course of matter it was my contention that the supplies did not arrive due to the intense activities of the American submarines and aircrafts.

Q (By Captain Reel) Now, wasn't there some rice raised right in the Cagayan Valley?

A According to what I have heard, Cagayan Valley was the main source of the rice supply for the Philippines.

Q Now, why wasn't that rice used in the area of Manila?

A The Army planned to import rice from Cagayan Valley. However, due to the shortage of fuel, shortage of motor transportation and also due to distance this plan was not put into effect.

CAPTAIN REEL: Did the witness say something about "air-raids"?

LIEUTENANT ASANO: No, he didn't.

Q (By Captain Reel) Let me ask this: Upon what source did you depend for your supply of fuel and gasoline?

A I did not have anything to do with fuel supply. Therefore I don't know anything regarding the matter.

Q Well, do you know whether or not fuel had to come in here by ship?

CAPTAIN CALYER: If the Commission please, I submit

that the witness already said that he knew nothing about it. Counsel has been putting the answers into this witness' mouth all morning and we have not objected, but I believe that it has gone far enough.

GENERAL REYNOLDS: The objection of Prosecution is sustained.

Q (By Captain Reel) Will you tell us what, if any, effect air-raids and guerrilla activities had in preventing the transportation of rice into Manila?

A Regarding the supply is it for the Army or for the civilians?

Q Well, first tell us about the supply for the Army.

A Late December the Army undertook to collect new rice in the Central Luzon.

GENERAL REYNOLDS: The Commission interrupts. There will be a recess for approximately ten minutes, but during the recess the Commission desires Prosecution and Defense to confer to see whether or not some of these matters cannot be agreed upon by stipulation as a means of saving time.

CAPTAIN REEL: Yes, sir.

(Short recess)

GENERAL REYNOLDS: The Commission is in session.

You may proceed.

CAPTAIN REEL: May we have the last question and answer read, please?

(Question and answer read)

Q (By Captain Reel) Did that attempt fail?

CAPTAIN REEL: So the witness will understand, strike out that question.

Q (By Captain Reel) Did the attempt to get rice from Central Luzon to the Japanese army fail?

A The supply didn't come in according to what we planned.

Q All right. Now, just before United States troops landed in Luzon, approximately early in January, was a supply of rice left in the prisoners of war and internment camps?

A Yes, we left some for the prisoners.

Q And how long a supply? How much?

A According to the report I got, the PW camp in Los Banos got about two or three months' supply, and the same with Cabanatuan. And according to what I have heard, the supply in the PW camp in Manila should have lasted to the end of January.

Q Do you have reference to Santo Tomas?

A Yes.

GENERAL REYNOLDS: Will the Defense establish the ration strength in the Island of Luzon?

CAPTAIN REEL: For the month of January?

GENERAL REYNOLDS: For which this witness was responsible, the ration strength. How many men per day was

he feeding?

CAPTAIN REEL: Yes, sir.

Q (By Captain Reel) In Luzon during the month of January 1945, how many men were you responsible for feeding?

A At that time, communication was possible only in Luzon, and to my estimation there must have been about 250,000 that were handled by me.

Q And did that 250,000 include the Japanese army, prisoners of war and internees?

A Yes.

Q Now, what, if any, was the difference between the kind of rations furnished to the prisoners of war and internees, and the Japanese soldiers?

A There was no difference.

Q Now, did you at any time have conversations with General Yamashita relative to the food situation?

A General Yamashita was very much concerned regarding food supplies, and on many occasions asked me regarding the conditions.

Q Did General Yamashita speak to you about food supplies in the prisoner of war and internment camps?

A Yes, General Yamashita often mentioned the food supply situation in internment camp and in the PW camp, and seemed to have had much concern regarding the situation. And he said it wouldn't do if it were bad.

Q What, if anything, did General Yamashita say relative to the treatment of prisoners of war and internees, as compared with Japanese soldiers?

CAPTAIN REEL: Strike out that question.

Q (By Captain Reel) Did General Yamashita say anything about the food to be supplied to prisoners of war and civilian internees as compared with food to be supplied to the Japanese soldiers?

A He expressed his desire that internees and the PW's should be well taken care of. I have heard his desire that the food situation shouldn't be worse than the army, should not be allowed to be worse than that of the army.

Q And at about this time, namely, the first of January, did you move to Baguio with General Yamashita's headquarters?

A Yes.

Q And what, in brief, was the food situation in the headquarters at Baguio?

A The food situation as an army, as a whole, became more difficult, and therefore we had to cut down ration even at the headquarters, and potatoes and wild grasses were supplemented for the shortage.

CAPTAIN REEL: Was that "wild grasses"?

LIEUTENANT ASANO: "Wild" grasses.

Q (By Captain Reel) Now, did General Yamashita issue an order relative to pilfering or stealing food from Filipino civilians?

A (Through Interpreter Asano) On October 19, 1944, General Yamashita issued an order regarding the forced requisition from the civilians, and included in that order was a clause forbidding pilfering from the civilians.

CAPTAIN REEL: Now, sir, I should like to ask the witness a question for the Prosecution, as to the meaning of a certain word, a type of food that came in sometime during

the Prosecution's evidence.

Q (By Captain Reel) Can the witness tell us what "lugao" is?

A (Through Interpreter Asano) I do not know.

Q Well, can you tell us what "kay" is?

THE WITNESS: (Without aid of Interpreter) Kayo.

A (Through Interpreter Asano) Rice soup.

CAPTAIN REEL: That is all.

Sir, may I state for the purposes of the record that it is our belief that "kayo" and "lugao" is the same thing, "lugao" being a Tagalog word.

GENERAL REYNOLDS: It isn't particularly material. The Commission understands that "lugao" is a thin, watery soup made with rice.

CAPTAIN REEL: I think that is what it is, sir.

CROSS-EXAMINATION

Q (By Captain Calyer) Do you speak English?

A (Through Interpreter Asano) A little.

Q Did Yamashita's order regarding requisition of food prohibit purchase of food from civilians with Mickey Mouse money?

A No.

Q When was the food ration at the Baguio headquarters cut?

A As soon as I arrived at Baguio.

Q When was that?

A About the 4th or 5th of January.

Q Did that cut involve anything other than the rice ration?

A Principally rice.

Q What was the normal ration of the Japanese soldier?

A At wartimes, 850 grams.

Q Of what?

A Rice.

Q What else?

A As a principal staple food, that was a standard.

Q Did the Japanese soldier also get vegetables?

A Yes.

Q Meat?

A Yes.

Q Fish?

A Yes.

Q Fruit?

A At times, yes.

Q Eggs?

A At times, yes.

Q Anything else?

A Such condiments as shoyu, miso and salt.

Q Are those different types of seasoning?

A Yes.

Q You testified that in November and December 1944, the standard ration was 600 grams of rice per day, is that correct?

LIEUTENANT ASANO: Will you read the question, please?

(Question read)

A (Through Interpreter Asano) If I said that, if they figured on 600 grams per day, it should last to the end of December.

Q (By Captain Calyer) What ration was the Japanese soldier getting in November?

A As I have said before, the ration of rice was successively reduced.

Q What was the ration of rice in November?

A At critical moments, it was cut down as much as 200 grams.

Q What was it in November?

A That is right; it was in November.

Q What was the ration in November? How many grams per day?

A 200 grams per day, at the most, when things were at their worst.

CAPTAIN REEL: Sir, I believe one of the difficulties here is in the interpretation of the time element. If it is made clear that it is in November, I think that we -- that is, the Prosecution can get a direct answer to the question.

CAPTAIN CALYER: I don't understand the Interpreter, but I think the question is clear enough.

CAPTAIN REEL: It isn't the question, sir; it is the interpretation.

GENERAL REYNOLDS: Are you objecting to the interpretation given?

CAPTAIN REEL: Sir, we understand that the question of time has not been made clear in the interpretation of Prosecution's question. If it is clearly brought out to the witness that the month of November 1944 is what is being asked about, the particular time investigated, I think we

will get -- the Prosecution would get a satisfactory answer to its question.

COMMANDER BARTLETT: The question has been correctly put, and I think a reading of the last three answers will disclose that the answer that the Prosecution is looking for is in the record.

GENERAL REYNOLDS: The Commission questions that the answer is correct, based on his former testimony. However, I think there is no question but what the answer as given in the record is the answer given by the witness.

There is something wrong with his whole arithmetic computation. The witness stated he had 8000 tons left, after he made a shipment to Leyte -- a ton we assume to be 2,240 pounds; and, as the Commission recalls, he announced that issues were made on the basis of a 30-day supply, which was subsequently reduced by the army commanders and troop leaders to extend the time which that rice would last. The witness issued it on a 30-day basis, as we understand it. He has testified that his ration strength is 250,000; there are 28.3495 grams to an ounce; it is a straight exercise in arithmetic, and none of the witness's figures have come anywhere near the calculation which is so easily verified.

So, I believe, before we go into this grams per day business, there had better be some checking by Defense as to the straight, simple arithmetic involved.

CAPTAIN REEL: Yes, sir.

GENERAL REYNOLDS: We are not getting anywhere this way.

CAPTAIN REEL: May we simply remind the Commission

that the witness testified on direct examination as to what he called a "standard" ration, not as to what the actual ration was. The actual ration, we understood, was considerably less than the standard ration.

GENERAL REYNOLDS: Is there any question in the mind of Defense that the witness said he had 8,000 tons in that one shipment, that he had issued it on a 30-day basis, and that his ration strength was 250,000?

CAPTAIN REEL: That is correct, but the 30-day basis was stretched.

GENERAL REYNOLDS: Not by the witness, but by the field commander. He estimated that, anyway.

So far as his testimony is concerned, it becomes a straight exercise of simple arithmetic. Now, he has varied all over the scale from 800 grams down to 200 grams, and the figures he has given aren't subject to such variation or any variation.

CAPTAIN REEL: My recollection, sir, is that his figure of 600 grams was called a "standard", apparently a basic standard that should be lived up to, but there is no testimony that it ever was or that it was intended to be standard on a 30-day basis.

GENERAL REYNOLDS: Well, if Defense wishes to do so, the Commission will listen to your computations to verify this straight, simple arithmetic which this witness has put into the record: 8,000 tons issued on a 30-day basis, and so forth.

CAPTAIN REEL: We have no such computation available, but we will have them.

GENERAL REYNOLDS: Anytime.

Q When was the first cut in rations after you came to the Philippines?

A The first reduction was done by order of the commanding officer and it was in early December. However, due to the actual shortage of rice there took place an actual reduction of rations prior to that time.

Q When was that?

COMMANDER BARTLETT: Just a minute.

THE WITNESS: Prior to that time in December, from December -- pardon me, September.

Q (By Captain Calyer) By whom was the cut ordered that you mentioned in December?

A The army commander.

Q Who was that?

A General Yamashita.

Q On your direct examination you stated that the figure set by the commanding officer of the 14th Area Army was 400 grams of rice per day.

A Yes.

Q Is that the figure to which it was reduced in December?

A Yes.

Q When was it cut again?

A Since then there was no order regarding reduction of food, but actual reduction in ration had taken place.

Q When did that take place?

COMMANDER BARTLETT: Just a minute, please.

LIEUTENANT ASANO: Strike the whole answer.

THE WITNESS: Due to the conditions and lack of

food the ration was --

COMMANDER BARTLETT: Will you strike that out, please?

THE WITNESS: That was the last cut made by order. However, actual lack of rations caused subsequent cuts in the amount of food daily issued to the troops.

Q (By Captain Calyer) When did those cuts occur?

A Since September.

Q Subsequent to the cut in December, 1944, when were other cuts in ration made?

A As I have said before, the cut in food has started since September.

Q Were there any cuts made after September, 1944?

A Yes, there were.

Q When?

A Since December.

Q When were they made?

A I do not recollect the dates.

Q Did you make any investigation of the food supplied to prisoners of war and civilian internees?

A I did not make any special investigation, but I have always received general reports concerning the matter.

Q From whom did you receive those reports?

A In general it came from the line of communication commander.

Q I believe you testified that you were responsible for feeding prisoners of war and internees, is that correct?

CAPTAIN REEL: Sir, I do not believe there is any testimony to that effect. I think it was the responsibility of the commissariat.

CAPTAIN CALYER: If the Commission please, my recollection is that the witness testified at one point that he was responsible for feeding about 250,000 people in the Luzon area, including prisoners of war and civilian internees.

GENERAL REYNOLDS: The Commission will accept that as correct unless the Defense can find in the record a contrary statement, for such is our recollection.

CAPTAIN CALYER: If that is the understanding, I will withdraw the question and proceed with the next question.

GENERAL REYNOLDS: The Commission would like to hear that question answered.

CAPTAIN CALYER: Will you put it again, please?
(Question read.)

THE WITNESS: No, it is not so.

COMMANDER BARTLETT: That is wrong. "My duty was to prepare plans and supervise the execution of the of the procurement and distribution of food to the entire army, including soldiers, prisoners and internees. I did not have the power of executing those plans.

Q (By Captain Calyer) Wasn't it your duty to supply the food?

A I did not execute those plans for the supply.

Q In making your requisitions, how many prisoners of war did you provide for in November of 1944?

COMMANDER BARTLETT: Will you read the question?

(Question read.)

(The following answers were given through Commander Bartlett.)

THE WITNESS: I have not got the precise figures in my head, but I do know that before some prisoners were sent to Japan, and some time after my arrival, before they were dispatched, there were approximately 10,000 prisoners.

Q (By Captain Calyer) How many civilian internees did you provide for in November?

A This figure included internees.

Q How many of them were internees?

GENERAL REYNOLDS: The Commission interrupts. We are getting into minute detail, which has no bearing whatever on the case; 10,000 prisoners, including internees, is entirely adequate. Let's get at the meat of the thing.

CAPTAIN CALYER: All right, sir.

Q (By Captain Calyer) Was that figure increased or reduced in December?

A I believe it was reduced by the number of prisoners who were sent to Japan.

Q How many were you providing for in January?

A I believe it was the same as in December.

Q You testified that the Japanese left rice at Los Banos and I believe Cabanatuan sufficient to last two or three months. Where did you get that information?

A I cannot remember whether I received that informa-

tion from the line of communication or from the prisoner-of-war office.

GENERAL REYNOLDS: There will be a recess for approximately ten minutes.

(Short recess)

GENERAL REYNOLDS: The Commission is in session.

On the subject now under discussion there is one essential matter remaining to ask this question: Did this witness ever visit Cabanatuan, Santo Tomas, Los Banos and Old Bilibid Prison to see for himself whether the prisoners of war and civilian internees received on their mess tables the food he claims to have provided for them?

The Prosecution may explore this one matter.

Q (By Captain Calyer) Did you ever visit Los Banos Internment Camp?

A (Through Commander Bartlett) No.

Q Did you ever visit Cabanatuan Internment Camp?

A No.

Q Did you ever visit Santo Tomas Internment Camp?

A No.

Q Did you ever visit Old Bilibid Prison?

A No.

Q Did you ever visit any prisoner-of-war or internment camp in Luzon?

A No.

Q Was the food ration supplied to the prisoner-of-war and internment camps the same as the food ration supplied to the Japanese Army?

A They should have been the same.

Q Was the supply furnished by your intendance department the same for both purposes?

CAPTAIN REEL: Sir, the testimony was not that the intendance department furnished any supplies. Supplies were furnished by the Hei-Tan Commissariat. That has been the testimony.

GENERAL REYNOLDS: The Commission feels that further exploration of the food situation with respect to this witness will be wholly unfruitful. He has stated his responsibility to procure and distribute. He has already discussed how much he had to distribute and the basis on which he did it. It is admitted that he never inspected any of the camps themselves to see whether they actually received what his testimony indicates they were entitled to receive. Any further questioning along the line of food would be wholly sterile, in our opinion. We shall listen to Prosecution if you wish to tell us cogent reasons why you should ask more questions about food.

CAPTAIN CALYER: If the Commission please, there is one other question that I should like to ask him about food.

GENERAL REYNOLDS: - Very well.

Q (By Captain Calyer) Did you procure food for the Japanese Army from native Philippine sources?

A (Through Commander Bartlett) You mean myself, personally?

Q You or the unit that you commanded.

A Units within the command of the 14th Area Army Group did so procure food.

CAPTAIN CALYER: No other questions.

GENERAL REYNOLDS: The Commission desires that you explore the responsibility of this witness, if any, with respect to procurement and distribution of Red Cross supplies.

Q (By Captain Calyer) Was your department charged with the duty of receiving and distributing Red Cross supplies?

A That was the duty of the line of communications commander.

Q Who was that commander?

A First it was Lieutenant General Shimono.

Q Who was the commander of the commissariat during the period from 9 October 1944 until the time of the surrender?

COMMANDER BARTLETT: By "commissariat" do you refer to the same organization that has been called the "line of communications" here?

CAPTAIN CALYER: I understood that they are the same. If they are, that is what I mean. If they are not, I am interested in the commander who had charge of the receipt and distribution of Red Cross supplies.

A (Through Commander Bartlett) First it was Lieutenant General Shimono and then it was Lieutenant General Ko.

Q (By Captain Calyer) When did General Ko take over that duty?

A I am not positive of my details but it is my impression that it was at the very end of December.

Q 1944?

A Yes.

Q Where was his headquarters?

COMMANDER BARTLETT: Will you give me the question again?

(Question read)

A (Through Commander Bartlett) When I first met him as head of the line of communications his headquarters was at Bamnan.

Q (By Captain Calyer) When was that?

A The beginning of this year.

Q Had his headquarters been in Manila before that?

A Yes.

CAPTAIN CALYER: Would you read that answer, please?

(Answer read)

Q (By Captain Calyer) Where in Manila?

A (Through Commander Bartlett) I know the place but I do not know the name of the street.

Q What was the place?

A North side of the business center.

Q Was it near Old Bilibid Prison?

A I believe there is some distance between the two places.

Q Was it at the Far Eastern University?

A I don't know.

CAPTAIN CALYER: Are there any other questions that the Commission wishes to ask?

GENERAL REYNOLDS: There is one additional question which the Commission will ask.

Did the Japanese Army consider repatriation of prisoners of war and civilian internees when it became clear that deaths were occurring from malnutrition and starvation?

COMMANDER BARTLETT: Will you read that once more, please?

(Question read)

THE WITNESS (Through Commander Bartlett): That was not

within my sphere of responsibility and I am unable to answer that question.

CAPTAIN CALYER: No other questions.

REDIRECT EXAMINATION

Q (By Captain Reel) Did Staff Officer Lieutenant Colonel Ishikawa visit the prisoner-of-war and internment camps?

A I don't know.

Q Was it the responsibility of the Hei-Tan Commissariat to feed --

COMMANDER BARTLETT: May I interrupt there to say that the dictionary does not give the word "commissariat" as the translation for "Hei-Tan".

CAPTAIN REEL: Well, whatever --

COMMANDER BARTLETT: Does what you have in mind correspond more or less to the Quartermaster Corps?

CAPTAIN REEL: No. Services of Supply.

COMMANDER BARTLETT: Services of Supply?

CAPTAIN REEL: Services of Supply. Would you prefer that I call it that for your purpose?

COMMANDER BARTLETT: Just so that you call it one thing. Then I can get it and put it together as a rule.

CAPTAIN REEL: Strike out the question thus far.

Q (By Captain Reel) Was the Hei-Tan responsible for the actual delivery of foods and other materials to the prisoner-of-war and internment camps?

A Yes.

Q In Baguio in January 1945 did the Japanese soldiers get any fruit?

A I am afraid they did not.

Q Any eggs?

A No.

Q Any meat?

A No.

Q Any fish?

A No.

Q And what amount, if any, of vegetables did they get?

A I believe the maximum was 100 grams per man.

Q Now, you have testified that General Yamashita ordered a food cut or ration cut in December. Upon whose recommendation was that?

COMMANDER BARTLETT: Just give me the date.

REPORTER CONKLIN: December.

A (Through Commander Bartlett) After a conference between the head of the intendance and the staff their recommendations were submitted to General Yamashita through his chief of staff.

Q (By Captain Reel) And did they recommend the cut?

A Yes.

GENERAL REYNOLDS: The Commission interrupts to clarify the answer to a former question. It was the question relating to eggs and other articles in Baguio district.

Will you please read the question itself?

(Question and answer read)

GENERAL REYNOLDS: I believe we shall need clarification of that in view of the use of the word "get". The question you may have intended was to inquire whether eggs, fruit, and so forth, were issued troops in Baguio from Japanese central supplies or Army supplies. It needs clari-

fication in view of the testimony that in that area and during that period rice and fruit and other food supplies were confiscated from the residents. Your question was, Did the Japanese soldiers "get".

CAPTAIN REEL: Yes, sir.

GENERAL REYNOLDS: Will you clarify it.

CAPTAIN REEL: I had in mind, sir, whether they actually received it as part of their daily meals. I can put the question as to whether anything was "issued" to them.

GENERAL REYNOLDS: You need, then, to break it down into two parts: (1) were they issued from Japanese central supplies? (2) Did they get any from local resources?

COMMANDER BARTLETT: May I explain that the word used was, Did they "receive"? It would mean, Did the individuals "actually have" these things? without any mention of the source. Did they "receive" these things?

GENERAL REYNOLDS: If we accepted that point, then we would wish to know whether the witness was there and saw this for himself.

CAPTAIN REEL: Yes, sir.

GENERAL REYNOLDS: Ask him a few questions, please, to straighten out the picture.

Q (By Captain Reel) Relative to the food situation in Baguio in January 1945, were you there in Baguio yourself?

A Yes.

Q In addition to what you have testified to, was there any fruit issued to the Japanese Army in Baguio in January 1945?

A No.

Q Were any eggs issued?

A No.

Q Any meat issued?

A No.

Q Any fish issued?

A No.

Q Any vegetables issued?

A A little.

Q How much?

A In general about 100 grams.

Q A hundred grams per what?

A One day, one man.

Q And when you say "vegetables" do you include potatoes or camotes?

A Yes.

Q Were potatoes and camotes a rice substitute?

A Yes.

GENERAL REYNOLDS: The Commission will ask the remaining question.

Did the Japanese Army or its units procure foodstuffs from the residents of the Baguio area?

(Translated by Commander Bartlett)

THE WITNESS: I believe they did procure potatoes or camotes, root vegetables, from the vicinity of Baguio, but not within the city limits.

GENERAL REYNOLDS: Did they procure bananas within the Baguio area?

(Translated by Commander Bartlett)

THE WITNESS: I believe that it is not impossible

that units stationed there may have obtained bananas from the vicinity where they were stationed.

GENERAL REYNOLDS: Did the troops stationed there procure pigs and chickens from the residents of the Baguio region?

(Translated by Commander Bartlett)

THE WITNESS: I don't know.

CAPTAIN REEL: No further questions.

RE-CROSS EXAMINATION

Q (By Captain Calyer) Was Colonel Ishikawa a member of General Ko's staff?

A (Through Commander Bartlett) He was in Army headquarters.

CAPTAIN CALYER: No other questions.

GENERAL REYNOLDS: The witness is dismissed.

(Witness excused.)

KIKUO ISHIKAWA

called as a witness on behalf of the Defense, being first duly sworn through Commander Bartlett, was examined and testified as follows through Commander Bartlett, with the assistance of Major Pratt and Lieutenant Asano:

DIRECT EXAMINATION

Q (By Captain Reel) What is your name?

A (Through Commander Bartlett) Ishikawa, Kikuo.

That should be Kikuo Ishikawa.

Q And your rank in the Japanese Army?

A Lieutenant Colonel.

Q And are you a prisoner of war?

A Yes.

Q When did you come to the Philippine Islands?

A 27th of September of last year.

Q And what was your assignment here?

A Supply and transportation.

Q And are you a member of the staff of general headquarters, 14th Army group?

A Yes.

Q Did you keep that assignment right on through to the

time of surrender?

A Yes.

Q Now, when you first came to the Philippines, where were you stationed?

A Fort McKinley.

Q And when General Yamashita came here, was that his headquarters?

A Yes.

Q Now, how long did you stay at Fort McKinley?

A Until the 5th of January.

Q Where did you go then?

A On the 5th of January I went to the headquarters of the line of communications and stayed there until the 8th.

Q Were you on the staff of the Hei Tan?

A Yes.

Q And when were you on the staff of the Hei Tan?

A From the 5th to the 8th of January.

CAPTAIN REEL: What was the answer?

(Answer read.)

Q (By Captain Reel) In answering my previous question, did you say you were on the staff, or you were at the location of the Hei Tan headquarters?

A My meaning was that I was at the place, the location of the staff.

Q And you were at no time a staff officer of Hei Tan?

A No.

Q Now, as I understand it, you left on the 8th of January. Where did you go from there?

A San Jose.

Q How long did you stay there?

A As I remember it, it was until the 29th of January.

Q Where did you go then?

A I went to Bamban.

Q How long were you there?

A Until the 20th of February.

Q Where did you go then?

A On the 26th of February I arrived in Baguio.

Q How long did you stay there?

A Until the 23rd of April.

Q Where did you go after that?

A Intikaku.

Q And you stayed there until May 12, and then went to Kapangan, is that right?

A Yes, Kapangan.

Q You were in Kapangan at the time of your surrender?

A At the time of the surrender I was at No. 3 R. H., or Rest House.

Q Now, at Fort McKinley and at Baguio and at Kapangan, were you in General Yamashita's headquarters?

A Yes.

Q Now, as staff officer in charge of supply and transportation, tell us briefly just what your duties were.

A With respect to supply, briefly, it was divided into food, weapons, ammunition, and medical supplies. With respect to transportation, just motor transport.

Q What was your connection, if any, with General Kira, the Intendance Officer?

A To explain by an example, General Kira would have

charge of daily issue of rations at all times, whereas I would make plans concerning rations only during operations. The actual rations themselves were always under the control of General Kira.

Q Now, where did the Hei Tan come into this picture?

A They actually executed the plans with respect to food, weapons, and ammunition, medical supplies, and care of hospital patients.

Q Now, would requisitions from General Kira, the Intendance Officer, for food come to you?

COMMANDER BARTLETT: The first answer was "Important matters came to me." In further explanation, the answer is "They did not come to me every day."

Q (By Captain Reel) So only the important ones would be routed up to you, is that correct?

A Yes.

Q And why would these matters of supply be routed to you?

A As examples, if a shipment in rice should arrive from Saigon, or, on the other hand, the extreme scarcity of rice made it necessary to cut the ration, or something of that sort, then it would come to my attention.

Q And in your capacity as transportation officer, were you concerned with the food supply?

A Very close connection.

Q What was that, and why?

A For instance, if a ship should arrive in Manila, it was necessary to get it unloaded before anything happened to it, and as a result it was necessary to route all

available transportation for discharging the ship and hauling the supplies to places of safety.

Q Did you have authority to make changes in the requisitions of General Kira?

A I did not have that authority.

Q What action would you take, if you disagreed with a requisition of General Kira?

A I would make a recommendation to the Army commander through the chief-of-staff, requesting an alteration of the order.

Q And would the chief-of-staff then decide, in the final analysis, as to what the order would be?

A No; the Army commander.

Q Now, from what you saw and what you know, what was the condition of food and supplies in so far as prisoner of war camps, internee camps, and the Japanese Army, were concerned?

COMMANDER BARTLETT: Will you read the question, please?

(Question read.)

A (Through Commander Bartlett) In my knowledge, it was no difference whatever between the prisoner of war camps, internee camps, and the Japanese Army; they were the same.

Q (By Captain Reel) Now, what was the condition of the food supply between October and December, 1944?

A I will tell you the conditions in October first.

Q All right.

A When I arrived in October, although the standard

ration for troops was 450 grams, they were actually receiving not more than 400 grams.

According to my memory, in November, on the 9th day, 10,000 tons of rice arrived from Saigon. Of this, approximately half was sent to Leyte. On the assumption that the remaining half must be stretched out over two months, the daily ration was again cut to 400 grams. As a matter of fact, the actual ration received by the men was less than 350 grams.

I will now speak of December. No food arrived by boat in December. All the ships were sunk by enemy action. As a result, the food situation deteriorated further and many organizations were actually receiving not more than 250 or 260 grams. Therefore, it appeared necessary to take steps to secure part of the new crop of rice being harvested at the end of December and early in January, and I brought this matter to the attention of the commander -- to General Kira's attention.

That is all.

GENERAL REYNOLDS: The Commission regrets to announce that Lieutenant Commander S. C. Bartlett, Jr., United States Naval Reserve, our chief interpreter, has been recalled to Tokyo.

The Commission is grateful to you, Commander Bartlett, for the help you have given us in training interpreters, the proper use of interpreters, and for the excellence of translations and interpretations in the Japanese language.

The Commission will recess until 1:30 this afternoon.

(Whereupon a recess was taken until 1330 hours, 24 November 1945.)

AFTERNOON SESSION

(The trial was resumed, pursuant to recess, at 1330 hours.)

GENERAL REYNOLDS: The Commission is in session and you may proceed.

MAJOR KERR: Sir, all members of the Commission are present. The Accused and Counsel are present.

KIKUO ISHIKAWA

the witness on the stand at the time of recess, having been previously duly sworn, was examined and further testified as follows through Interpreter Oishi, with the assistance of Major Pratt and Lieutenant Asano:

DIRECT EXAMINATION (Resumed)

CAPTAIN REEL: May I have the last question and answer read back?

REPORTER WINTER: "Now, what was the condition of the food supply between October and December 1944?"

"A I will tell you the conditions in October first.

"Q All right.

"A When I arrived in October, although the standard ration for troops was 450 grams, they were actually receiving not more than 400 grams.

"According to my memory, in November, on the 9th day, 10,000 tons of rice arrived from Saigon. Of this, approximately half was sent to Leyte. On the assumption that the remaining half must be stretched out over two months, the daily ration was again cut to 400 grams. As a matter of

fact, the actual ration received by the men was less than 350 grams.

"I will now speak of December. No food arrived by boat in December. All the ships were sunk by enemy action. As a result, the food situation deteriorated further and many organizations were actually receiving not more than 250 or 260 grams. Therefore, it appeared necessary to take steps to secure part of the new crop of rice being harvested at the end of December and early in January, and I brought this matter to the attention of the commander -- to General Kira's attention.

"That is all."

Q (By Captain Reel) Now, you just stated that a ship arrived approximately the 9th of November, 1944, containing 10,000 tons of rice. Are you sure of that figure?

A Yes.

Q General Kira was on the stand and said that sometime in November 16,000 tons of rice arrived. Was he correct?

A I think what he said is a mistake.

Q Now, that 10,000 tons of rice, what was done -- strike that. What was done with the 10,000 tons of rice?

A Of the 10,000 tons, 5,000 tons were sent or lent to the navy --

CAPTAIN REEL: Was that 500 or 5,000?

INTERPRETER OISHI: Yes, 500.

THE WITNESS: The actual amount used in Manila was 4,000 ton. There was some spoilage.

Q Now, how many meals a day did the Japanese army soldiers get?

A Three times a day, but on occasions two times a day.

Q Now, was that general rule of three times a day cut to two times a day sometime in January of 1945?

A Yes.

Q That included yourself?

A Yes.

Q And you were at the headquarters of General Yamashita at that time?

A No.

Q Where were you when that occurred?

A From January 5th to the 8th I was at the line of communications headquarters.

Q And after that did you go to Baguio?

A San Jose.

Q You didn't get to Baguio until 26 February, is that right?

A That is right.

Q Now, did you go on any inspection trips of prison or internee camps?

A Yes.

Q And on whose order did you make these inspection trips?

A The Chief of Staff.

Q That is General Muto?

A Yes.

Q Now, where did you go on these trips, which camps?

A To Santo Tomas Internment Camp, the Bilibid Internment Camp and McKinley Internment Camp; the three places in all.

Q Did you go to any others?

A No.

Q And what did General Muto tell you to do?

A The matters dealing with supply, particularly food.

Q And what did you find on your inspections to these three camps relative to food?

A The food supply was the same as those of the Japanese army but they were gradually diminishing. Ships had not come in. There were no fuels for transportation purposes so we had to borrow those items from the air force.

CAPTAIN REEL: I would like to ask the Interpreter whether the witness in the first part of his answer said that the inmates had to make local purchases or whether the camps had to make local purchases.

INTERPRETER OISHI: Not to my knowledge, sir.

CAPTAIN REEL: I will ask him.

Q (By Captain Reel) Did you find that the army officials at the camp had to make local purchases?

GENERAL REYNOLDS: You better clarify that question. Identify whether you mean Japanese army officials or inmates of the prison.

CAPTAIN REEL: I will withdraw the last question.

GENERAL REYNOLDS: Also establish the date.

Q (By Captain Reel) Did you find that the Japanese army had to make local purchases in the vicinity of those three camps?

A They purchased vegetables but I doubt if they purchased rice.

Q Now, what were the dates upon which you visited those three camps, as near as you can recollect?

A I believe it was about November 20th, 1944.

Q As a result of those visits, did you make a report to General Muto?

A Yes.

Q What was the nature of that report?

A The food was the same as those of the Japanese army but it was meager.

Q Did you make any recommendations?

A Since ships didn't come in and we couldn't very well requisition any supplies from the locality something must be done to requisition them from Luzon.

CAPTAIN REEL: Could that word be "procure" as well as "requisition"?

MAJOR PRATT: If the Commission please, the interpretation given in the military dictionary for this word could be "levy", "requisition", or "forage".

GENERAL REYNOLDS: Very well.

Q (By Captain Reel) How would this requisition, as it has been interpreted, be done?

A I didn't mean "requisition"; "buy" is the word.

CAPTAIN REEL: Could I have the last answer?

(Answer read)

Q (By Captain Reel) Now, what was the recommendation that you made to General Muto relative to buying rice?

A First of all, even if we didn't buy rice we didn't have the fuel for automobiles. We should have arrangements made to obtain fuels from the air force.

Q In other words, you recommended getting fuel from the 4th Air Army?

A Yes.

Q And what did General Muto do when you reported that to him?

A He immediately dispatched myself and Deputy Chief of Staff Nishimura to this 4th Air Force.

Q For what purpose?

A In order to obtain gasoline.

Q And how much gasoline were you to obtain?

A A minimum of 10,000 drums.

Q Did you get it?

A No.

Q Did you make further trips and attempts to get gasoline from the 4th Air Army?

A I made about seven trips.

Q And did you finally get any gasoline from the 4th Air Army?

A On December 15th of last year I received 1500 drums.

Q Did you actually get 1500 drums in your possession?

A I actually received 600 drums.

Q And what happened to the rest of it?

A In Lingayen and Naga which is in the Bicol District --

CAPTAIN REEL: Will you repeat the question to the witness? Please tell us what happened to the other 900 drums.

(Question read)

THE WITNESS: I did not receive them.

Q (By Captain Reel) Where were the 600 drums that you did receive?

A We used that to transport munitions and food supplies from Manila.

Q Now, as Transportation Staff Officer for transportation, do you know the source of supply of fuel and gasoline for the Japanese army in the Philippine Islands?

GENERAL REYNOLDS: The Commission interrupts. We well recognize the transportation difficulties and the fuel shortages during this period. Let us proceed with something else.

CAPTAIN REEL: All right, sir.

Q (By Captain Reel) Now, after the 4th Air Army came under the jurisdiction of General Yamashita did you then get gasoline from them?

GENERAL REYNOLDS: The Commission interrupts. Let us drop this subject of gasoline. We grant that the transportation difficulties and gasoline shortage difficulties were present and that they were acute and that they affected their operations. We see no occasion for pursuing this any further. We will now take up some other subject.

CAPTAIN REEL: All right, sir. The only purpose of going into the fuel question was because the lack of fuel was the bottleneck that prevented the shipment of food. That is its relationship to the food question, if the Commission please.

GENERAL REYNOLDS: We grant that.

CAPTAIN REEL: Yes, sir.

Q (By Captain Reel) Now, do you recall an order relative to the release of prisoners of war and civilian internees?

A Yes.

Q And tell us what that order was and who it came from.

A It came from Tokyo, from the Army Commander through Yamashita and it was issued to the various internment camps.

Q In other words, the order came from Tokyo but was passed on by General Yamashita, is that right?

A Yes.

Q When did the order first come to your attention?

A I believe it was about December 20th.

Q And what was the substance of the order from Tokyo?

A It first was to treat prisoners in a friendly manner and in case the Americans should approach to leave as much food and medicine as possible for the internees and prisoners.

The third item was not to treat the prisoners or internees in any atrocious manner whatsoever before retreating.

Q Now, did part of the order have to do with withdrawal and leaving the prisoners there?

A Yes.

Q Now, did General Yamashita add anything to the original order from Tokyo?

A That is the third item.

Q In other words, the third item that you gave us was added by General Yamashita?

A Yes.

Q And as I understand it, what you gave as a third item was: That upon withdrawal they should make sure there would be no ill-treatment accorded to prisoners of war and internees.

MAJOR KERR: If the Commission please, that was not the statement of this witness at all.

CAPTAIN REEL: That is a question of interpretation

and that is why I am putting the question. I understand that is what the witness said.

GENERAL REYNOLDS: The Defense must be cautious and not misquote testimony. Now we have an official interpreter here. He used the word "atrocious" and there is no objection to your going back over the testimony with the witness but do not pervert the testimony. Confine yourself strictly to what the official interpreter said.

CAPTAIN REEL: There was no intent to misquote the witness. The question was asked deliberately because it was our understanding that the actual words were used -- well, I will withdraw the question and rephrase it.

GENERAL REYNOLDS: Be very careful about the matter. It has occurred before.

Q (By Captain Reel) Tell us again just what the third part of the order said.

A In case of a withdrawal precautions must be taken so as not to -- so there would be no changes in the treatment of prisoners or internees and that no mistreatments must take place.

Q Now, was that a written order?

A Yes.

Q And do you have that order with you?

A No.

Q What happened to it?

A I had to throw all the papers I had away at the Luzon P.W. Camp No. 1.

Q Did you have it until you got to the Luzon P. W. Camp No. 1?

A Yes.

Q And why did you throw it away?

A There was instructions to that effect.

Q From whom?

A From one who is in charge there.

Q Somebody in charge of the prison?

A Yes.

GENERAL REYNOLDS: The Commission interrupts for clarification of words. I believe he said "throw away". Is that correct?

INTERPRETER OISHI: Yes.

GENERAL REYNOLDS: Could it also have meant "surrender" or "give up"? because it seems inconceivable that American officers would ask prisoners of war to throw away official documents when their mission was to capture or gain possession of them.

MAJOR PRATT: Sir, the word which the prisoner used was "suteru", which means to "discard" or "throw away".

GENERAL REYNOLDS: Very well.

CAPTAIN REEL: We understand, sir, that the word can mean as suggested by the Commission: "give up"; "surrender"; "discard"; "throw away"; in other words "get rid

of in one way or another".

Q (By Captain Reel) Did you at any time either during your trips to Santo Tomas, Bilibid, Fort McKinley or at any other time hear any reports of cruelty and ill treatment of prisoners of war and internees?

A No.

Q At some time in November did you know of any orders for the transfer of prisoners of war to Japan?

A Yes.

Q And as a result of those orders what happened?

A One thousand prisoners who were at Cabanatuan were sent to Bilibid.

Q And where were they sent to from Bilibid?

A They embarked from Bilibid.

Q Under whose jurisdiction was that trip to Japan?

A The Third Maritime Transport Command.

Q And was that connected with General Yamashita at that time?

A No.

Q Did you have any conversations with General Yamashita relative to the amount of food to be given to prisoners of war and internees?

A Besides reporting what I saw of the internees and the prisoners of war I have not talked to General Yamashita.

Q In December 1944 did you have any orders from General Yamashita relative to evacuating supplies from Manila?

A On December 15th of last year I spoke with General Yamashita concerning the evacuation of military supplies from Manila and at the same time received order to that

effect.

Q And what did you do about evacuating supplies from Manila?

A On December 16, 1944 we commenced evacuating military supplies to Antipolo to the east, San Jose to the north, and Rosario to the northwest by motor transports and rail.

Q And how much of the supplies were you able to get out before the Americans took over?

A About 30 per cent of those that should have been transported.

Q And why is that all that you could get out?

A Because there were no gasolines for the automobiles, and rails and roads were damaged by bombings and guerrilla actions.

CAPTAIN REEL: I think that is all.

GENERAL REYNOLDS: Cross examination?

CROSS EXAMINATION

Q (By Captain Calyer) You testified about some prisoners of war being transferred from Cabanatuan to Bilibid.

A Yes.

Q How did they leave Bilibid?

A They went from Bilibid to the harbor.

Q By what means?

A I do not remember distinctly right now, but I believe that it was by automobiles.

Q Were you there when they were taken away?

A No.

Q Was General Ko there?

A I believe he was there.

Q Under whose supervision were they moved?

A I do not remember distinctly, but I believe the commander of the internment camp dispatched an officer with them.

Q Who was in charge of the movement from Cabanatuan to Bilibid?

A An officer from Cabanatuan Internment Camp went along with them.

Q Do you know Lieutenant Toshino?

A I do not know him.

Q You spoke of an order with reference to treatment of prisoners of war and internees.

A Yes, as I said before.

Q How much of that order came from Tokyo?

A As I said before, other than the third item, the rest came from Tokyo.

Q When was the person sent to get gasoline from the 4th Air Army?

GENERAL REYNOLDS: The Commission interrupts. Unless there is some real purpose back of it, let's omit the gasoline.

CAPTAIN CALYER: Sir, I am attempting to show the information upon which this witness bases a statement that he made in his direct testimony with reference to the relative condition of the Japanese Army and the internment and prisoner-of-war camps. I think all this has a bearing.

GENERAL REYNOLDS: If it has a material bearing you may proceed.

Q (By Captain Calyer) When were you sent to get gasoline from the 4th Air Army?

A On November 21st and thereafter about seven times.

Q You had inspected Santo Tomas, Bilibid and Fort McKinley prisoner-of-war or internment camps on the 20th of November; is that correct?

A Yes.

Q Did you visit each of those places on the same day?

A On different days.

Q On what date did you visit each one of them?

A I visited Santo Tomas about November 18th or 19th. I visited Bilibid about three days afterward. I visited McKinley in the early part of December.

Q Was that the only time that you visited those camps?

A That was the only time.

Q Do I understand that you never visited any other prisoner-of-war or internment camps?

A No. I did not visit any other camps.

Q In December 1944 you were already moving supplies from Manila; is that correct?

GENERAL REYNOLDS: Before that question is answered, the witness has testified that he visited these prisoner-of-war and civilian internee camps and made investigations as to the ration, but before we leave that subject we must know whether he went into the prisoner-of-war dining rooms and saw the food on their tables and saw the storerooms and compared what prisoners of war were eating with the food served to the Japanese guards at that time. The mere statement that he visited the four camps does not in any way set him up as qualified to make the statements until we find that out. Please explore it further.

CAPTAIN CALYER: All right, sir.

Q (By Captain Calyer) On your visits to Santo Tomas, Bilibid and Fort McKinley did you go into the dining rooms when the prisoners were being fed?

A At McKinley I happened to go there when they were just preparing the food, that is, when the food was ready to be served.

Q What was being prepared?

A They had rice together with fried potatoes, with some beans.

Q That was in December?

A Yes.

Q What was the diet of the Japanese soldier at that time?

A Something very similar.

Q Did you inspect the storehouses at Fort McKinley?

A No.

Q Did you inspect the dining rooms at Santo Tomas?

A I went to Santo Tomas after they had already eaten supper.

Q Do you know what had been served?

LIEUTENANT ASANO: Hold it! He hasn't finished the answer.

CAPTAIN CALYER: Oh, I am sorry. Withdraw the question.

A (continuing) And I visited the warehouse.

Q (By Captain Calyer) What did you find at the warehouse with regard to supplies?

A They had food stored there similar to our standards.

Q What kind of food?

A Mostly rice.

Q Do you know what had been served with the meal before you got there?

A I do not know.

Q Did you examine or inspect the dining room at Bilibid?

A I arrived at Bilibid after meal also. I inspected the warehouse and the kitchen.

Q What did you find?

A I found that the rations were the same as those of the Japanese soldier.

Q On your trips to these three places did you talk with any of the internees about food?

A No.

Q Were any reports or complaints submitted to you by the camp committee at any of these places?

A No.

Q Did you talk with the Japanese officials in charge of the camp?

A Yes.

Q Were they satisfied with food conditions in their respective camps?

A They were not satisfied.

Q What was done about it?

A They requested more rice and more canned goods.

Q What did you do about it?

A I wanted to increase their rice and canned goods but, as far as the rice went, as I mentioned before, they were getting the same amount as the Japanese soldier and I do not remember now, but, as far as the canned goods are concerned, I believe I did something about those.

Q What did you do?

A I gave instructions to increase the amount of canned goods they were to get, but at that time there weren't many canned goods available and what the results of my instructions were I do not know.

Q Were those increases intended for the internees or for the Japanese garrison?

A What I have stated concerns the internees and the prisoners.

Q What canned goods were you supplying to the internees at that time?

A I do not know those small details.

Q Weren't you in charge of supplying them?

A I was in charge of the over-all planning of supplies for the entire army, and I do not know those minute details regarding the matter on hand.

Q When you inspected Santo Tomas, did you find any canned goods there?

A I do not remember distinctly now whether there were canned goods there or not.

Q When you inspected at Bilibid, did you find any there?

A I believe there was.

Q What?

A Salmons.

Q Salmon?

A Salmon.

Q How much did you find at Bilibid?

A I believe there were more than ten boxes.

GENERAL REYNOLDS: There will be a recess for ten minutes.

(Short recess.)

GENERAL REYNOLDS: The Commission is in session.

Before you leave the question of food in the camps, we will recall that the American civilian internees and prisoners of war complained about the food qualitatively, that is, that it contained insufficient vitamins and minerals, and quantitatively, that is to say, not enough to prevent malnutrition and starvation. This witness testified that he inspected the mess hall during the preparation of a meal at one prisoner of war camp, which was in Bilibid, and he had nothing to say about the quantity, that is, how much per person was being served that day in comparison to the Japanese army; nor did he have anything to say about the extent of his inspection, how long he inspected.

Will you explore that further?

CAPTAIN CALYER: Yes, sir.

GENERAL REYNOLDS: Also, if he saw any American soldiers or internees, to compare their physical condition with the guards.

CAPTAIN CALYER: Will you read the last question and answer?

(Question and answer referred to was read by the reporter as follows:)

"Q How much did you find at Bilibid?

"A I believe there were more than ten boxes."

Q (By Captain Calyer) How many prisoners were at Bilibid at the time you made your inspection?

A About 2100.

Q How much food was being prepared to serve the prisoners at the time that you were there?

A Do you refer to the entire prisoners?

Q How much food was being cooked for the meal for the prisoners at Bilibid when you were there?

CAPTAIN REEL: Sir, I believe the difficulty comes from the fact that the question is asked about Bilibid. The testimony of the witness was that he was at McKinley when food was being prepared, and at Bilibid there was no such preparation.

GENERAL REYNOLDS: That is correct; it was McKinley.

CAPTAIN CALYER: That was my memory, too, but the Commission had asked about Bilibid.

GENERAL REYNOLDS: Fort McKinley was the correct place.

CAPTAIN CALYER: I will withdraw that question.

Q (By Captain Calyer) What was the date of your inspection at McKinley?

A It was about December 2nd.

Q Did you find any canned goods there?

A I do not remember distinctly whether I saw canned goods or not.

Q What was being cooked for the prisoners when you made your inspection at McKinley?

A Rice and fried potatoes, and there was a little beans added.

CAPTAIN CALYER: What was the last part of that answer?

(Answer read.)

Q (By Captain Calyer) How many prisoners were at McKinley at that time?

A About 300.

Q How much rice was being prepared for that meal?

A Since there are three kettles cooking, I assumed that it must have been about from half a sack to one sack.

Q How much was in a sack?

A There are two kinds of sacks: 50 pounds and 100 pounds.

Q Which kind do you refer to?

A I am referring to the 50-pound sacks.

Q Do I understand you to mean, then, that about 25 pounds of rice was being prepared for 300 people?

A I was referring to amount of rice from 50 to 100 pounds.

Q That is what you meant when you said "half a sack"?

CAPTAIN REEL: Sir, the testimony was one-half to one sack.

THE WITNESS: (Through Interpreter Oishi) One sack usually contains about 100 pounds, so half a sack would be 50 pounds.

GENERAL REYNOLDS: We are getting rather involved. Let us go back and see what the witness really said about those facts.

As the Commission recalls, he said there were two kinds, 50-pound and 100-pound sacks, but the kind he was

referring to was the 50-pound sack. Now let us see what he really said.

And further, that he saw cooking there from one-half a 50-pound sack to a full sack.

Now let us see what he really said.

(Portion of the record referred to was read by the reporter as follows:)

"Q How much rice was being prepared for that meal?

"A Since there are three kettles cooking, I assumed that it must have been about from half a sack to one sack.

"Q How much was in a sack?

"A There are two kinds of sacks: 50 pounds and 100 pounds.

"Q Which kind do you refer to?

"A I am referring to the 50-pound sacks."

GENERAL REYNOLDS: That would seem to settle that question. Let us proceed.

CAPTAIN CALYER: Does the Commission wish anything further about the quantity or quality of the food being prepared at that time?

GENERAL REYNOLDS: Just for curiosity, I would like to know how long he was in the kitchen making this inspection.

CAPTAIN CALYER: Yes; I was coming to that point, sir.

Q (By Captain Calyer) How long were you in the kitchen at Fort McKinley making this inspection?

A About 15 minutes.

Q How long was your inspection at Bilibid?

A About 20 minutes.

Q Was your inspection of the kitchen at McKinley the entire inspection that you made there?

A I inspected the latrine.

Q How long did your entire inspection at McKinley last?

A About 40 minutes.

Q How long was your inspection at Santo Tomas?

A It was dark then, so I inspected for about 20 minutes.

Q During any of these inspections, did you observe the internees?

A At McKinley I observed some, but other than that I wasn't able to observe them.

Q How did those whom you observed at McKinley compare in physical appearance with the Japanese guards at McKinley?

A I thought it was similar.

Q How did you happen to make these inspections?

A As I stated before, in the early part of November I was ordered to make an inspection tour concerning the shortage of rice and other food supplies.

Q Weren't you the staff officer in charge of prisoner of war affairs?

A I was in charge of provisions and medical supplies, as far as the prisoners were concerned.

Q Is that all that you had to do with prisoner of war

camps?

A That is correct.

Q Did you have the same duties with respect to internee camps?

A Same.

Q Was that with regard to all prisoner of war and internee camps in the Philippines?

A Yes.

GENERAL REYNOLDS: The Commission interrupts. We feel the benefit of this testimony from this witness has about run out, and inquire if there is anything of real material value still to be extracted from him.

CAPTAIN CALYER: I believe there is, sir.

GENERAL REYNOLDS: What is it?

CAPTAIN CALYER: If I remember correctly, a previous witness, General Muto, testified that the present witness was the staff officer in charge of prisoner of war affairs. I am simply attempting at this point to find out which of these statements is correct.

GENERAL REYNOLDS: Very well. Proceed.

CAPTAIN CALYER: Is there a question pending?

(Last question and answer were read by the reporter as above recorded.)

Q (By Captain Calyer) . If General Muto testified that you were the staff officer in charge of prisoner of war affairs, was your duty restricted as you have just stated?

CAPTAIN REEL: - Sir, we object to that question.

We haven't yet found the place in the testimony.

CAPTAIN CALYER: Page 3076.

CAPTAIN REEL: Thank you.

GENERAL REYNOLDS: Does Prosecution have the testimony before them?

CAPTAIN CALYER: I do not, sir. It was just furnished me.

CAPTAIN REEL: Our recollection, sir, is that that statement was not made; that General Muto stated that this officer, on his request, made the inspection, but not that this officer was the staff officer in charge of prisoner of war affairs.

GENERAL REYNOLDS: Let us waive the point until both Prosecution and Defense can study the record, and we will know what we are talking about. Let us go on.

Q (By Captain Calyer) You did have charge, then, of the supply of food and medicine for prisoner of war camps, is that correct?

A Yes.

Q And these inspections were made on special order of General Muto?

A Yes.

Q Was there any other officer who made inspections of food conditions at these camps?

A No other beside myself.

CAPTAIN REEL: Pardon me, sir.

Could that be interpreted, "There was no subordinate officer under me to do that"?

Sir, we have the record, page 3076. Apparently General Muto did state on that occasion that he was staff officer in charge of prisoner of war affairs.

GENERAL REYNOLDS: In other words, the objection
of counsel is now withdrawn?

CAPTAIN REEL: It is now withdrawn.

GENERAL REYNOLDS: Proceed.

CAPTAIN CALYER: May we have the last question and
answer read?

(Question and answer read.)

Q General Muto testified that you were the staff officer in charge of prisoner of war affairs. Is that statement correct?

A Yes.

Q And yet the only inspections you made were those which you have testified to, is that correct?

A I could not make an inspection before.

Q Whose staff were you on?

INTERPRETER OISHI: There is a correction.

"I could not make any inspections after that."

Q (By Captain Calyer) Why not?

A Since that time I have been to Fort McKinley only once due to gasoline shortages and due to operational preparations.

Q Didn't you testify that you were stationed at Fort McKinley until the 5th of January, 1945?

A Yes.

Q Weren't you somewhere in the vicinity of Cabanatuan in the latter part of January or early part of February, 1945?

A Yes.

Q But you never visited Cabanatuan, is that correct?

A I did not go.

Q Whose staff were you on?

A I was a staff officer for General Yamashita.

Q I believe at the beginning of your testimony this morning you said that your job concerned supply and transportation. Was that statement correct?

A Yes.

Q And your duties, as staff officer in charge of prisoners of war affairs, were additional, is that also correct?

A Yes.

Q Which was your primary duty?

A Supply and transportation for operational purposes.

Q For operational purposes only?

A Not only that; that is my principal duty.

Q Where does General Kira fit into the picture?

A General Kira had charge of buying military supplies and clothing and the handling of supplies coming from Japan, and the distribution of supplies to the troops.

CAPTAIN CALYER: That is all.

REDIRECT EXAMINATION

Q (By Captain Reel) What Army unit or group had charge of prisoner of war camps?

A It was under the direct command of the commander of the line of communications, who was the commander of the prisoner of war camps.

Q And that is separate and distinct from the 14th Army group, is it?

A After General Yamashita came to the Philippines it was under the 14th Area Army.

Q Was that after Marshal Terauchi left in November of 1944?

A I think this was before.

Q Who was the officer of the Hei Tan who was in charge of prisoner of war camps until January 1, 1945?

A The line of communications commander was General Ko.

As a prisoner of war commander Lieutenant Colonel Hayashi was representing General Ko, and after General Ko became line of communications commander that happened.

Q And before General Ko became commander of the Hei Tan, who was in charge of prisons?

A It was Lieutenant General Ko.

Q And would Lieutenant General Ko make the ordinary inspections of the prison camps?

A Yes.

GENERAL REYNOLDS: We will recess for ten minutes.

(Short recess.)

GENERAL REYNOLDS: The Commission is in session.

You may proceed.

Q (By Captain Reel) Before January 1, 1945, on what office rested the primary responsibility of administering and inspecting prisoner of war camps?

A The prisoner of war camp commander.

(Whereupon the following answers were given through Interpreter Lieutenant Asano.)

Q (By Captain Reel) What was his name?

A It was Lieutenant General Ko, and after him Lieutenant Colonel Hayashi.

Q Did you ever live at Cabanatuan?

A No.

Q One more question: On your inspection trip to Fort McKinley, when you saw a meal being prepared, how many pounds of rice did you see being prepared for that meal?

A Approximately anywhere from 50 pounds to 100 pounds.

CAPTAIN REEL: No further questions.

GENERAL REYNOLDS: Is there anything of moment that the Prosecution wishes to bring out from this witness?

CAPTAIN CALYER: Just one more question, if the Commission please.

GENERAL REYNOLDS: Very well, one more question.

RE-CROSS EXAMINATION

Q (By Captain Calyer) As General Yamashita's staff officer in charge of prisoner of war affairs did you receive reports of inspections of prisoner of war and internee camps from General Ko?

A Yes, I had.

Q What reports did you receive?

A The report was regarding sanitation, food, and discipline, and the general facilities.

Q How frequently were those reports made?

A It was a monthly report; once a month only.

Q What did they indicate with reference to conditions in prisoner of war camps in November and December, 1944?

A I didn't receive the November report until December. However, in November the reports were about the same as that as what I saw during my inspection tour.

Q How about the December report?

A Due to the withdrawal of various troops at the latter part of December and January, the early part of January, I did not receive any reports from the P. W. camp commander.

Q Did you receive one for January?

A No.

Q Was it only the report for the month of November that you, in fact, received?

A I received reports for October and November only.

Q What was the report for October?

A There were no special matters that I remember now.

CAPTAIN CALYER: That is all, sir.

GENERAL REYNOLDS: The Commission has one question.

EXAMINATION ON BEHALF OF THE COMMISSION

Q (By General Reynolds) While the witness was acting on General Yamashita's staff on prisoner of war matters, we wish to know whether any of the complaints filed by American prisoners of war and civilian internees were brought to his attention.

A No, I haven't.

Q Did General Yamashita's orders require that such complaints be forwarded to his headquarters?

A Yes.

Q As staff officer did you consider the overall responsibility for prisoner of war camps and civilian internees squarely on General Yamashita?

A I believe that the most responsible person is the commanding officer of the prisoner of war camp.

GENERAL REYNOLDS: Does the Defense have anything further?

CAPTAIN REEL: No.

CAPTAIN CALYER: May I ask just one more question, sir?

GENERAL REYNOLDS: Yes.

FURTHER RECROSS EXAMINATION

Q (By Captain Calyer) Who prepared the regulations regarding the conduct of prisoners of war and civilian internees in the camps?

A The regulations pertaining to the conduct in prisoner of war camps was made by a discussion between the camp commander and the committee, and that is my understanding.

Q Were they approved by any higher authority?

A I don't remember, but probably it was so. At the time of my arrival things were put into practice already, and those things were decided long before my arrival.

Q As staff officer in charge of prisoner of war affairs did you ever inquire what regulations were in effect?

A Matters pertaining to the conduct within the P. W. camps were the responsibility of the camp commander, and I didn't have much to do with what was going on within the camp.

Q Did you ever inquire what those regulations were?

A Since those regulations were made by the inmates themselves I didn't think I should say or do anything about it.

Q Will you answer the question, please, whether you inquired what the regulations were?

A No.

Q Do you know who prescribed regulations with regard to the punishment of civilian internees and prisoners of war?

A I do not know.

CAPTAIN CALYER: That is all.

FURTHER EXAMINATION ON BEHALF OF THE COMMISSION

Q (By General Reynolds) Who did the Japanese Government, the Japanese High Command at Tokyo, hold responsible for the administration of prisoners of war and civilian internees?

INTERPRETER ASANO: Will you read the question?

(Question read.)

A Prisoner of war commander, the camp commander.

Q (By General Reynolds) Do you mean to tell me that the Japanese High Command in Tokyo held that General Yamashita did not have complete responsibility for prisoners of war under his control?

A No, I did not.

Q What did you mean?

A Direct responsibility with the prisoner of war camp commander.

GENERAL REYNOLDS: Read the original question and ask the witness to be very careful in answering it frankly and fully. If the Interpreter wishes to do so he might write the question out.

(Question read.)

THE WITNESS: I believe there are some responsibilities.

Q (By General Reynolds) What is that responsibility?

A As for carrying out the orders, that was the responsibility of the prisoner of war camp commander. However, the overall responsibility lies in the Army commander.

Q Who was responsible for the camp commander carrying

out the orders?

A First, there was Lieutenant General Ko, and afterwards it was Lieutenant Colonel Hayashi.

Q And after that who was it?

A That is all.

Q And above Lieutenant Colonel Hayashi and Lieutenant General Ko, who was then responsible to see that the orders of Tokyo were carried out?

A The next responsible person is the commanding officer of the line of communications unit.

Q Who is the next one?

A After that the responsible person was myself, who was a member of the staff in charge of the P. W. affairs.

Q And who was next?

A The next person, the next responsible person, is the chief-of-staff.

Q And who was next?

A And the next responsible person is the commanding officer of the 14th Area Army.

Q What was his name?

A General Yamashita.

Q Of all the people he has named who had responsibility for the prisoners of war and civilian internees, which of them was responsible to Tokyo for their administration?

A I believe it is the 14th Area Army commander.

GENERAL REYNOLDS: Why should he believe it; doesn't he know it?

THE WITNESS: Since the prisoner of war camps are within the command of the Army commander, and since most

of the administrative matters go through the Army commander, I believe it is his responsibility.

GENERAL REYNOLDS: Any further questions?

CAPTAIN REEL: Yes, I have a question.

FURTHER REDIRECT EXAMINATION

Q (By Captain Reel). And who was next in command above General Yamashita?

A Marshal Terauchi.

Q And did all your communications to Tokyo go through the Supreme Southern Commander, Marshal Terauchi?

A Reports pertaining to prisoners were sent directly to Tokyo, to the office of information for prisoners.

Q And reports from Tokyo, did they go through Marshal Terauchi, the Supreme Southern Commander?

A I believe they came direct.

Q Did reports other than routine reports have to go through the Supreme Southern Commander?

A Yes.

Q And did reports other than mere routine reports coming from Tokyo go through the Supreme Southern Commander?

A Yes.

CAPTAIN REEL: That is all.

GENERAL REYNOLDS: The witness is excused.

(Witness excused.)

CAPTAIN REEL: If the Commission please, Defense now has reference to Prosecution's Exhibit No. 238, a statement of General Shiyoku Koh. By putting in this statement the Prosecution, in effect, makes General Koh its witness. There are in this statement, the Commission will recollect, some 57 pages. It is quite complete. In fact, it is too complete; it has extraneous matter in it.

At the time of its introduction the Defense was offered the opportunity of bringing to the Commission's attention portions of this statement when it should become material to do so. We should like at this time to call the Commission's attention to such portions of this statement as we deem material to the issue.

GENERAL REYNOLDS: In order to maintain the continuity we should like to have it taken up page by page, the Defense pointing out any significant parts it wishes to do and the Prosecution pointing out any significant parts they wish to do, being careful on both sides to get the real significant matters. Then we shall have the whole picture at one time and it would be better.

CAPTAIN REEL: Yes, sir.

GENERAL REYNOLDS: Start right in with page 1 and go right through it.

CAPTAIN REEL: Is the Prosecution ready with a copy of the statement to follow that procedure?

MAJOR KERR: We have a copy, sir. We have a copy of the statement.

GENERAL REYNOLDS: O. K. Start at page 1 and go right through.

CAPTAIN REEL: Starting on the first page, which is numbered 189:

"SHIYOKU KOH, after having been duly sworn, testified at New Bilibid Prison, Muntinlupa, Rizal, P. I., on 1, 3, 4, 8 and 9 October 1945, as follows:

"Q What is your full name?

"A Shiyoku Koh. I am of Korean descent and a Japanese national.

"Q What is your rank in the Japanese Army?

"A Lt. General.

"Q How long have you been in the army?

"A 30 years."

* * * * *

"Q When did you come to the Philippines?

"A March, 1944.

* * * * *

"Q What was your position here in the Philippines?

"A I came to assume the post of commanding general of war prisoner camps at which post I remained until the close of December, 1944."

On the next page, 190:

"Q When you were in charge of war prisoner headquarters, were you also in charge of civilian internment camps?

"A Yes.

"Q Who was your immediate superior in the Philippines?

"A At the beginning, the commander-in-chief of the Japanese forces in the Philippines, the 14th Army Group.

"Q Who was that?

"A General Kuroda.

"Q When did he leave?

"A I believe he left at the beginning of October, 1944.

"Q And was succeeded by Yamashita. Is that right?

"A Yes.

"Q Was there anybody else here in the Philippines who could give you orders except the top commander?

"A At the beginning only General Kuroda, then later on the chief of the commissariat became my immediate superior.

"Q When was this?

"A Since June, 1944.

"Q What do you mean by chief of commissariat?

"A He takes charge of affairs relating to supply of arms and ammunition and provisions too.

"Q What has that to do with war prisoners?

"A I believe this was the reason: When that supply corps was established in June, 1944, all matters coming under general administration came under the jurisdiction of the chief of the supply corps and matters relating to war prisoners were considered as matters coming under general administration.

"Q At that time you had two superiors, the chief of this supply section and the commanding general. Is that right?

"A My immediate superior after June, 1944 was the chief of supply and just above him was the commander-in-chief.

"Q What was the name of the chief of the supply section?

"A Lt. General Ikkaku Shimono.

"Q How long was he in that position?

"A He stayed in his position from June, 1944 until the end of the year 1944.

"Q Where did he go then?

"A He was transferred to the headquarters of the Eastern Japanese Garrison."

On the next page, page 191:

"Q Who followed him in that job?

"A I became his successor and held the position until I surrendered.

"Q Who became your successor?

"A As no general was appointed as my successor, the senior of my junior officers became acting chief.

"Q Was that Colonel Hayashi?

"A Yes, Lt. Colonel Hayashi.

"Q When was the last time you saw him?

"A January 3, 1945.

"Q Do you know what happened to him?

"A Colonel Hayashi was reported to have been killed in action east of Manila."

* * * * *

"Q Was the Navy under a separate command until the American landings here?

"A The Japanese army and navy had independent commands.

"Q Was that true up to the end?

"A I have no accurate information.

"Q Did you get any orders directly from Tokyo?

"A No, but I received orders through channels coming out of Tokyo.

"Q Where did they come from in Tokyo?

"A From the war ministry.

"Q What branch?

"A Bureau of PW Intelligence and the War Prisoner Administration."

On the next page I see no questions that are material.

On the next page I see no questions that are material.

On the next page, which is 194, I see no questions which are material.

On the next page, 195, I see no questions or answers that are material.

On the next page, 196, I see no questions or answers that appear to be material. Or on 197. Or on 198.

GENERAL REYNOLDS: Are you prepared to go ahead swiftly? Is it marked out so that we --

CAPTAIN REEL: Yes, sir. I have some here on page 199.

GENERAL REYNOLDS: Very well.

CAPTAIN REEL: They are marked.

On page 199:

"Q Were all PWs in the Philippines kept in these three camps?

"A Yes, at least while I was in command.

"Q How many PWs were there here?

"A At the time of my arrival there were around 10,000.

"Q And the rest had been shipped elsewhere?

"A According to my information there were around 17,000 to 18,000 PWs at the beginning but then they started shipping them to Japan, so that when I came there were only 10,000.

"Q Did any prisoners get shipped out after your arrival?

"A Yes.

"Q How many?

"A Since my arrival so many PWs were sent to Japan that at the time I resigned the post in January, 1945, there were only 1,300 left.

"Q Who ordered these prisoners sent to Japan?

"A Orders from the Ministry of War.

"Q From the war prisoners headquarters in Tokyo?

"A From the PW Administration.

"Q How many shiploads were sent?

"A I do not remember quite clearly but every time the prisoners were shipped only one shipload was sent at a time except once when two shiploads were sent.

"Q Do you remember the approximate dates of these shipments?

"A No.

"Q How many were in Cabanatuan Camp when you came?

"A Around 4,000.

"Q How about in Davao?

"A Around 2,000.

"Q How about in Old Bilibid?

"A 700 to 800 in the hospital. The rest were

dispatched to the army and the navy for the construction of airfields and loading and unloading of naval ships.

"Q Who detailed them for such work?

"A By order of the commander-in-chief of the Japanese forces in the Philippines. None were dispatched after I came, as all of them that were needed had been assigned to such work already.

"Q At the end how many were left in Cabanatuan?

"A I remember there were 500 left.

"Q How about at Old Bilibid?

"A Around 800.

"Q How many internees were in Santo Tomas?

"A Around 4,000.

"Q How many were there at the end?

"A At the time of my arrival there were around 4,500 civilian internees confined in Santo Tomas but the place was too crowded so some were transferred to Los Banos and at the time I left the position there were 4,000 civilian internees left in Santo Tomas.

"Q How about in Los Banos?

"A At the time of my arrival there were only 1,500 civilian internees confined in Los Banos but later on it was increased to 2,500.

"Q And at the Baguio Camp, how many?

"A Less than 500 at the time of my arrival.

"Q Was it closed up?

"A When the Baguio Camp was closed by the end of December, 1944, there were 460.

"Q And where were those internees sent?

"A They were brought to Old Bilibid. Old Bilibid was divided into two sections: that part of it facing Azcarraga Street was used to confine PWs as before and the backyard enclosure was used for confining non-combatant civilians.

"Q Who appointed the commandant for each camp?

"A I did.

"Q Were these commanding officers ever members of the military police?

"A No.

No further matter on that page. Nor the next.
Nor the next. Nor 204. Nor 205, 206, 207, 208, 209.

On page 210:

"Q Where did you go after you left your post in
December, 1944?

"A I was promoted to chief of supply and general
administration.

"Q How long did you stay there?

"A Until I came down to surrender myself."

* * * * *

"Q How long did Old Bilibid operate as a war
prisoner camp?

"A I do not know when it began to be used as such
but when I arrived in the Philippines Old Bilibid was
already being used as a prison camp and it remained so
until the last days of the occupation.

"Q Who was the commanding officer at Old Bilibid
when you came?

"A This Old Bilibid Prison, at the time of my
arrival, was used as a hospital attached to the PW camp
headquarters and nobody was there except PW patients, and
the chief of the hospital then was surgeon Capt. Nogi
whom I mentioned previously.

"Q And Nogi was their doctor during the entire
time that you were in office?

"A I do not remember quite well the date but Old
Bilibid was converted into a PW camp some time in
October, 1944, and Major Ebiko was appointed chief of
the camp and Capt. Nogi resigned his post as chief of the

hospital. Capt. Nogi, however, continued to be the officer in charge of affairs relating to medical care of prisoners."

Nothing further on that page. Nor the next. Nor pages 213, 214, 215.

At the bottom of page 216:

"Q Were the shipments of prisoners of war to Japan by your order?

"A By the order of the War Ministry. Before June, 1944, the orders went directly to the Commanding General in the Philippines and from him to the chief of the PW Administration. From June to October, the orders went from Tokyo to Southern Army Headquarters and then directly to the chief of supply and administration. Beginning in November, 1944, the orders went from Tokyo to Southern Army Headquarters to the Commanding General in the Philippines to the chief of supply and general administration.

"Q Who in the Foreign Office or War Office ordered that, would that be the head of the war prisoners bureau?

"A Head of war prisoners administration."

GENERAL DONOVAN: May I interrupt. What are you talking about now? Movement of prisoners?

CAPTAIN REEL: Yes, sir.

GENERAL DONOVAN: That's all.

CAPTAIN REEL: The original question was: "Were the shipments of prisoners of war to Japan by your order?"

"Q Do you remember when the order came to ship all prisoners to Japan?

"A The shipment of war prisoners had already started

when I came and I do not know when the movements began.

"Q But did they have definite orders from Tokyo?

"A Yes.

"Q How about the ships they were carried on, were they under the control of the army or the navy?

"A A great majority of the ships used for transporting PW's were army ships but at times they used navy ships.

"Q Who would be in command of these army ships, the commander in the Philippines?

"A In the Philippines there was established a maritime transportation headquarters of the army which was in command of these transports.

"Q Was the head of that unit under the Commanding General of the Philippines?

"A No. He did not receive directions nor instructions from General Yamashita.

"Q From whom did he get instructions?

"A This maritime headquarters received direct orders from Field Marshal Count Terauchi. His jurisdiction was limited to work performed by that maritime headquarters in a specified area. That area included the Philippines and the southern seas. He was the supreme commander of the south seas region and Yamashita was under him."

Now, on the next page, page 218:

"Q Did you ever see the prisoners' ships while they were being loaded to go to Japan?

"A Yes.

"Q How many shiploads did you see?

"A 5 or 6.

"Q What were they, passenger ships or freighters?

"A Sometimes passenger ships but mostly freighters.

"Q How large were these ships?

"A Between 3000 to 7000 tons.

"Q Did they also carry freight going to Japan in addition to prisoners?

"A Yes. They did carry freight and they might have carried Japanese army or civilian personnel also.

"Q What kinds of freight were loaded in these ships?

"A I do not know.

"Q How many prisoners went into each one of these 3000-ton freighters?

"A I forgot the number but the same space allotment as for the Japanese army.

"Q Did they have beds or bunks or berths?

"A No, the men slept on the floor.

"Q How was it that you went down there to see these ships? What interested you in that?

"A I felt that at that time the space was inadequate for the men and I wanted to make more space but it was controlled by the military transport service and I could not do anything.

"Q Yes, but why did you happen to come down to see those prisoners?

"A Those prisoners were under me and I had an interest in how their condition was, and also to bid farewell to them."

Going now, sir, to page 224 at the bottom, after naming the six prison camps:

"Q You have named six camps. Were those all the camps operating under your control?

"A Yes.

"Q Who was the Chief of Staff when you came?

"A Lieutenant General Wati.

"Q What was his first name?

"A Takaji.

"Q When did he become Chief of Staff?

"A I do not know.

"Q When did he leave his post?

"A Some time in June, 1944. I am not sure of the date.

"Q Do you know where he went?

"A He became Assistant Chief of Staff of the Imperial Japanese Southern Army. At that time, Southern Army Headquarters had moved to Manila.

"Q Was Field Marshal Terauchi actually in the Philippines in June, 1944, when his headquarters moved to Manila?

"A Yes, and General Wati became his Assistant Chief of Staff.

"Q When did Count Terauchi come to the Philippines?

"A Some time in June or July, 1944.

"Q When did he leave?

"A I am not sure but it was some time in October or November, 1944.

"Q Where did he go?

"A I had been told that Count Terauchi moved his headquarters to Saigon, French Indo-China."

At the bottom of that page, sir:

"Q Was Kuroda in command of all army forces in the Philippines when you came?"

"A Yes.

"Q Did he have command of army air forces also?"

"A No.

"Q Who was in command of those?"

"A Lieutenant General Teramoto whose first name I do not know.

"Q Do I understand that Kuroda could not give orders to General Teramoto concerning the use of army air forces here?"

"A No, he could not.

"Q To whom was the air forces general responsible?"

"A He was directly under Field Marshal Terauchi.

"Q So Terauchi was in command of all army and air forces?"

"A Yes.

"Q How about the navy, was Terauchi in command, too? Was it not General Terauchi who commanded the naval forces here in the Philippines at the time you were here?"

"A The best information on this can be obtained from Vice-Admiral Okawachi" --

GENERAL REYNOLDS: We have had such a conclusive statement as to the command responsibility in the Philippines that it is hardly necessary to read excerpts pertaining to that subject.

CAPTAIN REEL: Yes, sir. I will not read any parts having to do with command unless I feel that there is something new or important that can be added.

This matter has been taken up before, but I think it adds to have this particular bit of corroboration, sir. This is at the bottom of page 226:

"Q I asked you before and I now ask you again if you remember that after the American landings in Luzon General Yamashita was in control of all the Japanese forces here.

"A In matters of importance he received orders from his superior, Field Marshal Count Terauchi. In addition to the army ground forces, as of January 1, 1945, all army air forces came under the supervision of General Yamashita and as far as land operations were concerned marine and navy forces came under his control. The naval air force might not have come under his command.

"Q In other words, any navy and marine forces fighting on land would be under General Yamashita's command?

"A General Yamashita exercised his control over naval and marine forces as far as fighting on land was concerned. For administration they were under the navy, but the tactical command was under General Yamashita."

Now at the bottom of the next page relative to previous questions which describe instructions on how to run camps:

"Q When you came did you find these orders in written form" --

I had better read the previous question:

"Q Did the war prisoners bureau in Tokyo give you specific instructions on how to run the camps?

"A These specific instructions or orders must have been given by the P. W. Administration at the time of the establishment of P. W. camps here but during my stay in office I did not receive any particular instructions or orders how to run them.

"Q When you came did you find these orders in written form to be guided by them?

"A We were guided by law providing for treatment of these prisoners of war and each army, for instance the 14th Army Group, had also rules and regulations regarding the enforcement of this law and in my office we also prepared some detailed rules pertaining to the treatment of P. W.'s. There is a book containing the provisions of the Geneva Convention. I received that book from Tokyo and I carried out the policy expressed in it regarding P. W. camps.

"Q But Japan did not recognize the Geneva Convention. Were you still ordered by Tokyo to carry out its provisions?

"A Yes. Although Japan did not ratify the Geneva Convention there were specific instructions from Tokyo that in the treatment of P. W.'s the offices concerned should follow the provisions of the Geneva Convention.

"Q Did that come through in writing from Tokyo?

"A The specific instructions came before my arrival and I heard personally and definitely from my predecessor

about the instructions received from Tokyo. At the time P. W. camps were established throughout the Japanese occupied territories including Japan proper, a three-day convention was held in Tokyo summoning all the officers in charge of P. W. camps in given regions, giving them detailed instructions on how to run those camps. In November, 1943, there was also convened another conference in which all chiefs of P. W. camps in various regions and internee camps were called together."

Nothing more on that page.

On the next page:

"Q Did you receive any instructions on food?

"A During my administration in the P. W. headquarters I did not receive any specific instructions from Tokyo on food. I honestly admit that the food given to these P. W.'s and internees did not live up to any proper standard but the food supply available in the Philippines then was so low that even the Imperial Japanese Forces here were given reduced rations.

"Q Was that from the moment you came?

"A Yes."

On the next page, or at the bottom of the same page:

"Q You said these soldiers could buy food from the Post Exchange. What did they use for money?

"A These P. W.'s were permitted to buy cigarettes, cigars, toilet articles, pencil, paper, and ink with cash.

"Q Where did they get this cash?

"A These P. W.'s were paid a monthly salary and those who worked outside were given extra wages for their

labor.

"Q How much were they paid?

"A The P. W.'s were paid in accordance with their rank and the pay was exactly the same as received by the Japanese soldiers of equivalent rank; if a P. W. is a captain, he receives the pay of a captain in the Japanese Army.

"Q Did a Prisoner of War captain get the same food as a captain in the Japanese Army?

"A They gave them the ingredients, vegetables, rice, meat and other things and the P. W.'s cooked for themselves.

"Q But did they get enough so that they could eat the same as the Japanese Army?

"A There was no difference.

"Q Were ~~the~~ American prisoners getting the same food as Japanese soldiers?

"A Generally speaking, they were getting the same food, but in the case of the camps in Cabanatuan and Davao where they kept gardens for themselves and also raised cattle, sometimes the P. W.'s were able to eat better than the Japanese soldiers.

"Q You said that Tokyo did not give you any direct instructions on how much food to give the prisoners, but only ordered you to follow the Geneva Convention. Is that right?

"A While there were no direct instructions, the subject was covered by general regulations.

"Q Did you yourself set the rations for the

prisoners of war and the civilian internees?

"A The basic rule from the War Ministry was to give P. W.'s rations equal to the Japanese Army's. When I arrived in the Philippines, I found additional written instructions from the Commanding General in the Philippines, setting forth the exact amount of meat, fish, rice, etc., to be given each prisoner per day. I don't know when these rules went into effect, but probably it was from the beginning of the occupation. The original rations were furnished until about June, 1944, when they were cut by orders of Southern Army Headquarters, then in control. They were cut again in November, 1944, by order of the Commanding General in the Philippines. Both cuts were necessitated by the food shortage. All we did was to make out requisitions and bring them to the Quartermaster and draw the food.

* * * * *

"Q Were the rations ever set so low that Prisoners of War or civilian internees starved to death, or died of malnutrition or beri-beri or similar diseases?

"A Not while I was in office.

"Q So the Quartermaster always allowed enough food to keep the prisoners alive?

"A Yes.

"Q Did the Quartermaster corps ever fail to fill your requisitions?

"A Sometimes they had to. During the last three months of 1944, there was an acute shortage of food in the Philippines even for Japanese soldiers so that the daily

ration of rice given to Japanese soldiers was cut to 300 grams and therefore the ration given to P. W.'s was cut down accordingly and therefore these prisoners constantly appealed to War Prisoners Headquarters for a larger allowance of food during those three months. However, it was impossible for my headquarters to do anything for them.

"Q If a requisition was put in for a certain amount of food, the Quartermaster would give that much. Is that correct?

"A In the latter part of December, 1944, there was an instance where the quartermaster corps was only able to give three days ration when the requisition was for one month. Prior to that time the situation was not so bad.

"Q But up until then the situation was that they would follow regulations in filling requisitions. Is that right?

"A Only until October.

"Q And these requisitions were prepared in your office?

"A The requisition slips were prepared in the camp concerned to be submitted to the quartermaster.

"Q Were the men you have named as quartermaster officers in the camp the ones who prepared the requisitions?

"A Yes. They were actually in our finance and supply department, but they are the men I named as quartermaster officers.

"Q Once the men drew the food, did you issue strict orders that the food drawn should be given to the prisoners?

"A It was but natural that the food drawn should be given to the prisoners. There were no specific orders but I did not tolerate the stealing of any food. I did my best to stop it. There were cases, however, where the quartermaster corps said they were giving a specified quantity of a certain type of food, but actually furnished us with a lesser quantity when we actually picked up the food.

"Q Did you provide for a uniform ration for all the camps or was it up to the particular commandant?

"A The food given by the quartermaster corps was uniform to all the camps but in reality there was some difference in the sense that camps like Cabanatuan which kept a farm and garden and raised cattle, were better off.

"Q But you insured that nothing could be deducted from the rations by any local commandant?

"A The rations stipulated by the regulations I mentioned before were given the prisoners by the camp authorities concerned without failure and I remember no instance when I gave any camp commandants any warning or reprimand for failure to comply with instructions and regulations on this point.

"Q So you certainly did not permit anyone of them to deviate from the rations set by your office?

"A I did my best to see that my junior officers followed my orders.

"Q Were there any instructions from Tokyo on what type of medical care should be given?

"A I received an order from Tokyo -- an explicit

order -- that medicine be given to P. W.'s and therefore I requisitioned the medicine for the P. W.'s from the medical unit of the army and delivered it to P. W. camps. After the exchange boat 'Teia Maru' brought Red Cross medicine in November, 1943, American medicines were so abundantly supplied to P. W.'s that there was practically no need for the Japanese medicine. A great majority of the medical staff attached to P. W. camps were P.W.'s themselves and they preferred American medicine to Japanese medicine."

That is all on that page.

The next page:

"Q Now, there were times when the military police would come and take out people for questioning. Whose permission would they ask to do that?

"A They didn't have to ask any permission. War Prisoner Headquarters could not interfere. However, they would report to the commandant.

"Q Who ordered you not to interfere?

"A It is because of the fact that Kempeitais could exercise vast powers concerning military police duties; and I could not stop them. Any trivial offenses committed by the PWs in the camp were summarily punished by the local camp authorities, but any serious offenders would be taken out by the MPs to be court-martialled.

"Q If you can tell me what kept your hands tied, I would like to know about it.

"A There is no order but it was customary within the army.

"Q You said in minor offenses the camp authorities administered summary punishment. Can you give some examples of such minor offenses?

"A Any offenses not punishable by provisions of the military criminal law. One example is the stealing of food. There are two sets of criminal laws in the army, one is military criminal law and the other is the military ordinance for the punishment of misdemeanors.

"Q If a prisoner refused to obey a guard, is that a serious offense necessitating a court-martial?

"A I am unable to give the correct answer because

you have not given a specific case but if the case is such that a prisoner breaks through the gate and tries to escape then the matter comes under the jurisdiction of the MPs and he is liable to be punished by court-martial.

"Q What sort of summary punishment would be given a man?

"A The same given in the Japanese army.

"Q What would be the punishment for stealing food, for instance?

"A It is very hard to generalize but the PW who steals food may be punished summarily by admonition or reprimand, or if the stealing is very serious then he may be put in solitary confinement.

"Q Well, now, it is my understanding that the Japanese army is very strict toward its own soldiers and that if one steals something he would be beaten for that. Is that correct?

"A As far as the rules and regulations prescribed for the discipline of the army are concerned, no one is permitted to beat the offending party.

"Q I know of a case where a guard at Santo Tomas exceeded his authority by beating an internee. If a Japanese guard beats an internee would the commandant administer punishment to him?

"A It all depends upon the degree of the beating or slapping. The guard concerned could be reprimanded or punished physically. I remember having received reports of a case where the commandant punished a guard for the latter's beating of an internee but I do not remember the

actual case.

"Q Did you ever issue any order that if a guard beat a man he should be punished for that?

"A I did not issue such orders but should any of the guards commit atrocities against the internees or PWs confined, without reasonable cause, the guard would be punished in accordance with his crime.

"Q Whenever such a case was reported to you, what action would you take if the act was without reasonable cause?

"A I would approve the measure of any commandant giving physical punishment to any of the members of the staff or guards committing atrocities to the internees.

"Q But would you actually order the punishment of a man for doing that?

"A I did not issue specific instructions to that effect but all the existing rules and regulations concerning PW camps or civilian internment camps do not permit any of the guards or staff attached to the camp to commit these beatings or slappings.

"Q You said that you would punish any beating given without reasonable cause. How serious an offense would the prisoner have to commit so that he had to be beaten for it?

"A The fact that any member of the staff of the camp or member of the guards of the camp beat up or slapped internees or PWs is in itself intolerable, however serious might be the offense committed.

"Q The internees at Santo Tomas sent protests to

the commandant concerning food, beatings, etc. Did these protests ever reach you?

"A I did not receive any.

"Q Did you ever receive any protests that the internees at Santo Tomas sent to their commandant?

"A I received a report of the fact that the commandant of Santo Tomas camp received protests from the internees but I am not sure whether or not they were referred to me.

"Q Did you ever receive any protest from the Santo Tomas internees that they were being required to do certain work but they were not willing to do it?

"A Yes.

"Q What did you order the commandant to do?

"A Considering the situation prevailing I concurred with the commandant.

"Q What were the circumstances that made you concur with the commandant?

"A The protest of the internees of Santo Tomas referred in particular to the requirement by the camp authorities to work and till the vacant lots to convert them into vegetable gardens. I overruled that protest on the ground that by converting the vacant lots the internees themselves would be able to have more food by raising vegetables.

"Q What about their protest against building certain fences?

"A I did not receive any report about that.

"Q Are you sure that the protest against tilling the gardens came from Santo Tomas or might it have come from

another camp?

"A The protest on the tilling of the soil to make vegetable gardens came from Santo Tomas Camp. These vegetable gardens were kept not only in Santo Tomas but also in the Baguio Internment Camp."

On page 238:

"Q Did you ever call in the MPs to arrest any PW?

"A No. It is the commandant of the camp concerned who contacts the MP to deliver the PW.

"Q Whenever there was a court-martial of a prisoner would your office send a representative to attend that court-martial?

"A No."

On page 239:

"Q Did you ever inspect these camps?

"A I inspected around April, 1944, and at that time I felt that the food supply was enough."

That question had to do with camps in Pasay and Paranaque, which apparently were navy camps and it is not material.

This is what I had reference to on page 239:

"Q Did you ever visit the Cabanatuan camp while you were in office?

"A Yes, four times. The first time was in March, 1944, and then later in the year but I do not remember the dates. But the last was around September, 1944, so the others must have been in between.

"Q On your visit in March, 1944, did you observe the food being furnished to the prisoners?

"A Yes.

"Q Did you order any changes to be made in the system for supplying food?

"A No.

"Q Did you inspect the clothing furnished the prisoners?

"A I noticed that they did not have enough clothes and I obtained more clothing for them on several occasions. I saw to it that all PWs going to Japan got new and warm clothing.

"Q How about medical supplies, did you notice if they had enough?

"A Yes. I was satisfied that they had enough because they received Red Cross supplies from the United States.

"Q Did you inspect the sanitary facilities?

"A The prison was very clean and had satisfactory sanitary facilities.

"Q Did you notice if the prisoners were getting enough soap?

"A They were given enough soap and looked clean. They got this soap from the 'Teia Maru.'

"Q How about their shelter -- barracks or tents -- were those adequate?

"A Yes. They were the former American barracks.

"Q Were they kept in sanitary shape?

"A They were not such good barracks. They were kept clean.

"Q Were the men overcrowded?

"A Not so crowded.

"Q Did you check into such things as punishment given to prisoners when they broke the rules?

"A Each time a man was punished a report was sent in to me and I did not find it necessary to check into the matter in my visits.

"Q Whenever you had a report that a prisoner was punished, did you look it over to determine whether the punishment was right?

"A I never found any punishment too heavy and I never changed them.

"Q Did these conditions apply to all of your visits in Cabanatuan camp, that is, did you find all things satisfactory in those four visits you made?

"A I was satisfied in all four.

"Q Did you give any orders for any changes in camp administration on any of these visits at Cabanatuan or as a result of such visits?

"A No."

Then there are some questions relative to Davao, which is not concerned in this case.

Question on the next page:

"Q How about Old Bilibid, when did you visit there?

"A Many times.

"Q Were you satisfied with food, medical supplies, sanitary condition, clothing and shelter furnished to the prisoners?

"A The shelter was better than the other camps. There was not as much food as in other camps as there was no garden. They had better clothing, and because they did not work their clothes lasted longer. Medical care was satisfactory because there were many American doctors and also sufficient supplies and equipment. I was satisfied with the sanitary conditions.

"Q Did you do anything about the food situation?

"A I tried to get some vegetables from Cebanatuan from what they raised there.

"Q But after all these visits, did you ever issue any instructions for changes in the administration of the camp?

"A Yes.

"Q Did you find conditions still as satisfactory as they were before?

"A Yes, except food.

"Q Did you ever have occasion to increase the ration for any camp?

"A I was not in charge of handling of supplies.

"Q Was it not Lieutenant Momota's job?

"A Even Lieutenant Momota could not do anything.

"Q Was it not Momota's job to obtain sufficient rations?

"A Yes.

"Q Did you ever visit Santo Tomas?

"A Several times. The first visit was in March, 1944, the others later in the year.

"Q Did you find conditions satisfactory?

"A When I inspected it the buildings were overcrowded and I ordered 500 internees transferred to Los Banos in April, 1944.

"Q Was everything else satisfactory?

"A Yes, except for a shortage of toilet and shower facilities.

"Q Did you order anything done about it?

"A I told the commandant about it.

"Q Did the commandant do anything?

"A No. When I inspected the camp I learned that the Santa Catalina building was being rented by the internees as a hospital. I ordered that not only should all the back rents be refunded by the army but in the future the army should pay the rents.

"Q When did you visit Los Banos?

"A Five or six times, between March, 1944 and November, 1944.

"Q How did you find the food, sanitary conditions, medical care, hospital and shelter?

"A When I went there for the first time over 1000 internees were there. They were using the gymnasium and the Agriculture Building, and the internees were satisfied at that time. Later the number of internees was increased so we built more barracks. There was a shortage of water and I ordered more pumps put in. At that time the hos-

pital was a little bit small, so some patients were transferred to the Philippine General Hospital in Manila, and otherwise I found everything satisfactory.

"Q Did you ever visit Baguio?

"A Three times. When I went there I found some of the married couples could not live together, so I ordered that partitions be made for them so they could live together. I also ordered that they plant more gardens. There were two men who escaped from the camp, and I sent in more guards.

"Q What happened to the two men who escaped?

"A They were never captured. Nothing else was unsatisfactory.

"Q At any time you visited the prison camps, did you have a superior officer with you?

"A I took along with me my subordinates and also my superior officer General Shimono. He visited all the camps except Davao."

On the next page:

"Q How about General Yamashita, did he inspect the camps?

"A No."

And at the bottom of the page, and this is the last subject matter, sir, in the statement that we believe material:

"Q Were you in control of all prisoners of war in the Philippines when you were here as head of the prisoners of war administration?

"A Yes except for those assigned on details.

"Q Were you in control of the prisoners who were kept at the airport at Puerto Princesa Palawan?

"A I had no control over the airport at Puerto Princesa, Palawan. It came under the immediate command of the air force headquarters.

"Q Were the men who worked there not prisoners of war?

"A Yes, they were.

"Q Were you not in charge of prisoners of war in the Philippines?

"A Yes, I was. The regulations concerning that particular instance or similar instances were as follows: In general, I had control over all prisoners of war but those prisoners of war attached or sent to other units for work came automatically under the control and responsibility of the particular unit commander.

"Q But would not that unit commander be in turn responsible to you?

"A He would not be responsible to me.

"Q Could you demand that the prisoners be returned at any time?

"A I had no right so to demand.

"Q If a given unit wanted the services of some prisoners of war held in one of the prison camps, how would that unit go about getting these prisoners?

"A I do not remember the exact regulations and there was no specific case of this after I assumed office.

"Q What did you do if you wanted to get some prisoners back?

"A I remember that in the case of prisoners of war dispatched to work in airfields I had no control. In the case of airfields the chain of command was not under General Yamashita but under the 4th Air Army.

"Q What was the jurisdiction of the 4th Air Army?

"A I do not know definitely but I believe it was the whole of the Philippines."

That is all, sir.

GENERAL REYNOLDS: Are there any comments by the Prosecution?

MAJOR KERR: Sir, there are quite a number of excerpts from this exhibit which the Prosecution would like to read. It will take some time. I wonder if the Commission desires to have it read now?

GENERAL REYNOLDS: It has already been introduced in evidence in its entirety, has it not?

MAJOR KERR: Well, sir, I will point out to the Commission that, of course, such portions of this exhibit that expressly relate to a period of time prior to 9 October 1944 are not in evidence, and a number of references read by Counsel are of that nature. Therefore, they are not applicable.

Furthermore, Counsel did not read all of the portions of this exhibit which relate to the subjects that he had in mind, and if the Commission desires we will be very glad to read for the record the portions which were omitted; otherwise, we are perfectly content to let it stand as an exhibit.

GENERAL REYNOLDS: Is there anything in the document which hasn't been read, which indicates how General Ko made his inspections? We have already had examples where official reports were submitted, and everything was in fine shape, then we find that they really made no investigation whatever; they did not see food on the prisoner of war plates, or anything like that. Is there anything in it to indicate that General Ko did more than to ask the camp commander if everything was satisfactory?

MAJOR KERR: No, sir, I believe not.

GENERAL REYNOLDS: Can he be brought in here?

MAJOR KERR: Sir?

GENERAL REYNOLDS: Can General Ko be brought in here?

MAJOR KERR: I believe he can. I think he is available.

CAPTAIN REEL: He is available, sir. We will bring him in if the Commission desires. It was our opinion that, with the Prosecution putting in a statement of 57 pages, that there was no point in calling him for any future testimony. However, if the Commission desires him called on the understanding that he is a Prosecution witness, not ours, we will be glad to.

GENERAL REYNOLDS: There is nothing more of General Ko wanted by Defense?

CAPTAIN REEL: No, sir.

GENERAL REYNOLDS: Is there anything more wanted by the Prosecution of General Ko?

MAJOR KERR: We would have to consider that, sir. I understand General Ko is now upstairs in this building.

GENERAL REYNOLDS: Then we will call him as a Commission's witness only, and inquire into the nature of his inspection.

MAJOR KERR: Yes, sir. Any particular time the Commission would desire him to appear?

GENERAL REYNOLDS: What do you have scheduled for Monday morning?

CAPTAIN REEL: We could put him on Monday morning.

GENERAL REYNOLDS: Whom else do you have for Monday?

CAPTAIN REEL: We have a number of witnesses, sir.

GENERAL REYNOLDS: The Commission would like to have General Ko for a short time Monday morning.

MAJOR KERR: Sir? Monday morning?

GENERAL REYNOLDS: Monday morning.

MAJOR KERR: I suggest, sir, that he be removed from the custody of Defense.

CAPTAIN REEL: Sir, I beg to differ with the Prosecution. He is not, as far as I know -- we have not requested him to be here today. They had him here a couple of days ago, and as I understand it he is not here today. We will be glad to see to it that he is brought up with our other prisoners; we have to have them brought up from there anyway.

GENERAL REYNOLDS: As long as he is here at 8:30 Monday morning, we will be very satisfied.

Unless there are other important matters in that document bearing on the subject, why, we will consider the matter of the document closed.

MAJOR KERR: Sir, I had in mind reading a number of its provisions. However, I would suggest that I be permitted to scan it over the weekend and read a limited number of those Monday.

GENERAL REYNOLDS: Very well.

Does the Defense have additional witnesses immediately available?

CAPTAIN REEL: Today? We have witnesses available, sir. It would take a considerable time for the next witness.

GENERAL REYNOLDS: We will adjourn until 8:30 Monday morning.

(Whereupon, at 1655 hours, 24 November 1945, the trial was adjourned until 0830 hours, 26 November 1945.)