

JUAN ETUIJERA

called as a witness on behalf of the Prosecution, being first duly sworn through Interpreter Rodas, was examined and testified through Interpreter Rodas as follows, with Interpreter Gojunco acting as "check" Interpreter:

DIRECT EXAMINATION

Q. (By Captain Calyer) What is your name?

A. Juan Etuijera.

Q. Where do you live?

A. Obando, Katangalan.

Q. How old are you?

A. 60 years.

Q. On the 7th of February, 1945, did you see some Japanese at Panghulo?

A. Yes, in the place where we were.

Q. How many did you see?

A. Eight.

Q. Do you know what branch of service they were from?

A. According to what I know, they are army men.

Q. How do you know that?

A. Because of the uniform that they wore, khaki shirt and khaki pants.

Q. Did you see any marks on the uniform?

A. I know there is an officer, because he brings with him a sword.

Q. Did you see any stars on the uniform?

where we kept our things.

Q. Did they take the men, women and children from the town?

A. No. we were there in that hut, 40 of us altogether.

Q. Was that men, women and children?

A. Yes.

Q. Now, what did the Japanese do to the people in that hut?

A. They tied all of us, all men and the old women were tied together.

The children and the young girls were not tied, and they were separated from our group.

Q. Now, what happened to the men?

A. After men and the old women were tied, one by one were taken downstairs and were killed, and bayoneted. I saw one who was bayoneted and was thrown into the ditch.

Q. Did you see more than one killed?

A. I did not see, because as soon as they were taken down the doors were closed, but afterwards I found all my companions in that ditch, because I was the last one that was killed -- that was supposed to be killed.

Q. Now, what did they do to you?

A. I was taken downstairs, my hands were tied at my back, and I was asked -- I was pushed to the fish pond.

Q. What happened there?

A. He held the gun, and with full strength he hit me right here on my neck,

Q. What part of the gun did he hit you with?

A. The handle, the point.

Q. Will you show the Commission the mark of that blow?

A. Yes, sir.

(The witness exhibited the back of his neck to the commission.)

Q. Now, what happened to you after that?

A. They threw me into the fish pond, face down.

Q. Were you struck again?

A. I cannot tell whether they hurt me again. All that I felt was they stepped on me to see whether I was dead or alive.

Q. Weren't you struck on the shoulder also?

A. Yes, I was struck once more on my shoulder with the butt of the gun. And I will show the Commission.

Q. Will you show it?

(The witness exhibited his shoulder to the Commission.)

Q. While you were lying in the fish pond did you see anyone else?

A. Yes.

Q. Who?

A. My niece, who is single, who happened to have fallen beside me on my right side.

Q. What was her condition when you saw her there?

A. She called to me. She did not have any -- she was not tied, and then I told her to untie me and that we are going to leave.

Q Had she been wounded?

A. Yes, she has a wound in her abdomen.

Q. Describe it.

A. Yes, she was bayoneted in the abdomen and her intestines came out.

Q. Did you and your niece get out of the fish pond and go to a hut?

A. Not in our hut, but into another place. We got away far from that place.

Q. And did you have a conversation with your niece at that time?

A. Yes. She was able to talk to me, and she was asking for water because she was already dying at that time.

Q. Did she say what had happened?

A. It is a sad story to tell, but she said that she was raped and then was bayoneted in the abdomen, and then thrown into the fish pond.

Q. Did she say anything about other people who were with her?

A. She told me that all -- she and all her companions there were raped.

Q. How many were there?

A. I know of nine, and two of them were married.

Q. Do you know how many people were killed in the group that you were in?

A. There were 29 killed.

Q. Did that include women and children?

A. Yes. One of them is a baby 19 days old.

THE WITNESS: 15 days.

CAPTAIN CALYER: You may examine.

CAPTAIN REEL: No questions.

CAPTAIN CALYER: Thank you, sir. That is all.

(Witness excused).

C E R T I F I C A T E

I, T. R. C. King, Major, Inf. (TD), Executive Officer, Legal Section, General Headquarters, Supreme Commander for the Allied Powers, do hereby certify that Document 2876 is a true and correct copy of the transcript of the testimony offered by JUAN ETUIJERA in the trial of the case against Tomoyuki YAMASHITA, General, Imperial Japanese Army, before a Military Commission in Manila; and that the whole record of the case, including the transcript of all testimonies taken, as well as the affidavits admitted in evidence, are now on file with this Section.

/s/ T. R. C. King
T.R.C. King,
Major, Inf. (TD)

Witness: /s/ John R. Pritchard

Sworn to before me this 26th day
of November, 1946, Tokyo, Japan.

/s/ John R. Pritchard

Capt. Inf.
Summary Court

RESTRICTED

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GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
LEGAL SECTION, MANILA

DSG

APD 500
18 April 1946

MEMORANDUM TO: Prosecution Section (Report No. 287)

THRU : Executive Officer, Legal Section, Manila

SUBJECT : Arson, rape and robbery at Balilihan and Sikatuna,
Bohol, P. I., after 2 September 1945.

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II. SUMMARY OF EVIDENCE:

After their defeat by American forces about 19 April 1945, the Japanese on Bohol fled to the hills. Here, they separated into small groups and lived in the forest and caves (R 2). One of these groups consisted of six men under the leadership of Sergeant IWAKU (R 1). From time to time, this band made raids upon the civilians in order to obtain food (R 2), but they also stole personal property and raped young women on several occasions (R 8, 11, 22, 26, 29, 33).

Once, when the occupants of a house where they sought food failed to admit them, Sergeant IWAKU's men surrounded the house and set fire to it, but the residents were able to escape after the Japanese had fled in fear of guerrillas (R 1, 36).

On another occasion, a group of six Japanese looted a home and forced the son and daughter of the household to accompany them as guides (R 14, 18). The son was later bayoneted and left for dead (R 18), while the body of the daughter was found about a month later near the tent where the Japanese had camped. Six front teeth were missing and her legs had been severed from the body (R 14). Her hands were still tied behind her back (R 15).

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1429

FRANCISCA BERNARDO DE LUNA

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

DIRECT EXAMINATION

Q (By Colonel Lim) Please give your name?

A Francisca Bernardo.

Q What is your married name?

A De Luna.

Q What is your nationality?

A Filipina.

Q On 10 January 1942, do you remember having seen some Japanese soldiers in the barrio of Sampaio, Municipality of Talavera, Nueva Ecija?

A Yes, sir, on the 10th of January, 1942. Yes, it was on January 10th, 1942, and the Japanese went there and searched and arrested people, and I was threatened with a bayonet, and at that time I was pregnant. I was pregnant and about to deliver.

COLONEL LIM: Incidentally, sir, this is in connection with paragraph number 5.

Q (By Colonel Lim) What happened next?

A They boxed me on the face, both sides of my face, both arms, and also on my thigh, and when I laid prostrate on the ground I was raped.

Q Who raped you?

A I cannot remember his name, but he is a Japanese.

Q A Japanese soldier?

A A captain. He had a sword, a very long sword, and that is the sword that he was threatening me with.

COLONEL LIM: You may cross examine.

CROSS EXAMINATION

Q (By Lieutenant Pelz) Do you know the name of this captain, or did you know the name of the captain at that time?

A Due to my fright I do not remember.

Q Did you report the incident to the Japanese authorities?

A Yes, sir, we reported the incident to the Japanese authorities, and the one who reported it was threatened to be shot.

Q By whom was he threatened to be shot?

A The one who raped me.

Q You reported to the one who raped you?

A I said that after I was raped, two days after, we went to town to report the matter, and we reported the matter to the same captain who raped me.

LIEUTENANT PELZ: I have nothing further, sir.

REDIRECT EXAMINATION

Q (By Colonel Lim) Was this captain the commander of the forces in the place?

A Yes, sir.

COLONEL LIM: That is all.

GENERAL DONOVAN: Anything further?

LIEUTENANT PELZ: Nothing further, sir.

GENERAL DONOVAN: Any questions by the Commission?

(No response.)

The witness is excused.

(Witness excused.)

C E R T I F I C A T E

I, T. R. C. King, Major, Inf. (TD), Executive Officer, Legal Section, General Headquarters, Supreme Commander for the Allied Powers, do hereby certify that Document 2862 is a true and correct copy of the transcript of the testimony offered by FRANCISCA BERNARDO DE LUNA in the trial of the case against Masaharu HOMMA, Lieutenant General, Imperial Japanese Army, before a Military Commission in Manila; and that the whole record of the case, including the transcript of all testimonies taken, as well as the affidavits admitted in evidence, are now on file with this Section.

/s/ T. R. C. King
T. R. C. King,
Major, Inf. (TD)

Witness: /s/ John R. Pritchard

Sworn to before me this 15th day of
November 1946, Tokyo, Japan.

/s/ John R. Pritchard
Capt. Inf.
Summary Court

1438

VICENTE ARIAS

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

DIRECT EXAMINATION

Q (By Captain Pace) Give your name, please.

A Vicente Arias.

Q You will have to speak louder than that. Where do you live?

A (Through the Interpreter) 211 Carriedo Street.

Q Are you the owner of the Arias Building?

A Yes, sir.

Q Will you look at Prosecution's Exhibit 193 and point out where your building is located?

(The witness indicated on Prosecution's Exhibit No. 193.)

CAPTAIN PACE: Let the record show that the witness is indicating the building -- or the block south of Rizal Avenue, and just to the east of the foot of Rizal Avenue, on Carriedo Street.

Q (By Captain Pace) On the morning of February 5, 1945, did you see anything unusual?

A Yes.

Q What was it?

A On about eleven o'clock in the morning a group of Army men set fire to the north of Carriedo Street.

Q What Army did they belong to?

A The Japanese Army.

Q Will you indicate on Exhibit 193 where you saw the Japanese setting fires?

A The fire was set on the corner of Carriedo Street and Escolta, thereafter at the corner of Escolta and Rizal Street. From there they set fire to the building occupied by the Romanach music firm. The next building they set fire to was the one occupied by the Music Association, at the corner of Estero Cegado and Carriedo. The next was the Roces Building at the corner of Rizal Avenue and Carriedo.

CAPTAIN PACE: Will the record show that the witness has indicated the buildings on the north side of Carriedo Street, beginning with the unnamed street north and south at the extreme right of the photograph, and he pointed all the way along on Carriedo Street on the north side until he reached Rizal Avenue, to the point marked "L".

Q (By Captain Pace) Will you point out on this exhibit where the Roces Building is?

A It is where the letter "A" is shown.

Q You have mentioned the Romanach Music Store; is that correctly indicated by the letter "M" on this sketch?

A No, sir; it is in front.

Q You mean it is on the north side of the street, instead of on the south side as it is shown here?

A Yes, sir, it is in the north.

Q Now, will you describe how the Japanese set the fires in these five blocks that you have described?

A They started by breaking down the doors of the buildings at the corner of Carriedo, and they poured gasoline and set fire. And they continued with the same procedure, with the other buildings.

(A photograph was marked Prosecution Exhibit No. 196 for Identification.)

Q Will you look at Prosecution's Exhibit No. 196 and tell what pages 1 and 2 show?

A The photograph I have before me shows the building on the corner of Estero Cegado and Carriedo, where the Romanach business was. The second photograph is of the same building.

Q What are those shacks that appear in the picture?

A One of the buildings is the one occupied by the night club, and the other buildings were occupied by other businesses.

Q Were the shacks that appear on pages 1 and 2 on the exhibit there after the fire, or have they been built since?

A It is after the fire that they were built.

Q And immediately after the fire were any buildings left in the area which you have described?

A The northern part of the night club building.

CAPTAIN PACE: The witness is indicating a concrete structure in the background of the second page of the exhibit.

Q (By Captain Pace) Look at pages 3, 4, 5, and 6, and tell what they are.

A They show part of the building of Rocas and the other buildings that were right by the fire.

CAPTAIN PACE: I offer this, Exhibit 196 for Identification, in Evidence.

GENERAL REYNOLDS: There being no objection, it is accepted in evidence.

(Prosecution Exhibit No. 196 for Identification was received in Evidence and so marked.)

Q (By Captain Pace) The buildings which you have described were all on the north side of the street, is that right?

A Yes, sir.

Q Your building is on the south side of the street; right?

A Yes, sir.

Q Did anything happen to your building?

A Yes, sir. It has been partially set on fire.

Q During the hours which you observed the Japanese doing this, was any artillery being fired into the area which you described?

A No, sir.

CAPTAIN PACE: You may inquire.

CROSS EXAMINATION

Q (By Captain Reel) Did your building catch fire from the others?

A A part of the building --. A part of the fire that burned my building was through the flames on the other buildings.

Q Yes. Nobody set fire to the building you were in? Nobody deliberately set fire to the building that you were in?

A Yes, sir. The lower part of the building was set on fire.

Q Was that deliberately set on fire by somebody, or was that fire started by flames coming from the other buildings?

A It was deliberately set on fire.

Q How many floors did the building have that you were in?

A Four floors.

Q And was the Japanese Navy using some of that space?

A Those that set a military outpost at the corner of Rizal and Carriedo Streets were the ones who occupied the building.

Q Were these other buildings that you saw destroyed also occupied by military forces?

A The Roces Building was occupied by the Navy, and the other buildings were not.

Q Do you know what the other buildings were used for?

A The other buildings were not occupied by the Japanese military, but were occupied by their owners and some leases.

Q And were the other buildings warehouses?

A No, sir, they were not warehouses.

Q Did they have storage space in them?

A I don't believe they had warehouse space.

Q What floor of your building were you on when all this occurred?

A On the third floor.

Q And did you stay there and watch all those fires being set?

A We stayed until about three o'clock in the afternoon when we were only able to go out.

Q Did you leave your building before it started burning?

A No, sir.

Q So you were in the building when it was on fire?

A Yes, sir.

Q And was there pretty heavy fighting going on in the vicinity of these burning buildings at that time?

A There was no fire.

Q Didn't you hear any machine guns?

A No, sir, I didn't hear anything of a machine gun sound, but there was a machine gun at the lower part of my building, but I believe it was not used.

Q Did you see the American forces that day?

A Yes, sir. I saw only an American soldier at the corner of Plaza Goiti and Rizal after about ten o'clock in the morning.

Q And that was before these fires were set?

A Yes, sir.

Q Didn't you see some more American soldiers after ten o'clock in that area?

A No, sir. It was until after three o'clock in the afternoon at when we saw in the middle of Rizal Avenue some more Americans.

Q Yes. And by 3:30 in the afternoon that area was pretty well in the hands of the Americans, wasn't it?

A I don't believe the area was well controlled by American forces at that time, and there was no fire.

Q So that whatever American soldiers got there got there without a battle, is that right?

INTERPRETER GOJUNCO: Would you please repeat that?

CAPTAIN REEL: So that whatever American soldiers got there got there without a battle, is that correct?

A Yes, sir; without any resistance.

CAPTAIN REEL: That's all.

CAPTAIN PACE: Thank you, Mr. Arias.

(Witness excused.)

C E R T I F I C A T E

I, T. R. C. King, Major, Inf. (TD), Executive Officer, Legal Section, General Headquarters, Supreme Commander for the Allied Powers, do hereby certify that Document 2868 is a true and correct copy of the transcript of the testimony offered by VICENTE ARIAS in the trial of the case against Tomoyuki YAMASHITA, General, Imperial Japanese Army, before a Military Commission in Manila; and that the whole record of the case, including the transcript of all testimonies taken, as well as the affidavits admitted in evidence, are now on file with this Section.

/s/ T. R. C. King
T. R. C. KING,
Major, Inf. (TD)

Witness: /s/ John R. Pritchard

Sworn to before me this 15th day
of November 1946, Tokyo, Japan.

/s/ John R. Pritchard
Capt. Inf.
Summary Court

GENERAL HEADQUARTERS
UNITED STATES ARMY FORCES, PACIFIC
OFFICE OF THE THEATER JUDGE ADVOCATE
WAR CRIMES BRANCH

APC 500
11 October 1945

MEMORANDUM TO: Prosecution Section (Report # 71)

THRU: Executive Officer, War Crimes Branch

SUBJECT: Bombing of Manila

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II. SUMMARY OF EVIDENCE:

On 26 December 1941, Manila was declared an open and undefended city. The announcement was published in the local press, broadcast over the radio in English and Tagalog, and announced throughout the streets of Manila by trucks with loudspeakers. On the night of the 26th, all the lights of the city were turned on. The text of the announcement was cabled to the United States on the same day (R 10, 11). On 27 December 1941, between 1200 and 1330 hours approximately twenty-one (21) Japanese bombers, copies of the American Douglas DC-2 bomber, plainly marked with the rising sun on their fuselages and wings, flew low over Intramuros. Erik W. FRIMAN, a pilot in the First World War, and later a test pilot for Douglas Aircraft and Lockheed Aircraft Companies, estimated the altitude of the first three planes at approximately twenty eight hundred (2800) feet (R 11, 12, 13). The following succeeding waves of three planes each flew over at less than one thousand (1000) feet (# 13). These planes probably flew from a base on Formosa. After the raid, Radio Tokyo broadcast "Our land-based planes from Formosa made another successful raid at Manila" (R 14). The estimated fuel capacity of the planes, coupled with the distance of available and adequate Japanese landing strips, also indicate that Formosa was the probable base for this raid (R 14). The bombs dropped on Intramuros were 100 and 300 pound bombs (R 15). The Santo Domingo Church, Letran College, Santa Rosa College, Santa Catalina College, the Intendencia Building, and Santo Tomas University were struck by Japanese bombs on 27 and 28 December 1941 (R 13, 18). Many other buildings, including the DMHM Building (Herald Building), Intramuros Elementary School Building, and a large block of houses between Santa Catalina, Beaterio and Solano Streets, were destroyed by fire as a result of the bombings (R 13, 18, 19, 47). Estimates of the number of planes engaged in the raids on 27 and 28 December vary, but it is believed that approximately twenty-one (21) planes were used on each occasion. Estimates by expert witnesses of the extent of property damage in Intramuros resulting from the bombing raids are included in the record (R 4-6, 32, 84-87, 97, 98; Ex. P). The total estimated damage was P1,077,538.00. This estimate does not include private residences destroyed by fire.

DOMINADOR SANTOS

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

DIRECT EXAMINATION

Q (By Captain Pace) Give your name, please.

A Dominador Santos.

Q You will have to speak louder.

A Dominador Santos.

Q Where do you live?

A No. 5 Cuesta, Manila.

Q What is your occupation?

A I am the deputy chief of the Detective Bureau, Manila Police Department.

Q In the early part of February, 1945, what was your occupation?

A I was the executive officer of the North Sector, Manila Police Department.

Q Did you see anything unusual happen on the morning of February 4, 1945?

A Yes, sir.

Q Will you describe it?

A Between 9 and 10 A.M. on February 4th while I was going to the office and the police station I saw a truck on Reina Regente Street, near Soler, stop in front of a building. Six Japanese soldiers left the truck and entered the building. Being suspicious that something may happen, I stopped and make observation for about 20 minutes. There was a sudden explosion and a fire. I did not proceed to my office anymore and I returned home.

Q I show you Prosecution's Exhibit No. 193 for identification and ask you if you can tell what that is?

A This is the place (indicating).

Q What is the whole paper?

A This is a map, sir.

Q Are you familiar with the area which that represents?

A I am familiar with the area, sir.

Q Does that accurately represent that area?

A Yes, sir.

CAPTAIN PACE: I offer it in evidence.

GENERAL REYNOLDS: There being no objection, it is accepted in evidence.

(Prosecution Exhibit No. 193 for
identification was received in evidence)

Q (By Captain Pace) Will you point out on there the Singer Building about which you are talking?

A Right there, sir (indicating).

CAPTAIN PACE: Let the record show that the witness is indicating the letter "A".

Q (By Captain Pace) How long after the Japanese went into the Singer Building did you see and hear the explosion?

A About 20 minutes, sir, I heard the explosion.

Q Had the Japs left?

A Before the explosion the Japanese left.

Q What happened after the explosion?

A There was a fire, sir.

Q Did you return to that building after that?

A I was already -- The following day, Monday, February 5th.

Q What was the condition of that building and the other buildings in that block?

A They were all burned.

Q I show you Prosecution's Exhibit No. 194 for identification and ask you to tell me what each of these four pages is.

A This is a picture of the building behind the Singer Building.

Q It is a rear view of the Singer Building?

A Yes, sir.

Q Is that the way it looked after the fire?

A After the fire this is the way it looked.

Q Look at the next picture. What is that?

A This shows the picture of the Co Poe Building.

Q Is that the way it looked after the fire?

A Yes, sir.

Q Look at page 3.

A This is the picture of the Singer Building as it appears after some remodeling.

Q What remodeling has been done that shows in that picture that was not present after the fire?

A The roof and these windows, sir. They were not in that position when the fire ruined the place.

Q Look at page 4.

A This is the remodeled picture, also.

CAPTAIN PACE: I offer Exhibit 194 in evidence, sir.

GENERAL REYNOLDS: There being no objection, this is accepted in evidence.

(Four photographs of Singer Building and block were received in evidence and marked Prosecution Exhibit No. 194).

Q (By Captain Pace) Was there any military fire that landed in that area at the time you saw the Japanese carrying something into the Singer Building?

A There was no artillery fire, sir.

CAPTAIN PACE: You may inquire.

CAPTAIN REEL: Could I have that last question read back, please?

(Question read)

CAPTAIN REEL: And the answer.

(Answer read)

CAPTAIN REEL: I will ask that that be stricken, sir. There was no testimony by this witness that he saw the Japanese carry anything into the building. It is a deliberately-framed question. We object to it and we ask that the question and answer be stricken.

CAPTAIN PACE: If Counsel were right I will agree with him. To make certain I will be sure to get something in the record at this time which I thought was already there.

GENERAL REYNOLDS: There seems to be agreement that the question and answer be stricken.

Q (By Captain Pace) What did the Japs do when they drove up in front of the Singer Building in a truck?

A They were bringing dynamites.

Q Where did they bring the dynamite?

A They took the dynamites inside the building.

Q And did they come out then?

A They came out.

Q Did they bring the dynamite out with them?

A They did not bring anything when they went out.

Q Were any artillery projectiles landing in that vicinity at the time you saw the Japanese do this?

A There was not.

CAPTAIN PACE: You may cross-examine.

CROSS-EXAMINATION

Q (By Captain Reel) Had there been artillery fire during that day?

A I beg your pardon?

(Question read)

A There was no artillery fire, sir.

Q (By Captain Reel) No artillery fire in the area in the vicinity of the Singer Building shown as "A" on this plan, Exhibit 193, on the 4th day of February, 1945? Is that your answer?

A Yes, sir. That is no lie. There was no artillery fire.

Q Were there some airplanes flying above the area?

A I did not observe airplanes flying during that time.

Q I show you the second picture of Prosecution's set of pictures on Exhibit 194, and ask you if this is not the damaged fuselage of an airplane in the lower lefthand corner.

A That is not.

Q Answer loud so he can hear.

A It seems to me that that is not an airplane fuselage.

Q And what do you think it is?

A That might be some -- some military -- military objects that are being left by the Japanese.

GENERAL REYNOLDS: Will you point out to the Commission that which you refer to?

CAPTAIN REEL: This instrument here, sir, on the second picture in the lower lefthand corner.

Q (By Captain Reel) How far away from the Japanese were you standing when you saw them go in the building?

A I was approximately at a distance of about 50 meters.

Q 50 meters. And at a distance of 50 meters, you saw how many Japanese go in?

A Six Japanese.

Q And what did they carry? What was the shape of the article they carried?
A They were carrying somewhat round objects.

Q And from 50 meters away you identified that round object being carried by six Japanese as dynamite, is that correct?
A Yes, sir.

Q Do you know what the Japanese were using the Singer Building for?
A I don't know what they are using that for, but that is the time that -- Before that time there was a Japanese sentinel in front of the building.

Q There was a Japanese sentinel in front of the building. Do you know whether they had naval stores in that building?

THE WITNESS: I beg your pardon?

(Question read.)

A I don't know.

Q (By Captain Reel) What branch of the service were these Japanese in that went in there, if you know?
A They are infantry men.

Q And how did you know 50 meters away?
A Because they were wearing leggings and puttees.

Q And because they were wearing leggings, you assumed that they were infantry men; is that right?
A Yes, sir.

Q And that was the only way you identify them, because of the leggings?
A Because of the leggings and the uniform that they are wearing.

Q Leggings and the uniform. Did you see the "anchors" on the uniform?

THE WITNESS: What is that?

(Question read.)

A I see the uniform.

CAPTAIN REEL: Repeat the question.

(Question again read.)

A (Continuing) Anchors? I saw the uniform of the Japanese soldiers.

Q (By Captain Reel) Could you see any insignia of an "anchor" on that uniform?
A (No response.)

Q Do you know what an "anchor" is?
A Oh! I did not see any "anchor."

CAPTAIN REEL: No further questions.

CAPTAIN PACE: Thank you very much.

(Witness excused.)

C E R T I F I C A T E

I, T. R. C. King, Major, Inf. (TD), Executive Officer, Legal Section, General Headquarters, Supreme Commander for the Allied Powers, do hereby certify that Document 2866 is a true and correct copy of the transcript of the testimony offered by DOMINADOR SANTOS in the trial of the case against Tomoyuki YAMASHITA, General, Imperial Japanese Army, before a Military Commission in Manila; and that the whole record of the case, including the transcript of all testimonies taken, as well as the affidavits admitted in evidence, are now on file with this Section.

/s/ T. R. C. King
T. R. C. King,
Major, Inf. (TD)

Witness: /s/ John R. Pritchard

Sworn to before me this 15th day of
November 1946, Tokyo, Japan.

/s/ John R. Pritchard
Capt. Inf.
Summary Court

1433

ARMANDO ALVAREZ

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

DIRECT EXAMINATION

Q (By Captain Pace) Give your name, please.

A Armando Alvarez.

Q Where do you live?

A (Through the Interpreter) 2296 Juan Luna, Tondo.

Q Where did you work in February, 1945?

A At the Bank of the Philippine Islands.

Q What did you do on February 5, 1945?

A Between four and five o'clock on the afternoon of that day we were all ordered out by the guards, I, my companions, my wife and two children.

Q Ordered out of the Bank of the Philippines Building?

A Yes.

Q Where did you go then?

A Opposite the Bank of the Philippine Islands.

Q Did you see anything unusual happen?

A During the whole midnight nothing unusual happened except we heard shots being fired. The following morning, four o'clock, we were ordered out of the Bank of the Philippine Islands.

Q What did you see then?

A When we were ordered out, I first evacuated my two children, and with me ^{was} is a guard, and we went to the opposite side. I took my children to Dasmarinas Street and stopped at the corner of Rosario and Dasmarinas, and left my children there under the care of my companions; also the guard.

Q Did you see anything happen?

A When I returned to take my wife, I saw that all our property was scattered, and I saw on the other side a group of Japanese soldiers. Because I want to find out what this Japanese soldiers will do, I tried to recover my property and the articles they had scattered, slowly.

Q What did the Japs do?

A The Japanese were trying to break down door, but when they could not, they break down the glass windows.

Q The door of what building?

A The door of the Bank of the Philippine Islands.

Q Will you point out the location of the Bank of the Philippines Building on Exhibit 193?

(The witness indicated on Prosecution's Exhibit No. 193.)

CAPTAIN PACE: Let the record show the witness indicated the letter "G".

Q (By Captain Pace) What did they do after they broke the window?

A They were trying to break down the door again, but they could not because there is iron bar. I heard a voice order, give command, and I saw a soldier scurry away in the direction of Dasmarinas. He came back carrying rags. The soldier laid the rags in front of two cans of gasoline. One soldier pour gasoline on the rags, and with the help of the other soldiers they began throwing the rags inside the edifice. When they finished throwing the rags inside the edifice, one soldier ran away carrying a long pole. At the tip of the

pole seemed to be rags tied, and it smelled with gasoline. He went directly to an edifice adjacent to the bank, which is burning; he dipped the tip of the pole where is the fire that was lit, and he came back to the edifice of the Bank of the Philippine Islands and threw that pole with the burning tip inside, and suddenly fire spurted out as far as the door where the Japanese stood, so the Japanese ran away. I ran away to help quickly my wife, gather those things we had left, went back to the place where my two children were, took them, and we went away.

Q Was there anything on the end of the pole that he took across the street to set fire to?

A Yes, a white -- looks white. It is considered rags.

Q Was the Bank of the Philippine Islands burning when you left?

A Yes, the whole down part was burning.

Q Did you return in about a week?

A The following morning I tried to return, but I was prevented by the guards. I went back after one week and I found out the whole place was scorched, burnt down.

(A photograph was marked
Prosecution Exhibit No. 195 for
Identification.)

Q I show you Prosecution's Exhibit 195 for Identification and ask if you can describe what the first page of that exhibit shows.

A Yes. This part is burned (indicating).

Q What is that a picture of?

A Picture of the Bank of the Philippine Islands.

Q Is that the way it looked when you returned and saw it?

A Exactly the appearance, after one week.

Q Will you look at page 2 and state what that is?

A This is the remains of the Bank of the Philippine Islands.

CAPTAIN PACE: I offer Exhibit 195 for Identification in Evidence, if it please the Commission.

GENERAL REYNOLDS: There being no objection, it is accepted in evidence.

(Prosecution's Exhibit No. 195 for
Identification was received in Evidence
and so marked.)

CAPTAIN PACE: You may inquire.

CROSS EXAMINATION

Q (By Captain Reel) How many floors did the Bank of the Philippine Islands have?

A Two stories: one down- and one upstairs.

Q And was the entire building occupied by the bank?

A Yes.

Q And do you know whether the Japanese kept their funds, or any of their funds, in that bank?

A No.

GENERAL REYNOLDS: I don't understand --

Q (By Captain Reel) Were there some vaults in the basement of that bank?

GENERAL REYNOLDS: I don't understand --

A Yes, there are iron vaults.

GENERAL REYNOLDS: You asked if the Japanese kept funds in that bank. I did not understand whether the witness meant to answer he did not know, or that they had no funds in the bank. Will you clear that up?

CAPTAIN REEL: I will straighten that out, sir.

Q (By Captain Reel) When you answered the question relative to funds in the bank, did you mean by your answer that you don't know whether they have funds in there?

A Yes. But what I know is the Japanese Mickey Mouse money.

GENERAL REYNOLDS: Well, is it correct, then, when he said the Japanese did have --

CAPTAIN REEL: Did have funds in that bank.

GENERAL REYNOLDS: They did have. Very well.

Q (By Captain Reel) One more question: Did you see whether these Japanese were Army or Navy soldiers?

A I cannot tell exactly, but what I know, they are Japanese soldiers with caps.

Q Did you see any insignia of anchors on them?

A At that time it was very dark. I cannot tell.

CAPTAIN REEL: That is all.

CAPTAIN PACE: Thank you very much.

(Witness excused.)

C E R T I F I C A T E

I, T. R. C. King, Major, Inf. (TD), Executive Officer, Legal Section, General Headquarters, Supreme Commander for the Allied Powers, do hereby certify that Document 2867 is a true and correct copy of the transcript of the testimony offered by ARMANDO ALVAREZ in the trial of the case against Tomoyuki YAMASHITA, General, Imperial Japanese Army, before a Military Commission in Manila; and that the whole record of the case, including the transcript of all testimonies taken, as well as the affidavits admitted in evidence, are now on file with this Section.

/s/ T. R. C. King
T. R. C. King,
Major, Inf. (TD)

Witness: /s/ John R. Pritchard

Sworn to before me this 15th day
of November 1946, Tokyo, Japan.

/s/ John R. Pritchard
Capt. Inf.
Summary Court

Q And for what purpose did they come into the building?

A I don't know, sir, but they went inside the cathedral and they were going around, and then afterwards they have been pulling girls outside of the cathedral, and I saw two Japanese raping those women right there in the cathedral, and one by my side she is pregnant five months.

Q What part of the cathedral were you and your family located in that evening?

A We are in the middle of the cathedral. Suppose this is the church; we are there at that place (indicating), and this is the door.

Q Were you in the rear, to the rear of the cathedral?

A Yes, sir.

Q And how many Japanese did you see take women out of the cathedral during the night?

A There are many, but I have seen two, they are very, very near me, in front of me, in front of our place those Japanese are raping her, and I have seen plenty of girls that they are taking outside of the cathedral, those Matista girls, they are very young. They are telling, "No, don't; mama, don't let them take me." Those girls are shouting like that.

Q Did the Japanese take these girls by force?

A Yes, by force.

Q Did you see any girls killed by the Japanese in attempting to escape?

A No, I did not see them.

Q The next day did you see any girls killed by the Japanese when they attempted to escape?

A I have seen, yes, in front of that well. There were girls there that were shot by the Japanese.

Q When they attempted to escape?

A Yes.

Q How many did you see shot by the Japanese?

A I don't know; there are many there.

Q Several?

A Yes, several.

Q How long did you remain in the Manila Cathedral?

A We stayed there for two days.

Q Did all the members of your family stay there during that time?

A My mother and my niece were there in the St. Augustine Church. We were separated because the very afternoon they told us to leave the house, you see I told my mother I would be going to St. Augustine, and he told me, he said, "You can't go into St. Augustine, because there are already plenty there." He told me that I go to the Cathedral. So I and my two children and my husband were separated, and my mother and niece were separated.

They told me I couldn't go there. There was plenty there, that I better go to the Cathedral Church.

Q Were you and your husband separated after you got to the Cathedral?

A The next morning they took all our men; they took my husband.

Q You mean the Japanese took all the men?

A Yes, the next morning.

Q Do you know what they did with them?

A No, but I seen them.

Destruction Manila
Cathedral
and Rope 1434
ROSA CALALONG

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

DIRECT EXAMINATION

Q (By Captain Hill) Will you state your name, please?

A My name is Rosa Calalong.

Q Can you speak a little louder?

A Rosa Calalong.

Q Where do you reside?

A 2642 Tinaldo, Manila.

Q Where were you residing the first part of February of this year?

A In Intramuros.

Q Where in Intramuros?

A Anda Street.

Q Were you residing there with the other members of your family?

A Yes, sir.

Q What were their names?

A Jesus Carugtos, my husband; Victorina Alban, my mother; my children, who are Aurora Carugtos, Angelita Carugtos and Basilio Carugtos.

Q On the 5th of February of this year did you, together with the other members of your family, have occasion to leave your home and seek refuge?

A Yes, sir.

Q And where did you go at that time?

A In the Cathedral Church.

Q To the Manila Cathedral Church?

A Yes.

Q Where was the Manila Cathedral located?

A Located at Calbildo and Postiago.

Q Was that at Intramuros?

A Yes, that is inside of Intramuros.

Q At what time of the day or night did you and the other members of your family go to the Manila Cathedral?

A At about 5:30 in the afternoon of February 5th.

Q When you arrived there did you find any other people in the cathedral?

A There were plenty there.

Q Can you state to the Commission the approximate number of persons that you saw there in the cathedral?

A There was lots of people; it is a very big church, and it was very, very crowded.

Q Would you say that there were 500 or 1000 or 1500 people there?

A Maybe around 4000 or 5000; it is plenty. There are very many.

Q Did you and the members of your family remain there in the cathedral that night?

A Yes, sir.

Q All night?

A Yes.

Q Now, during the night did you see any Japanese come into the cathedral building?

A Yes, sir.

Q Have you seen your husband or heard from him since he was taken from you at the Manila Cathedral?

A That is the last time I have seen my husband.

Q How many men did you see the Japanese take from the Manila Cathedral on that day?

A There are many; there are two very long lines.

Q Well, when you say "many" can you give the Commission a little more definite answer on that? Would it be 50 or 100 or more than that?

A It would be more than two or one thousand, something like that.

Q Do you know if any of those men ever returned or not?

A Yes.

Q Did they return?

A Mr. Sanchez Andriguez, he returned.

Q Did any of the others that you saw taken away from the Cathedral ever return?

A No, I have not seen them.

Q And you have never heard of them since that time?

A I have not heard of them, no.

Q Now, after you left the Cathedral, what did you see, if anything, relative to the destruction of the Manila Cathedral?

A I see the Cathedral; I see it burning.

Q You saw it burning?

A Yes.

Q Do you know what caused the fire that burned the Manila Cathedral?

A There is some explosion, plenty of explosion inside the Cathedral.

Q Are you sure those explosions were coming from the inside of the Cathedral?

A They are inside the Cathedral, yes. We are here and the Cathedral is only on the next street.

Q Were there any American bombings or shells hitting in that area at that time?

A There was no shelling yet.

Q And no bombing yet?

A No bombing yet.

Q When you were in the cathedral did you see any signs of explosives being placed around inside the building?

A I just see those drums there, and supposing this is the church here, the convent, there are plenty of gasoline drums there.

Q Around the church?

A Yes.

CAPTAIN HILL: You may have the witness.

CROSS EXAMINATION

Q (By Captain Reel) These Japanese soldiers you saw, were they army or navy or marines?

A They are wearing green suits.

Q Did you see any insignia on their green suit?

A No, I don't. I don't look at the Japanese.

Q You could not tell whether they had little anchors on their green suits or not?

A No, I don't pay any attention to that.

Q You did not pay any attention to that?

DOCUMENT 2861

Q You did not pay any attention to that?

A No, I don't pay attention to that.

CAPTAIN REEL: That is all.

CAPTAIN HILL: I will ask to have these two photographs marked for identification.

(Two photographs were marked Prosecution Exhibits No. 308 and 309 for Identification respectively.)

REDIRECT EXAMINATION

Q (By Captain Hill) I will hand you Prosecution's Exhibit No. 308, and ask you to state what it is, if you know.

A Yes, this place here, this is the Cathedral Church.

Q Is that the ruins of the church as it looks today?

A It is not like this today.

Q I will hand you Prosecution's Exhibit No. 309, and ask you to state what it is, if you know.

A Yes, this is the Cathedral Church.

Q And is that as the church looks today after it was destroyed?

A Yes.

CAPTAIN HILL: We will offer into evidence Prosecution's Exhibits 308 and 309, sir.

GENERAL REYNOLDS: There being no objection, they are accepted into evidence.

(Prosecution Exhibits No. 308 and 309 for identification were received in evidence.)

CAPTAIN HILL: That is all we have.

CAPTAIN REEL: No further questions.

(Witness excused.)

DOCUMENT 2861

C E R T I F I C A T E

I, T. R. C. King, Major, Inf. (TD), Executive Officer, Legal Section, General Headquarters, Supreme Commander for the Allied Powers, do hereby certify that Document 2861 is a true and correct copy of the transcript of the testimony offered by ROSA CALALONG in the trial of the case against Tomoyuki YAMASHITA, General, Imperial Japanese Army, before a Military Commission in Manila; and that the whole record of the case, including the transcript of all testimonies taken, as well as the affidavits admitted in evidence, are now on file with this Section.

/s/ T. R. C. King
T. R. C. King,
Major, Inf. (TD)

Witness: /s/ John R. Pritchard

Sworn to before me this 15th day
of November 1946, Tokyo, Japan.

/s/ John R. Pritchard
Capt. Inf.
Summary Court

*Murders and
Destruction of
Red Cross Bldg.*

1435

JUAN P. JUAN

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

DIRECT EXAMINATION

Q (By Captain Hill) Please state your name.

A My name is Juan P. Juan.

Q Where do you reside, Mr. Juan?

A I reside at 1312 General Luna Street.

Q Where is that with reference to the former Philippine Red Cross Headquarters Building?

A It is just next door, back of the former Philippine Red Cross Building.

Q The building that was used for that purpose on 10 February 1945?

A (No response.)

Q You are next door to the building that was used as the Philippine Red Cross Headquarters in early February of this year?

A Yes, sir.

Q How old are you?

A I am 47 years old.

Q What is your business or profession?

A I am not in any profession, but I have been engaged in business, in the Educational Alliance, since 1935.

Q On 10 February, 1945, did you have occasion to go to the Red Cross building adjacent to your home?

A Yes. I was practically there the whole day on February 10th.

Q Tell the Commission the occasion for your going to that building that day.

A As my house was just beside the Red Cross building, and the other house of mine was just 50 meters away from the place, on February 9th, in the evening, we had no other place to go than the house that belongs to me at the back of the Philippine Red Cross. So we slept there on the night of February 9th. On February 10th intense shelling was going on. Shells were dropping around my yard and my building was already hit. So we were in commotion, and my wife and I decided to go to the Philippine Red Cross Building, especially when we accepted an invitation from Mr. Farolan, then in charge of the Philippine Red Cross. So after breakfast on February 10th I brought my whole family inside the Philippine Red Cross, because it was being used as an emergency hospital. My daughter then needed the doctor's assistance, so I took the opportunity to bring the family inside the Red Cross Building, especially when my daughter had just delivered and needed doctor's assistance because she was weak due to hemorrhage and exhaustion while running away from the other building that I have which was burned the night before.

Q Now, just a minute. Let me interrupt you. Tell the Commission how many members of your family went to the Red Cross Building that day.

A Fifteen altogether.

Q Fifteen?

A Yes.

Q And did all of the 15 remain in the building throughout the day and evening?

A A few of us happened to step outside late in the evening of that day, when it was almost dinner time, before dark, because our food was prepared outside of the Red Cross, inside my yard.

Q And how many members of your family remained in the building when the few of you went back to your yard?

A Ten of them remained inside the Red Cross Building.

Q Give the Commission the names of those ten members of your family that remained there in the building.

A There were my wife, Lucia Santos de Juan; my daughter, Paulina Juan Zabala, who had the baby; my older daughter, Juanita Juan Marcelo, with four children; and my daughter-in-law, Nenita Recio de Santos, with two children.

Q After you returned to your yard to prepare the food did you hear any noise or anything unusual from the direction of the Red Cross Building?

A Yes. About almost less than an hour after I left the Red Cross Building I was standing at the back yard supervising the cooking. Suddenly I heard shots from inside the Red Cross and simultaneously with the screaming of women. Then more shots followed and more screaming was heard.

My reaction was that the Japanese were killing the German refugees -- German-Jew refugees -- whom I saw inside the building when I left. My reaction was that the German-Jews were being killed, because I remember a statement of one of the Japanese officers that the Orient should be for the Orientals, and that there should be no mixed blood.

Q Now, just a minute. Did you know the name of that Japanese who made that statement to you?

A The second name is Captain Watasaki.

Q And when did he make that statement to you?

A That was more or less two or three months before the massacre.

Q Did you know this Japanese captain personally?

A I happened to know him several months before that when he was introduced to me by a certain friend of mine in Paranaque.

Q Just what were the circumstances under which you had the conversation with this Japanese captain?

A As he used to visit me in the house time and again, we happened to mention about the last war, the war that was going on then, and in the course of our conversation he said that eventually the war will soon end; that the Japanese --

COLONEL HENDRIX: If it please the Commission, at this time we would like to interpose an objection to this particular answer, and any line of questioning, on the ground of hearsay, as to what this particular witness heard another witness state; and further, that it is violative, and not in accordance with Article of War 38 in the Manual for Courts Martial and the rules of evidence in criminal cases in the District Courts of the United States. This witness is attempting to state what a captain in the Japanese Army has told him. That is hearsay. The captain should be here before this commission to testify as to whatever he did say.

MAJOR KERR: If the Commission please, this is a very important question. During the course of this trial the Commission will receive, or at least we will offer to the Commission, a considerable quantity of hearsay evidence. I advert once again to the regulations which provide that this Commission shall receive such evidence as it believes to have probative value.

The Commission is not a jury to be insulated mentally against every possible suggestion. You gentlemen are certainly in a position to evaluate hearsay, or any other type of evidence that may be of value to you. The closest analogy on this question to an executive body such as this, a military commission, is afforded by an administrative tribunal. I believe counsel will grant that under American practice the administrative tribunals have been held by our courts to have a very broad leeway as to the receipt of evidence of this sort, and that they may receive hearsay evidence if they believe it will help them in the determination of the issues before them.

If that is true as to an American administrative tribunal under the statutes applicable to those tribunals, certainly it is true as to this Commission. And I most earnestly submit, sir, that the Commission will deny itself some extremely illuminating, trustworthy, and helpful evidence, which certainly would have probative value, I am sure, in the mind of any reasonable man.

I certainly object to any effort by counsel to prevent the introduction of so-called hearsay evidence in this proceeding. Furthermore, there are about 57 different varieties of exceptions to the so-called hearsay rule, and if the Commission has to get into that maze of legal technicalities as to what is and what is not admissible as hearsay, we will be here for months.

COLONEL HENDRIX: If it please the Commission, it is not the purpose of the Defense to delay the case or to drag it out, but we do want the case to be tried along the rules of evidence as have been approved by the District Courts of the United States. We base that on this:

Article of War 38 states: "The President may, by regulations which he may modify from time to time, prescribe the procedure, including modes of proof, in cases before courts-martial, courts of inquiry, military commissions and other military tribunals, which regulation shall, in so far as he shall deem practicable, apply the rules of evidence generally recognized in the trial of criminal cases in the District Courts of the United States, provided that nothing contrary to or inconsistent with these Articles shall be so prescribed; provided, further, that all rules made in pursuance of this Article, shall be laid before the Congress annually."

I do not concur with the Prosecution as to his contentions of administrative practice and procedure in the United States. In one breath the Prosecutor states, "We do not have any rules and regulations". Then in another breath he attempts to write in the Massachusetts law, and certain rules and regulations of administrative procedure.

We take this position: Congress, by virtue of the Constitution of the United States, passed certain laws called the Articles of War. Article 38 is one of the statutes that is a part of the Articles of War. That particular Article of War gave the President of the United States the power to do two things: One was to prescribe rules of procedure and make rules of evidence for courts-martial; and the other for military commissions.

This Manual pertains largely to courts martial. The President of the United States has so acted, so far as courts martial are concerned, but from the record in this case, from what has been brought before this Military Commission, there is nothing on this subject as to the actions of the President of the United States for prescribing rules and regulations as to evidence.

In the absence of action from the President of the United States it surely was the intent of Congress that if the President did not do anything about prescribing such rules, the rules of evidence generally recognized in the trial of criminal cases in the District Courts of the United States must apply. Let us assume that the President did act on this subject. If he had, he would have to go by the rules in the Federal Court, so far as possible.

There has been presented to this Commission a letter that the Prosecution has mentioned on numerous instances and no doubt will, throughout this trial, which letter is dated the 24th of September, 1945, concerning the regulations governing the trial of war criminals, and so forth. We contend that this particular letter setting out the procedure such as evidence, bringing in hearsay, bringing in affidavits, bringing in what witnesses heard from other people, is absolutely null and void; that this entire letter is null and void; that General MacArthur, in preparing this letter, did not have authority from Congress to make any rules or procedures of a military commission. The only man in the world that has such power from Congress is the President, and he has not done anything about prescribing any rules, as far as the record in this case shows.

We insist that any hearsay as to this witness, or any other witnesses, must be ruled out and should not be allowed in evidence. Furthermore, we contend that as far as the rules are concerned, they should not go by this letter issued by General MacArthur, but by the rules of procedure of the Congress of the United States.

It comes down to this: Congress has made Article 38. Apparently the Commission will have to decide whether we are going to decide the evidence on what Congress has passed, or whether we will go by a letter that has been prepared by General MacArthur and which has directed General Styer to carry on this trial. We contend that the hearsay should be stricken and not allowed.

GENERAL REYNOLDS: Subject to objection by any member of the Commission, the objection of counsel for the Defense is not sustained.

COLONEL HENDRIX: We except to that, sir.

GENERAL REYNOLDS: As to the stating of exceptions, the proceedings of this Commission, unlike that of civil courts, are automatically subject to review. All rulings and decisions and findings are subject to review of the appointing authority. Accordingly, the statement of exceptions from counsel is not in order and will not be recognized by this Commission.

COLONEL CLARKE: If the Court please, that is new to me. If that is the contention of the Prosecution, if he can show us the authority, we are willing to abide thereby.

GENERAL REYNOLDS: The Prosecution will continue.

Q (By Captain Hill) Mr. Juan, I believe my last question was that I asked you to tell the Commission the circumstances under which you had the conversation with the Japanese captain which you related to the Commission.

A On several occasions the Japanese captain which I mentioned used to visit my family. I don't remember exactly what particular visit was that when he mentioned to me that the Orient should be for the Orientals, and that there should be no mixed blood. But we happened to talk about what would be the outcome of the war, and he said that it is not far when the war will end and people in the Orient will live in peace without being disturbed.

Q And what position, if you know, did this Japanese captain hold in your particular neighborhood with the Japanese Imperial Army?

A The last time that I know of his outpost was in Santa Mesa, and I think he was connected with the construction of railroads.

Q Did he say anything to you about where he had gotten his authority for the making of such a statement?

A He didn't say anything about it.

Q Continue with your story of what happened there at the Red Cross Building and in your yard after you heard the shots and screams about which you have testified.

A As I heard more shots and more screaming of people I told the rest of my children who were outside the building with me to get inside the building and not to come out. A few of us men outside posted ourselves around the building so we could see whether the Japanese were coming or not. One by the name of Romano Abad, who is a brother to Patrocinio Abad, one of the victims in the Red Cross, he stayed near the Red Cross Building, and when he saw a certain Japanese with fixed bayonet climb up the fence he ran to us and told us what he saw.

Q Did this Japanese come on over into your yard over the wall?

A He did not continue to get into my yard because he didn't see anything there. We were all hiding.

Q When did you first learn what had actually happened over in the Red Cross Building?

A At about dark time that evening one of our maids, Leticia by name, came into the air raid shelter, and she was pale and looked very much afraid and could hardly talk. And so we ask her, "What happen?"

Q Just let me interrupt you. Where had she come to the shelter from?

A From inside the Red Cross Building.

Q Go ahead.

A And then she burst, cried, and could hardly get her words, and told us that the Japanese killed everybody inside the Red Cross Building, including my wife and all my grandchildren. That was the first time I learned about the tragedy that happened to my family.

Q Did you go to the Red Cross Building later?

A I attempted to go that evening, February 10th, about midnight, but the rest of my children who were with me inside the air raid shelter prevented me from getting out of the air raid shelter, especially when one of the survivors told us that there were still Japanese soldiers in front of the Red Cross Building. So I did not go any more and waited the following day.

Q Did you go there the following day?

A On the following day the shelling was very intense. We could hardly get out of the air raid shelter, and besides, the buildings all around us were on fire.

Q Did you go to the building later?

A On the following day, on the evening of the 12th, I, with my son-in-law, Jose Zabala, whose wife was killed, went inside the Red Cross Building then, after two days, after the massacre.

Q Was it light or dark when you went to the building?

A It was not exactly dark yet. There was still plenty of light. But it was getting dark.

Q When you went into the building did you see any dead bodies there?

A I saw plenty of dead bodies on the corridor as I proceeded to the room where I thought my wife and children were.

Q Can you give the Commission an estimate of how many dead bodies you think you saw in the corridor and in the room where you thought your wife's body would be?

A My approximate estimate is about 20 bodies.

Q In those two places?

A Yes.

Q Were you able to identify and recover the body of your wife or any other members of your family?

A On that evening of February 10th I only saw the bodies of my daughter, Paulina. I tried to look in the same room where my daughter was for the rest of my family, but I could not find them.

Q Were you able to recover any bodies there and take them out of the building?

A We were able to recover the 10-day baby of my daughter.

Q Any other bodies?

A I could not recover any more excepting the bones of the rest of the family.

Q Do you know whether any other bodies were identified and recovered from the building?

A The daughter, the 10-month daughter of Corazon Noble was also recovered and brought into my yard.

Q Mr. Juan, how long did you remain at your home adjacent to the Red Cross Building after the 10th?

A Four days, as we left the premises on the 14th -- February 14th.

Q Were you present in your home when the Red Cross Building was destroyed?

A Yes, I was.

Q Will you tell the Commission how that building was destroyed?

A On the early morning of February 14th, or when I was at the back yard of my building, I saw flickering lights inside the room where the manager, or Mr. Faralon, was, as I was actually in that room there. I had been observing what was going on, whether there was somebody inside the building, but I didn't notice anybody. And for several minutes, approximately less than half an hour, I noticed that very suddenly the flickering light burst into flames, and that part of the building where my daughter was then enveloping in flames.

Q Were any members of the Japanese forces in your neighborhood at the time the building burned?

A I did not notice any, but I noticed several soldiers on that street in front of the Red Cross Building.

Q On that day?

A On that day.

Q Do you know whether or not the Red Cross Building was hit by any shells prior to the time that you saw it burn?

A I didn't notice any.

CAPTAIN HILL: I will ask that this be marked Prosecution's Exhibit No. 15 for Identification.

(The photograph of the Philippine Red Cross Building was marked Prosecution's Exhibit No. 15 for Identification).

Q (By Captain Hill) I will hand you Prosecution's Exhibit 15 and ask you to state to the Commission what it is, if you know?

A This is the former Philippine Red Cross Building as it stands now, after it had been burned.

CAPTAIN HILL: We offer Exhibit 15 in Evidence.

GENERAL REYNOLDS: Is there any objection by the Defense?

COLONEL CLARKE: None, sir.

GENERAL REYNOLDS: There being no objection, it is accepted as evidence.

(Prosecution's Exhibit No. 15 for Identification was received in evidence and so marked).

Q (By Captain Hill) On the 14th, the day that you saw the building burned, were those persons that you saw in front of the headquarters building Japanese soldiers?

A They were Japanese soldiers, because they had the uniform of the Japanese, and no other civilians could roam around that building there.

Q They wore the uniform of a Japanese soldier?

A Soldier.

CAPTAIN HILL: I ask that this be marked Prosecution's Exhibit No. 16.

(The photograph of ruins inside Philippine Red Cross Building was marked Prosecution's Exhibit No. 16 for identification).

Q (By Captain Hill) I will hand you Prosecution's Exhibit No. 16 and ask you to state what it is, if you know?

A This is part of the ruins of the Philippine Red Cross inside the building. I think this must be a portion of the toilet.

CAPTAIN HILL: We offer in evidence Prosecution's Exhibit No. 16, sir.

GENERAL REYNOLDS: Is there objection by the Defense?

COLONEL CLARKE: None, sir.

GENERAL REYNOLDS: There being no objection, it is accepted in evidence.

(Prosecution's Exhibit No. 16 for Identification was received in evidence and so marked.)

CAPTAIN HILL: I ask that this be marked Prosecution Exhibit No. 17 for Identification.

(The photograph of grave of 10-day baby was marked Prosecution's Exhibit No. 17 for Identification.)

Q (By Captain Hill) I hand you Prosecution's Exhibit No. 17 for Identification and ask you to state what it is, if you know, Mr. Juan?

A This is the photograph of the grave of the 10-day baby of my daughter, including the 10-month baby of Corazon Noble, inside my yard at the back of my house.

CAPTAIN HILL: We offer in evidence Prosecution's Exhibit No. 17, sir.

GENERAL REYNOLDS: Is there objection by the Defense?

COLONEL CLARKE: If the Court please, on these various exhibits, unless we state an objection, if the Court is satisfied, it will be admitted without any objection.

GENERAL REYNOLDS: I didn't clearly understand.

COLONEL CLARKE: On these exhibits that are now read, unless we state an objection, will the Court understand that we have no objection, without having to go through it each time?

GENERAL REYNOLDS: Very well.

(Prosecution's Exhibit No. 17 for Identification was received in evidence and so marked.)

Q (By Captain Hill) Mr. Juan, you were in your home adjacent to the Philippine Red Cross Headquarters Building from the time the fighting in Manila between the Americans and the Japanese began, until February 14th, is that correct?

A Yes, sir.

Q And during that time, and up until the 10th of February, the night of 10 February 1945, was the Red Cross Headquarters Building used for any military purpose by the Filipinos or by the Americans?

A It was not used for military purpose because it was then used as an emergency hospital.

Q Did you observe, on the 10th of February, whether or not the Red Cross insignia or conventional sign appeared upon the outside of the Red Cross Building there?

A Yes. I noticed that even at the back of the building there was the Red Cross sign.

Q Did that sign appear on other sides of the building?

A Yes, that appeared.

Q When you went into the Red Cross Building on the 10th were any of the people in the building that you saw armed in any way?

A No. There was no arm whatsoever.

Q Were all of the people in the building non-combatant civilians?

A Yes. They were all non-combatant; mostly children, refugees, and patients, who were then being treated by nurses and doctors.

Q From your knowledge and observation, after the murders had taken place, can you give the Commission an estimate of how many persons lost their lives there in the Red Cross Building at the hands of the Japanese on the 10th of February, 1945?

A I cannot exactly tell the number, because I didn't get inside the other rooms.

Q Can you make an estimate?

A I figure it to be approximately around 30 to 40.

CAPTAIN HILL: Cross Examine.

CROSS EXAMINATION

Q (By Captain Reel) When did the fighting in Manila begin?

A Only in our place I can state when, because we couldn't go outside of our yard.

Q Well, you told us a moment ago that you were at home from the beginning of the fighting until the 14th of February. All I want to know is what you mean by "beginning of fighting." When did it begin?

A I only learned that the American forces were already on the north side of the River on the 3rd.

Q Yes. Did you see any American soldiers between February 3rd and February 10th?

A The first time I saw the American soldier was on February 13th, when they came around my yard.

Q Were there any Filipino soldiers in your neighborhood at that time?

A I didn't see any Filipino soldiers.

Q Was there aerial bombardment going on after the 3rd of February?

A I didn't notice. Mostly artillery shells.

Q Artillery shells. And when you say you went to the air raid shelter, that was for protection against artillery shells?

A Yes.

Q And when did this artillery shelling begin, approximately?

A In our neighborhood the shelling began on February 9th, in the morning.

Q In other words, the day before this incident at the Red Cross Building the shelling began?

A Yes.

Q And your home building, I believe you said, was hit by a shell that day?

A No. The first building where I used to live before was burned by the Japanese on that same night.

Q That was the 9th of February?

A That was the 9th of February.

Q Didn't you say that the building was hit by shells?

A The other building at the back of the Red Cross was hit by shells on February 10th.

Q February 10th. I see. At the time you saw the flames in the Red Cross Building -- I think you said a "flicker" -- did you see any persons in that room where the light was flickering?

A I didn't see any.

Q Did you see anyone in the Red Cross Building at all after the flames started coming out of it?

A I didn't see any.

Q You told us that you saw some Japanese soldiers in front of the building. Just when, with relation to the fire, did you see them in front of the building?

A I saw the Japanese soldiers before the fire took place.

Q How long before the fire took place?

A On February 12th, when I went inside the building, I looked at some soldiers in front of the building.

Q And what day did the fire occur?

A The fire occurred in the early morning of February 14th.

Q So that it was two days before the fire that you saw the Japanese soldiers in front of the building?

A Yes. But we notice continuous movement of Japanese soldiers on the street just in front of the building continuously after the fire.

Q Did you see Japanese soldiers in front of the building after the 12th of February?

A Not exactly in front of the building.

Q You mean they were active in the City?

A Yes.

Q They were active in the area?

A Yes.

Q All right. Will you describe for us the Japanese soldier's uniform?

A I only noticed that the soldiers were dressed in olive green.

Q Any insignia that you remember?

A I didn't notice any more.

Q Will you describe for us the uniform of the Japanese sailor?

A Japanese?

Q Sailor. One who is on a boat; a sailor.

A I didn't see any Japanese sailor.

Q Let me ask you this: Do you know what the uniform of a Japanese sailor looks like?

A I am not familiar with the uniform of the Japanese sailor.

Q If I told you that the Japanese sailors wore the same colored green as the Japanese soldiers, would you then express some doubt as to whether or not those persons you saw were soldiers or sailors?

A I could only identify they are sailors when they show their cap with the anchor sign on it.

Q Ah, fine! So that you do know that a Japanese sailor has an anchor on his cap?

A That is my identification.

Q And what does a Japanese soldier have on his cap?

A Star.

Q And did you see the caps of these men who were in front of the Red Cross Building on the 12th of February?

A I didn't notice any more the caps.

CAPTAIN REEL: That's all.

CAPTAIN HILL: That's all.

(Witness excused.)

C E R T I F I C A T E

I, Alva C. Carpenter, Chief, Legal Section, General Headquarters, Supreme Commander for the Allied Powers, do hereby certify that Document 2869 is a true and correct copy of the transcript of the testimony offered by JUAN P. JUAN in the trial of the case against Tomoyuki YAMASHITA, General, Imperial Japanese Army, before a Military Commission in Manila; and that the whole record of the case, including the transcript of all testimonies taken, as well as the affidavits admitted in evidence, are now on file with this Section.

/s/ Alva C. Carpenter
Alva C. Carpenter
Chief, Legal Section

Witness: /s/ John R. Pritchard

Sworn to before me this 21st day
of November 1946, Tokyo, Japan.

/s/ John R. Pritchard

Capt. Inf.

Summary Court.

Office of the President
BUREAU OF THE CENSUS AND STATISTICS, Manila

I. ANSWERS TO QUESTIONS CONCERNING PRESENT DEGREE OF RECOVERY.

1456

1. Summary of physical destruction and other losses.—The value of damages sustained by the Philippines as a result of the war (based on reports still incomplete) amounts to about P2,740,526,649 distributed as follows: real estate improvements, including government buildings, private residential and commercial structures, churches and other religious institutions, P539,374,320 or 19.7 per cent; government corporations, P81,756,232 or 3.0 per cent; industrial and commercial properties, P512,950,454 or 18.7 per cent; agriculture, P281,170,790 or 10.3 per cent; public works improvements, excluding damages in the provinces of Agusan, Batanes, Bukidnon, Catanduanes, Cotabato, Palawan and Zamboanga, P244,988,081 or 8.9 per cent; personal effects, such as clothes and linen, house furniture, fixtures and utensils, motor cars, jewelry, books, etc, P413,778,327 or 15.1 per cent; government offices, exclusive of buildings, P125,663,477 or 4.6 per cent; libraries (from reports of 2 public and 4 private libraries in Manila only), P5,624,968 or 0.2 per cent; and prewar value of Japanese notes issued in exchange for goods and services, P535,220,000 or 19.5 per cent.

The following table gives a summary of the war losses sustained by the Philippines:

ESTIMATED PHILIPPINE WAR DAMAGES (PARTIAL): DEC. 8, 1941 TO JULY 4, 1945
Based on reports received by the B.C.S. up to June 1946.

Item	1941 Value	Percentage of Distribution
Real estate improvements a/	539,374,320 1/	19.7
Government corporations	81,756,232 2/	3.0
Industrial and commercial properties.....	512,950,454	18.7
Public works improvements b/	244,988,081	8.9
Government offices c/	125,663,477 3/	4.6
Agriculture d/	281,170,790	10.3
Value of Japanese military notes issued e/..	535,220,000	19.5
Personal effects f/	413,778,327	15.1
Libraries g/	5,624,968	0.2
TOTAL	P2,740,526,649	100.00

Reduced to physical quantities, these losses are represented as follows:

- Destruction of houses.— About 270,000 private structures were destroyed rendering from 1,500,000 to 2,000,000 persons homeless.
- Government buildings.— The destruction of about 1,200 government structures has forced the government to occupy private buildings which could otherwise be utilized as dwellings.
- School buildings.— About 15,000 school buildings were destroyed, as a result of which thousands of children of school age are out of school.

The following table shows the estimated number of structures damaged as a result of war operations in the Philippines:

ESTIMATED NUMBER OF BUILDINGS AND OTHER STRUCTURES DAMAGED
AS A RESULT OF WAR OPERATIONS IN THE PHILIPPINES
December 8, 1941 – July 4, 1945

Items	Number
Public school buildings	15,100
Government offices and other government structures.....	1,200
Private residences	269,950
Business houses	8,800
Private schools, colleges, hospitals & other structures	100
Churches, convents & other religious structures	150
TOTAL	295,300

a/ Govt buildings included. b/ Excluding damages to Agusan, Batanes, Bukidnon, Catanduanes, Cotabato, Palawan and Zamboanga. c/ Does not include buildings; includes only office furniture & fixtures, supplies & materials, records, documents, books, journals, etc. d/ Includes crops, livestock & farm implements only. e/ Estimated prewar value of worthless Japanese notes issued in exchange for goods & services. f/ Clothes, furniture, fixtures & utensils, books, jewelry, cars, etc. g/ As reported by 2 public & 4 private university & college libraries in Manila. 1/ As reported by 831 municipalities and cities. 2/ Does not include buildings. 3/ As reported by 15 provincial, 5 city and 386 municipal governments and 46 bureaus and offices.

d. Damage to agriculture - The following table reflects the damages to farm crops, livestock and poultry and farm implements.

TOTAL QUANTITY OF WAR DAMAGES TO AGRICULTURAL CROPS,
LIVESTOCK AND POULTRY AND FARM IMPLEMENTS IN THE
PHILIPPINES BY ITEM DECEMBER 8, 1941 TO JULY 4, 1945.
DUE TO LOOTING, REQUISITION, FIRE, CONFISCATION, ETC.

Item	Unit	Quantity
TOTAL		
AGRICULTURAL CROPS -		
<u>Rice</u>		
Palay	Cavan	16,401,290
Rice (clean)	"	2,015,740
<u>Corn</u>		
Corn (shelled)	Cavan	3,775,180
Corn (ears)	Number	338,607,040
<u>Sugar cane</u>		
Sugar	Kilo	249,069,560
Canes	Ton	5,424,140
Molasses	Liter	10,007,930
Tobacco	Kilo	10,131,460
<u>Coconuts</u>		
Nuts	Number	515,744,010
Copra	Kilo	128,112,070
Oil	Liter	1,803,990
Tuba	"	8,337,040
Abaca	Kilo	118,537,600
Camote	"	126,742,060
Cassava	"	57,572,850
Gabe	"	13,688,490
Mongo	"	2,144,110
Bananas	"	71,489,100
Coffee	"	1,980,910
Cacao	"	355,520
Beans and vegetables	"	19,622,480
Fruits	"	22,746,200
All others	"	8,845,810
LIVESTOCK AND POULTRY -		
Cattle	Number	615,750
Carabaos	"	578,000
Horses	"	100,390
Pigs	"	1,239,700
Goats	"	75,620
Chickens	"	9,236,180
Ducks	"	288,800
<u>Eggs</u>		
Chickens	Number	34,451,930
Ducks	"	1,393,710
FARM IMPLEMENTS -		
Plows	Number	198,780
Harrows	"	113,650
Tractors	"	384
All others	"	414,990
MISCELLANEOUS		

2. Brief summary of the effects of the war on population and manpower.-

The occupation of the Philippines by the enemy brought untold hardship and suffering upon the people. For about three years the inhabitants were on the verge of starvation. Food supply was forcibly appropriated by the enemy, food production was hampered and the livelihood of the people disrupted by war operations. The inevitable demoralization of the population resulting from the savage fight for existence manifested itself markedly even after liberation in increased crimes and social unrest. War mortality was enormous. Based on available figures, it may be estimated at around half a million.

The estimated labor supply for the Philippines, including all persons 10 years old and over who are able to work, follows:

1939 (Census year)	7,304,300
1941	7,720,200
1946	8,672,900

These estimates are based on the assumption that existing labor supply bears the same ratio to population as the labor supply in 1939. The casualties resulting from massacres by the Japanese, the battle for liberation and other war causes may reduce the estimates for 1946 by from 2 to 4 per cent.

3. Effect of war on rate of progress of industrialization and economic development.-

The destruction wrought by war caused a serious setback to the progress of industrialization and economic development. Before the war, Manila and commercial centers were teeming with large factories and industrial plants with all the modern equipment and facilities for turning out high-grade manufactures in commercial quantities. However, the sugar mills, rope factories, cigar and cigarette factories, coconut oil mills, etc., were laid prostrate in the wake of the liberation and unable to produce sorely needed goods. It will take considerable time before production can catch up with the demand both for local consumption and for export. Many of the prewar operators depend mostly on war damage payments for the rebuilding of their business but so far no payments have been made so that the prospects of early recovery of the prewar rate of industrialization and economic development is very dark. Rehabilitation is greatly handicapped by lack of coal and motive power, heavy machinery and perhaps technical guidance.

With 41 out of the 43 sugar centrals destroyed and 73 out of the 148 saw mills totally destroyed, production of sugar and lumber is very insignificant, as compared to prewar production. The same is true with the mining industry. Only copra is recovering rapidly with 45,000 tons shipped to the U.S. in June as compared to 33,000 prewar monthly average. The average for the six months ending June, 1946, was however 23,600 tons.

4. Consumption level of foodstuffs and other consumers goods.-

Rice.-Domestic consumption of rice before the war was 350 grams daily per capita, or a yearly per capita consumption of 2.28 cavanes of cleaned rice (56 kilos to a cavan). On the basis of an estimated population of 18,480,000 in 1946, out of which 69.5 per cent constitute the rice-eating population, a total of 29,283,400 cavanes of cleaned rice would be needed to support the population, as against the 1945-1946 crop of 17,067,140 cavanes of cleaned rice or a deficiency of 12,216,260 cavanes, which have to be supplied partly from imports and partly from rice substitutes, such as corn, cassava, gabe, tugui and other root crops.

Sugar.-Prewar consumption of sugar is estimated at 7 kilos or 15.4 pounds per capita, or a total estimated 1946 consumption of about 142,000 short tons. The estimated 1946-47 output of the 5 sugar centrals in operation is 66,000 short tons. There is, thus, a shortage of 76,000 short tons, which have to be wholly supplied from imports.

Meat.- Meat consumption in Manila before the war was 16 kilos or 35.2 pounds per capita. Because of the excessive postwar price of meat which is practically eight times that of prewar, a large portion of the population has shifted to canned foodstuffs, mostly imported from the United States. In view of present difficulties of collecting statistics on slaughtered animals in the provinces, however, there are now no means of ascertaining actual consumption data. It may be stated that the war had a most disastrous effect on the livestock industry.

Imports for consumption of the following articles may throw more light on consumption levels of various other commodities: (a)

Items	1941 (Kilos)	Per capita (Kilos)	Imports 1945 (Kilos)	Per capita im- ports (Kilos)
Grains and preparations	139,330,412	8.30	65,823,548	3.57
Meat and dairy products	20,824,766	1.83	12,480,576	.67
Vegetables and preparations	28,986,842	1.72	6,800,886	.37
	(Sq. yards)	(Sq. yards)	(Sq. yards)	(Sq. yards)
Textiles and manu- factures	167,568,210	9.99	835,108	.045

NOTE: (a) 1941 estimated population16,771,900
1945 " "18,415,100

4a. Present level of production in significant industries as compared with significant prewar years.-

The present level of production as compared with significant prewar years is as follows:

Items	Unit of measure	PRODUCTION	
		Pre-war 1940	Present 1946
Sugar, centrifugal	Short tons	1,044,000	13,000
Lumber	Board feet	340,400,000	150,000,000
Abaca	Bales	1,342,000	237,000
Copra	Tons	738,000	200,000
Coconut oil	Tons	243,000	(Nil)
Cigars	Thousand	331,600	50,000
Electricity	Kwh (thousand)	175,400	50,000
Mines, gold	Pesos	62,700,000	1,000,000

5. Present level of agricultural production compared with prewar.-

Rice.- The area planted for the crop year ending June 30, 1946 was 1,653,820 hectares, or about 21 per cent less than the prewar average of 2,096,720 hectares. The production was 36,134,280 cavanes (44 kilos) of palay (rough rice) or about 30 per cent below the prewar average of 51,401,660 cavan

Corn.- The area planted for the crop year ending June 30, 1946 was 522,570 hectares or about 43 per cent less than the prewar average of 911,140 hectares. The production was 5,178,000 cavanes of 58 kilos or about 45 per cent below the prewar average of 9,421,740 cavanes.

Sugar (centrifugal).- The present production is about 11,646,000 kilos, or about 98.82 per cent less than the prewar average of about 990,000,000 kilo. There were 5 centrals that started operation out of 42 before the war. About 8 more are ready to operate this coming milling season. There are at least two more sugar centrals ready to operate but they lack sugar cane to mill.

Abaca.- The production was about 30,000,000 kilos for the crop year ending June 30, 1946, or about 83 per cent less than the prewar average of 177,730,000 kilos.

Copra.- The production for the crop year ending June 30, 1946 was about 200,000,000 kilos or about 70 per cent less than the prewar average of about 675,000,000 kilos.

6. Present serviceable quantity of railroad rolling stock, trucks, air and water transport equipment (ocean-going and inland), as compared with a significant prewar period.-

The total rolling stock of the Manila Railroad Company is 1,905, including 73 locomotives, 67 passenger coaches, 1 rail motor car, 36 express, baggage and caboose cars, and 1,728 freight cars and service cars. As compared with the serviceable rolling stock in 1941, there is a decrease of 29 per cent in the grand total, and of the following percentages in the different types of rolling stock: About 49 per cent for locomotives; about 68 per cent for passenger coaches; over 98 per cent for rail motor cars; 100 per cent for rail motor car trailers (in 1941 there were 100 of them); about 62 per cent for express, baggage and caboose cars; and about 17 per cent for freight cars and service cars.

The Philippine Railway Company which operates lines in Cebu and Panay islands have not as yet submitted figures. Available prewar figures for this company give a total rolling stock of 388, consisting of 16 locomotives, 56 passenger cars and 266 freight cars. The Cities of Iloilo and Cebu were burned by the Japanese and it is more than likely that a large percentage of the rolling stock of the Philippine Railway Company might have been destroyed there.

The tramway transportation system in Manila, an American enterprise that before the war had around 150 electric cars and 300 buses, was entirely wiped out. The only visible assets in Manila are the tramway lines not removed or destroyed by the Japanese.

Before the war, there were two companies that operated scheduled airlines. They are the Philippine Air Transport Company and the Iloilo-Negros Air Express Company. Aside from the foregoing scheduled operators, there were six non-scheduled operators. All of the above scheduled and non-scheduled operators had during the fiscal year 1939-1940 a total of over 20 serviceable passenger and freight planes that carried 16,209 revenue passengers and a total freight of 3,098,271.50 pounds in air mail and air express. As of June 1946, there were a total of 37 commercial airplanes operated by the Far Eastern Air Transportation Company and the Philippine Air Lines for passenger and freight service and both have reported a total revenue passenger of 107,367 and freight consisting of mail and express totalling 7,727,258.30 pounds for the first half of the current year. The statistics indicate considerable progress over prewar commercial airplane operations.

Available prewar statistics on water transportation are those for 1940 when 730 ocean-going vessels with a total net tonnage of 2,755,606 and 3,547 inter-island and bay and river crafts of different categories (steamers, 62; steam launches, 28; motor ships and auxiliary schooners, 98; launches, boats, bancas with motor, 820; scows, lighters, barges, cascos, and bancas, 960; and sailing vessels, 1,515), with a total net tonnage of 154,613.20 were engaged in foreign and interisland and bay and river trade during that year. Postwar statistics on this subject are still being gathered, although it is of common knowledge and observation that water transportation facilities were among the worst hit during the war. The ocean-going vessels which mostly belonged to the belligerents were practically all wiped out, and present ocean-going steamers coming to the Islands are the few survivors and several new American-owned steamers. Ninety (90) per cent of the steamers belong to the United States; the rest belong to the British, Norwegians, Dutch, Danish and Chinese. Practically all the interisland steamers were sunk during the war. A few of the water-crafts of lesser categories, mostly sailing vessels, were able to survive.

As regards motor vehicle transportation, there were registered in 1940 (only complete available record) a total of 20,236 motor trucks and 33,838 automobiles, or a total of 54,134 motor cars and trucks. In 1945, the preliminary registration figures give a total of 8,996 for motor trucks and 3,824 for automobiles, Manila and Rizal excluded, or a total of 12,820. Adding the registration of 12,613 trucks and 6,476 automobiles for Manila and Rizal for the first part of 1946, we get a full total of 31,909 motor car registration in 1945-1946. This full total compared with that of 1940 shows a decrease of over 41 per cent.

7. Estimated attainable level, as compared with prewar output, or industrial and agricultural production.-

a. Damage to agricultural industry during the war may be conservatively estimated at about 33-1/3 per cent of the total value.

- (a) Sugar industry - 43 per cent of sugar centrals and refineries.
- (b) Tobacco industry - 60 per cent of prewar production.
- (c) Abaca industry - 30 per cent of the plantations, excluding damages to stripping machines, sheds, etc., worth more than P3,000,000.
- (d) Coconut industry - 50 per cent of the coconut oil and desiccated coconut factories, 40 per cent of copra driers, warehouses and other establishments and 5 per cent of coconut trees.

b. Attainable level of agricultural and industrial production assuming an adequate supply of raw materials and energy, compared with the prewar.

<u>Products</u>	<u>Unit</u>	<u>Prewar production</u>	<u>Attainable level of production</u>
Rice	Cavanes	51,401,660	40,000,000
Corn	"	9,421,740	6,000,000
Sugar -			
Centrifugal.....	Kilos	990,000,000	350,000,000
Muscovado	"	41,000,000	20,000,000
Abaca	"	177,730,000	100,000,000
Tobacco	"	42,000,000	20,000,000
Copra	"	675,000,000	500,000,000
Coconut oil	Tons	343,000	10,000
Lumber	Board feet	340,400,000	100,000,000
Embroideries		P17,755,000	P 1,000,000
Cigars	Thousand	331,600	50,000
Cigarettes	"	3,292,900	1,000,000
Cordage		P 3,300,000	P 1,000,000
Shoes	Pairs	2,455,600	500,000
Electricity	Kwh	175,400	75,000

8. To what extent has the lack of agricultural and industrial equipment impaired immediate recovery?

In the case of the sugar and tobacco industry, the lack of agricultural and industrial equipment will retard 60 per cent of their immediate recovery. In the case of lowland rice, about 10 per cent and for upland rice and corn, about 30 per cent. In the case of abaca, it will be around 40 per cent, for copra, 20 per cent, and for coconut oil, 50 per cent.

9. To what extent has the lack of raw materials impaired immediate recovery?

The lack of raw materials has not seriously impaired the immediate recovery of industries, with the exception of the sugar industry and to some extent of the abaca industry as almost all the sugar plantations were destroyed and some of the big abaca plantations were partly damaged due to war operations. The scarcity of hides for the shoe and slipper industry and for cannisters for the canning industry also handicaps the rapid recovery of these industries.

However, the key to immediate recovery is the restoration of the plants, heavy machinery and buildings to start sizeable production. The Philippines is endowed with plenty of raw materials so that lack of it is not so much a problem.

10. To what extent has lack of transport facilities impaired immediate recovery?

Immediate recovery is being impeded greatly by a lack of sufficient transportation facilities and this is particularly true in the case of inter-island transportation which has been crippled almost 100 per cent by the war and has affected seriously the shipment of lumber and other building materials as well as of foodstuffs and other necessities of life to the devastated areas. The wide disparity between the living cost in Manila and distant provinces is due largely to the lack of transportation facilities that hinder the flow of commerce to and from the metropolis. But even in overseas commerce, the lack of shipping lines to Europe and parts of Asia has left only the United States as the market for Philippine products which before the war had a much wider outlet, particularly for leaf tobacco, copra, Manila hemp, Manila rope, hides and skins, etc.

11. To what extent has the lack of financial means impaired immediate recovery?

Because of the insufficiency of government revenues, the Government has not been able to undertake any wide-scale reconstruction work. Damaged public buildings, roads, bridges, portworks, railroads, etc., are not as yet repaired pending the receipt of the P240,000,000 share of the Government from the Tydings War Damage Compensation Act.

The same can be said of private industry. Destroyed sugar centrals, tobacco factories, rice mills, lumber mills, coconut oil mills, desiccated coconut factories, rope factories, distilleries, shoe factories, mining works, etc., are still out of operation pending the receipt of substantial capital to rehabilitate them or to supply the much needed capital equipment almost totally destroyed by the war.

II. ANSWERS TO QUESTIONS CONCERNING LONG RANGE RECOVERY AND DEVELOPMENT PROGRAMS.

11a. What is the level of consumption of foodstuffs and other consumers goods and standards of housing, anticipated during the next 18 months, five years or more.

(See answer to question No. 4 concerning the level of consumption of foodstuffs and other consumers goods.) With the enormous destruction of dwelling especially in urban centers, thousands upon thousands of people are housed in temporary structures devoid of the necessary sanitation facilities. It may take 10 to 15 years before prewar standards of housing is restored.

12. Does the production pattern proposed in the country's development program differ materially from the prewar pattern and in what respects?

The production pattern proposed in the country's development will not differ materially from the prewar pattern except in the sugar industry where production may be reduced as a result of the destruction of machinery which was extensively used in this industry before the war. Owing to the destruction of work animals, the use of farm machinery is contemplated in the production of rice, corn, tobacco, root crops and vegetables besides sugar cane.

13. To what extent do the changes proposed in the prewar production pattern take into account the modifications in the economies of other countries

The production pattern proposed for rice is based on the methods of production in the United States. For this purpose, an agricultural mission was sent to the United States a year ago to study the possibility of mechanizing our rice industry in a manner similar to that of the United States.

14. To what extent are such changes the result of a necessity to increase exports?

Our principal export crops before the war were sugar, copra, coconut oil, desiccated coconut, abaca, and tobacco. Before the war (1940), we exported

40,517,898 kilos of desiccated coconut; 177,458,863 kilos of inedible coconut oil; 8,443,294 kilos of edible coconut oil; 341,930,371 kilos of copra; 923,542,586 kilos of centrifugal sugar; 52,931,188 kilos of refined sugar; 12,222,118 kilos of leaf tobacco; 206,231,102 cigars; 136,558,743 cigarettes; and about 1,402,720 bales (126.5 kilos) of unmanufactured abaca, or about 177,400,000 kilos.

In 1945 we exported only about 9,000,000 kilos of copra and about 2,400,000 kilos of abaca, and during the first half of 1946, we exported only around 141,783,000 kilos of copra and about 20,000,000 kilos of abaca. We have not exported sugar and tobacco. To increase, therefore, our production both of the raw materials and of the manufactured products and thereby increasing our exports, we need agricultural and industrial machinery to replace those destroyed during the war.

15. To what extent are such changes the result of a necessity to decrease imports?

Our rice production before the war was about 51,400,000 cavanes of palay (rough rice) and our yearly average rice importation from 1937 to 1941, excluding about 15,000 cavanes exported at the same time was 756,250 cavanes of 56 kilos, or equivalent to about 1,532,500 cavanes of palay. The yearly consumption of milled rice now in the Philippines is about 30,000,000 cavanes, or about 60,000,000 cavanes of palay. Our production was only about 18,000,000 cavanes (36,000,000 cavanes of palay). Hence, a deficit of about 12,000,000 cavanes of 56 kilos, or 24,000,000 cavanes (14 kilos) of palay which we have to import from other countries. Hence, the need for the use of farm machinery for the immediate recovery of the industry to minimize our rice import.

Development of vast potential resources and industrialization of our country, through the introduction of modern equipment and the training of the necessary personnel, would help decrease imports. Such imported items as paper, textiles, fish, vegetables, cocoa, coffee, sugar, edible vegetable oils, etc. could be easily produced or processed locally.

16. To what extent are such changes dependent upon the importation of capital equipment?

In the manufacturing industries, such changes are largely dependent on the importation of capital equipment.

17. To what extent are such changes dependent on imported raw materials?

The proposed changes do not depend on imported raw materials as the Philippines abounds in raw materials, except industrial chemicals. Conversion of raw materials into finished products through the use of imported capital equipment is one of our distinct needs, if industrialization is to be encouraged.

18. What addition to the existing stock of trucks, railroad, water and air transport equipment are required, in order to meet the goals set by the longer range recovery and development programme? To what extent can these additions be met out of domestic production?

Information called for by this question can be furnished only by higher authorities -- those that shape the basic policies of the government. However it can be assumed that it is a basic policy to restore the public utilities to their prewar status to improve the living conditions of the mass of the people; in which case the much needed equipment must have to be imported as they are not manufactured locally. The Philippines is as yet in an agricultural stage of development, and it will take years before heavy industries can be successfully established here.

18 a. What additions are contemplated in construction of roads, bridges, railroads, and waterways and airfields for economic development.

The primary objective of the Republic is to repair prewar damaged roads and bridges, portworks, public buildings (including schools and hospitals), airways, lighthouses, and the government operated railways; that is to say, restore them to their serviceable status before the war. However, in re-constructing devastated Manila, there is a project to build a national capitol with an outlay of some P45,000,000. There is also a project to build a military road connecting San Fernando, La Union province and Batangas, Batangas province, and another project to repair present piers and warehouses in Manila and to build several new ones on the north side of the harbor to provide for future expansion of the volume of trade passing through the port of Manila.

All the foregoing projects will be built from the sum of P240,000,000 to be set aside for said government projects in the Tyding's War Damage Act. The sum of P150,000,000 has already been made available for the military road, the repair of the University of the Philippines, the construction and repair of portworks, construction of the proposed national capitol, and the repair of public schools and hospitals.

New projects of similar magnitude may also be undertaken in naval and military reservations of the United States in the islands, including the construction, improvement and expansion of airways for military use within those bases. It is the United States Government that will finance them.

19. Significant data on the trend of birth and death rates, population shifts, and related factors.

The birth rate in the Philippines appears to have registered no appreciable change, the rate per thousand population in 1940 being 32.28 as compared with 32.83 in 1931. In years between these two periods the variation in the birth rate is insignificant. On the other hand, the death rate per thousand population indicated an appreciable improvement, as the rate dropped from 17.97 per thousand in 1931 to 16.50 in 1940. It is estimated that about 350,000 persons are added annually to the population. (Population as of the Census of 1939 was 16,000,303; estimated as of January 1, 1946 it was 18,846,000)

Prior to the war, there were two classes of population movements in the Philippines; namely, (a) natural current and (b) artificial movement, the latter representing persons transferring to scarcely populated areas under Government auspices for the purpose of settling lands of the public domain. For the period 1931-1939 the average number of homeseekers sent under Government assistance was 2,520. The natural current may be divided into two kinds - migration from rural to rural communities and the drift of rural population toward the cities. No data are available regarding these movements.

The following table shows the occupational distribution of gainful workers in the Philippines:

GAINFUL WORKERS TEN YEARS OLD AND OVER, BY GENERAL OCCUPATION GROUPS AND BY SEX: 1939

Occupation Group	NUMBER			Per cent
	Male	Female	Both sexes	distribution
TOTAL	4,219,278	4,247,215	8,466,493	100.0
Agriculture	2,981,551	474,819	3,456,370	40.8
Domestic and personal service.	123,508	3,354,576	3,478,084 1/	41.1
Professional service	65,438	37,977	103,415	1.2
Public service (not elsewhere classified) ..	48,984	636	49,620	0.6
Fishing	175,841	4,728	180,569	2.1
Forestry and hunting	24,903	1,917	26,820	0.3
Mining and quarrying	46,625	394	47,019	0.6
Manufacturing & mech. Industries	333,976	267,359	601,335	7.1
Trans. and communication	202,449	1,147	203,596	2.4
Clerical	44,904	3,995	48,899	0.6
Trade	171,099	99,667	270,766	3.2

1/ Includes 3,145,763 housewives.

In view of the unsatisfactory conditions in agricultural employments, there is a tendency for rural people to seek work in urban centers. As a result, a considerable proportion of those formerly engaged in agricultural activities may now be found either in trade or in U. S. Army employment.

20. Can the contemplated changes in the prewar production pattern take place with the present labour force, taking into account average working hours?

Whatever changes are contemplated in prewar production pattern, the labour supply is more than adequate to meet the demands of both agriculture and industry for many years to come.

21. To what extent do such changes require the transfer of labour between different branches of activity, particularly between agriculture and industry?

Expansion in agriculture and industry will not be handicapped as far as labor requirement is concerned. Prior to the war, it was the practice of big enterprises to send representatives to recruit laborers in areas where labor was plentiful. With improved system of labor recruitment and better conditions of employment, the labor needs of both agriculture and industry can be easily met.

22. To what extent will such transfers require the increased mechanization of agriculture?

The need for increased mechanization of agriculture is not so much due to lack of manpower on the farm as we have enough of them, but we lack work animals. Before the war, there were about 1,870,000 work animals on farms, 74 per cent of which were carabaos. The number of carabaos left is about 40 per cent below the prewar of about 2,400,000 and our cattle is about 70 per cent below the prewar of about 1,400,000 heads. The number of work animals left after the war is probably around 40 per cent below the prewar population. **The transfer of labor between agriculture and industry will not increase very much the need for mechanization of agriculture.**

23. To what extent will the development programme require an increase of certain categories of workers, or of managerial or scientific personnel?

As Philippine economy is essentially agricultural, the great bulk of the working people are engaged in agricultural pursuits. At present unskilled labor predominates as mechanization in agriculture is negligible. In 1939 there were 247,146 skilled laborers, most of whom were employed in industrial and commercial enterprises and other non-farming occupations. The number of skilled laborers may have increased since liberation as a result of the training they gained while in the employ of the U.S. Army. In Greater Manila area alone, the U.S. Army was employing some 70,000 skilled workers in August 1945. A large proportion of these probably belonged to the unskilled class before the war, when the total number of skilled workers in Manila was 35,941 only. **To meet present and future demands, the necessity of training managerial and scientific personnel, which the country sadly lacks, appears in order. The training of additional skilled workers may likewise be necessary.**

24. To what extent is a surplus of labor anticipated over the next few years, and in what categories of workers? Is migration of such labour contemplated, and to what extent?

As already indicated elsewhere in this report, surplus labor especially in the unskilled class will be available to meet future expansion in agriculture and in industry. In 1939, the total number of gainfully employed persons 10 years old and over was 5,320,730, excluding housewives, and the labor supply was 7,304,300, or a surplus of 1,983,580, or 37.03 per cent. Prior to the war, the mobility of labor from island to island presented some difficulties although in centers of population like Luzon, labor mobility was facilitated by the network of good roads and cheap means of transportation. The migration of laborers from one area to another will depend upon the demands of employing enterprises.

25. What volume of imports is required annually for 1946-48 (and, if possible, for a longer period) to fulfill the recovery and development programme?

The present upward trend of imports, the value of which average a monthly value of 45 million pesos, or with an estimated total of 540 million pesos for this year (1946) as compared with 271 million pesos for 1941 and 569 million pesos for 1940, may be the requirement annually to fulfill recovery and development program.

The accompanying table (Table A) of imports shows the comparative value, by commodity group, for the years 1946-48, 1941 and 1940.

26. What volume of commodities can be available annually for export under the recovery and development programme?

There seems to be at present a bright prospect in the exportation of desiccated coconut, copra, copra meal, and abaca, as the United States is apparently quite willing to absorb our available output, and Spain, one of our best markets for tobacco, could be made to renew the export trade. The volume required for desiccated coconut exports so as to meet the 1941 level is about 57 times; copra, 5 times; abaca, 40 times; leaf tobacco, 3 times; and copra meal, 27 times, under the recovery.

The following table shows the quantity of several exported items for the first six months of 1946 compared with the calendar year of 1941:

Commodity	Unit	1946	1941
		Jan.-June	
Copra	Tons	51,880	265,149
Desiccated coconut	"	1,375	57,284
Copra meal or cake	"	294	55,396
Tobacco leaf	"	792	2,014
Abaca	Bale	33,639	1,282,794

27. To what extent are difficulties contemplated in marketing exports in countries which can provide needed imports, or can pay in convertible foreign exchange?

The chief difficulties met with at present in marketing exports to countries which in prewar years provided needed imports are the lack of transportation facilities and the much reduced rate of production caused by the war.

EUROPEAN COUNTRIES

Country	1939		1938	
	Exports	Imports	Exports	Imports
Great Britain	£ 6,625,484	£ 5,961,760	£ 6,017,116	£ 5,432,927
Netherlands	6,517,454	5,907,845	5,082,032	5,833,732
France	3,522,494	1,599,749	3,184,007	2,104,958
Spain	2,085,726	170,483	310,510	160,673
Norway	410,162	172,934	448,543	139,772

ASIATIC COUNTRIES

Country	1941		1940	
	Exports	Imports	Exports	Imports
China	£ 7,520,356	£ 8,593,210	£ 3,687,494	£ 6,211,560
Hongkong	5,953,111	2,481,400	3,719,348	2,047,781
Malaya	1,092,300	370,314	934,982	144,292
Siam	917,347	489,734	388,788	1,483,015

28. What is the expected balance of payments for the years 1946-48, and, if possible, later years?

The expected balance of payments for the years 1946-1948 is shown in the attached table (Table B).

(Part of Answer to question No. 25, page 11.)

TABLE A -VALUES OF PHILIPPINE IMPORTS: 1946, 1941 and 1940

Commodity Group	1946-1948	1941	1940
TOTAL	P540,000,000	P 271,182,780	P 269,462,542
Textile fibers and manufactures..	65,000,000	60,612,038	51,683,568
Metals and manufactures	38,000,000	39,035,470	51,787,768
Electrical machinery and appliances	6,000,000	9,801,476	7,591,327
Vehicles and parts	20,000,000	10,614,482	12,300,960
Non-metallic minerals	24,000,000	29,946,662	32,198,086
Grains and preparations	55,000,000	16,010,420	14,337,679
Paper and manufactures	20,000,000	13,000,712	13,007,952
Dairy products	34,000,000	11,163,634	9,285,511
Chemicals, drugs, dyes & medicines	18,000,000	10,205,974	8,137,901
Rubber and manufactures	5,000,000	7,107,480	5,291,520
Inedible animal products.....	1,000,000	4,557,692	3,225,803
Vegetables & vegetables preparations	9,000,000	4,203,122	4,160,993
Cocoa, coffee and tea	9,000,000	4,008,606	2,710,597
Explosive, fireworks & ammunitions	1,000,000	3,769,480	3,342,456
Fish and fish products	8,000,000	3,270,096	3,045,813
Fruits and preparations	27,000,000	3,059,236	3,302,816
Meat products	3,000,000	2,479,648	2,757,142
Paints, pigments & varnishes	2,000,000	2,069,252	1,941,874
Fertilizer & fertilizing materials	17,000	1,725,348	6,966,119
Sugar, molasses and syrups	3,000,000	1,438,320	1,481,814
Soaps	1,000,000	1,289,470	796,469
Gums, resins, and oils	600,000	934,774	809,017
Wood and manufactures	1,000,000	818,028	912,045
Vegetable oils and fats, edible..	500,000	373,086	507,865
Other edible animal products.....	200,000	140,734	522,868
Nuts and preparations	1,000,000	111,650	184,827
Seeds (except oil seeds) & nursery	stk.100,000	107,778	105,582
Spices	300,000	87,550	73,274
Animals	60,000	60,772	118,098
Animal oils and fats, edible	600,000	38,836	64,774
Cork	200,000	38,360	84,821
All other	176,423,000	29,102,594	26,725,203

29. What minimum amounts of foreign credits will be required annually in 1946-1948 and, if possible, for a longer period, to cover any deficit in the balance of international payments?

With a government reserve of ₱ 670,000,000 in round numbers, the bulk of which is deposited in the United States, and with the Philippine peso pegged to the dollar, the Philippines may not expect any deficit in the balance of international payments this year or even in next fiscal year, provided, of course, that the Philippine Republic does not draw from said reserves to meet huge budgetary deficits estimated to be around ₱250,000,000 in the national budget for the fiscal year 1946-1947. The Republic, however, is not using its reserves for the purpose, and instead has passed several taxation measures calculated to cut down the reported deficit by about ₱50,000,000 thus, leaving a possible net deficit of around ₱200,000,000. It is to meet this expected net deficit that the Government has been pressing its application for loan in the United States, and indications are that the President may even go to the United States to negotiate such loans.

In the 1947-1948 fiscal year, a similar situation may occur, although the several new taxation measures may operate to cut down further the expected deficits as business may be stimulated by war damage payments reported to commence about the latter part of this year. Not until the destroyed industries are restored -- sugar, mining, coconut oil, rope, cigar, etc., will such threat to the ability of the Philippines to meet balances of international payments against her cease to be a serious problem to the new Republic.

In the meantime, as above indicated, a minimum loan of ₱200,000,000 should be granted annually to the Philippines for the next two years.

Manila, September 27, 1946

(SEAL)

true copy;

/s/ Leon Ma. Gonzales

LEON MA. GONZALES

Director of the Census and Statistics

November 19, 1946

(Part of Answer to Question No. 28 page 11.)

TABLE B -

ESTIMATED BALANCE OF INTERNATIONAL PAYMENTS OF THE PHILIPPINES
1946 - 1948

Credits Items	V A L U E (Pesos)			Debit Items	V A L U E (Pesos)		
	1946	1947	1948		1946	1947	1948
Exports of Merchandise ..	6,000,000	65,000,000	130,000,000	Imports of Merchandise	590,000,000	590,000,000	590,000,000
Receipts from foreign countries - War damages	-	100,000,000	100,000,000	Freight charges, insurance, etc.	35,000,000	35,000,000	35,000,000
Interest on government investment	1,000,000	1,000,000	1,000,000	Expenses of Filipinos abroad	100,000	100,000	100,000
Remittances of Filipinos in foreign countries ..	13,000,000	13,000,000	13,000,000	Interest on foreign capital in the Philippines	6,000,000	10,000,000	14,000,000
or Civilian tourist expenditures	200,000	200,000	200,000	Philippine government debts to be paid	8,000,000	-	-
Army and Navy expenditures including pensions to veterans	233,000,000	193,000,000	153,000,000	TOTAL DEBITS - - - - -	639,100,000	635,100,000	639,100,000
TOTAL CREDITS -	253,200,000	372,200,000	397,200,000				
BALANCE -	385,900,000	262,900,000	241,900,000				
	639,100,000	635,100,000	639,100,000		639,100,000	635,100,000	639,100,000

Republic of the Philippines

Office of the President

BUREAU OF THE CENSUS AND STATISTICS, MANILA

November 19, 1946

TO WHOM IT MAY CONCERN:

This is to certify that the attached report dated September 27, 1946 is a true copy of the statement of information furnished by the Bureau of the Census and Statistics, thru the Office of the President, in answer to a questionnaire referred to this Office by the Department of Foreign Affairs, bearing, among other things, on war damages, population, and economic conditions of the Philippines.

(SEAL)

/s/ Leon Ma. Gonzales
Director

Encl.

- - - - -

Office of the President of the Philippines

Republic of the)
Philippines) SS
City of Manila)

(SEAL)

I, EMILIO ABELLO, Chief of the Executive Office do hereby certify that Leon Ma. Gonzales, whose name appears signed to the attached certificate, was at the time of signing the said certificate, Director, Bureau of the Census and Statistics, Manila, Philippines, duly appointed and qualified and was, as such, Director, duly authorized by the laws of the Philippines to sign, the same, and that the full faith and credit are and ought to be given to his official acts; and I further certify that I am well acquainted with his handwriting and verily believe the signature and seal affixed to the said certificate are genuine.

In witness whereof, I have hereunto set my hand at Manila, Philippines, this 20th day of November, A. D., 1946.

/s/ EMILIO ABELLO

Chief of the Executive Office

REPRODUCTION OF PERTINENT PARTS OF CAPTURED DOCUMENTS

EXHIBIT D

DOCUMENT No. : 603431
AUTHOR OR OWNER : OKADA Unit
UNIT :
CAPTURED AT : Intramuros, Manila City
DATE OF CAPTURE : 24 February 1945
RECEIVED ATIS AE : 2 March 1945
RECEIVED ATIS, SWPA : 6 April 1945
TRANSLATED BY : S/Sgt FUJIMOTO, Yoshito, AUS
TRANSLATION CHECKED BY : 1st Lt KADANI, Tsuneo G., AUS
PHOTOGRAPHED ON : 25 April 1945

/s/ Sidney F. Mashbir
Sidney F. Mashbir
Colonel, S.C.
Co-Ordinator

1447
Contributions

Okada Unit

BATTALION EMERGENCY ORDER 1200

1. No. 1 Bn. is fighting desperately under enemy fire and is defending Paco station to the last. Our stronghold near the tobacco factory has been broken through.
2. No. 4 Coy and No. 5 Coy will send their reserve forces (including the reinforcements from the Okada Unit) and post them at important points around Daitoa Road to meet enemy frontal attack from the east.
3. Secure important points along the different roads east of the Daitoa Road. There is no knowing from which road the enemy may attack. Keep this in mind when posting troops.
4. Be careful to make no mistakes in the time of exploding and burning when the enemy invades.
5. Beware of guerrilla firing, etc. from behind.
6. When killing Filipinos, assemble them together in one place as far as possible, thereby saving ammunition and labour.

Disposal of the dead bodies will be troublesome, so either assemble them in houses scheduled to be burned or blown up or push them into the river.

SECRET

ALLIED TRANSLATOR AND INTERPRETER SECTION
SOUTHWEST PACIFIC AREA
RESEARCH REPORT

SUBJECT: JAPANESE VIOLATIONS OF THE
LAWS OF WAR

I.G. No. 6950
6951
B.I.D. No. 3134

DATE OF ISSUE 23 June 1945

No. 72 (Suppl 2)

SUMMARY:

SUPPLEMENT NUMBER 2 to COMPILATION PREPARED FOR,
AND SUBMITTED UNDER OATH TO "COMMISSION REGARD-
ING BREACHES OF THE RULES OF WARFARE BY THE
JAPANESE FORCES" (COMMONWEALTH OF AUSTRALIA),
12 MARCH 1944.

1. This report supplements ATIS Research Report No. 72
(previously ATIS Information Bulletin No. 10), and Suppl
1, and comprises a further record of violations of the
laws of war noted in documents on file at ATIS, GHQ.
It contains information which has become available
from 12 October 1944 to 28 March 1945.

2. Photolithographic copies of pertinent sections
of such original documents as are available with
relevant identifying data are reproduced as appendices
to this report.

3. It has not been possible in all cases to establish
definitely the existence of a violation of the laws of
war, but where data indicates the probability of such
a violation the incident has been included.

4. Report adduces evidence of one hundred and ninety-
four executions in South West Pacific Area; burning of
guerrillas in the Philippine Islands; the destruction
of property; official Japanese admission of
cannibalism; ill-treatment of prisoners of war.

GC/CHR/mf

Distribution H

/s/ Signey F. Mashbir
Sidney F. Mashbir
Colonel, S.C.
Co-Ordinator

SOURCES: Captured Documents.
Statements by Prisoners of War.
Intelligence Reports.

(INFORMATION SHOULD BE ASSESSED ACCORDINGLY)

REPRODUCTION OF PERTINENT PARTS OF CAPTURED DOCUMENTS

EXHIBIT K

DOCUMENT No. : 602558
AUTHOR OR OWNER : WO YAMAGUCHI, Yoshimi
UNIT : 10 Tank Regiment
CAPTURED AT : Vicinity of Pozorrubiro, Luzon
DATE OF CAPTURE : 30 January 1945
RECEIVED ATIS AE : 3 February 1945
RECEIVED ATIS, SWPA : 17 March 1945
TRANSLATED BY : T/2 KIMURA, Tatsushi T., AUS
TRANSLATION CHECKED BY : 1st Lt KADANI, Tsuneo G., AUS
PHOTOGRAPHED ON : 25 April 1945

/s/ Sidney F. Mashbir
Sidney F. Mashbir
Colonel, S.C.
Co-Ordinator

- - - - -

Nov. 28. Fair Zebul Spring -- quartered at Santa Rosa. Last night (27th) we were given orders for mopping up bandits. We left Zebul in the direction of Santa Rosa at 1300 hours for our new post. We had no accidents on the way and arrived at 1700 hours.

We took up quarters at the 205th Artillery Unit barracks. The opening of the attack is said to be scheduled for Dec. 1st. Information has been received that the enemy has landed more than 150 men on the eastern coast of Luzon Island by submarines, and are instigating the native bandits and doing their best to supply ammunition. There is supposed to have been a skirmish between the American and Philippine troops and the native bandits last night to the east of Santa Rosa, when they were shooting each other all night long. Recently the native bandits have become very active, in view of the imminence of the enemy landing.

We are ordered to kill all the males we find. Mopping up the bandits from now on will be a sight indeed.

Dec. 1. Fair. Santa Rosa. Preparations for the mopping-up.

During the morning we loaded the things we are to take with us. In the afternoon we rested. At 1830 hours, we were given instructions about the mopping-up, with the situation and plans explained to us in detail.

We have to set up at 0300 hours Nov. 2 and complete our preparations for departure by 0430 hours. We are to reach KABANATSAN by 0500 hours and receive our orders from the Kempei Ta commander. Refer to the maps and reference books for the first stages of the mopping-up operations.

Since the beginning of December, there have been signs of dry weather, and with the long spell of good weather, it has become hotter.

The infantry unit will go into action at 2400 hours tonight and is expected to surround the enemy by 0100 hours on the second.

The moonlight is bright and it is light as day. The infantry will find it difficult to advance as there is great danger of being detected by the enemy. May God grant them success.

As we are to attack the headquarters of three thousand American and Filipino soldiers under the command of Major MacKinsey, we feel animated and encouraged.

Rizal, which lies directly in front of our company, is where the families of the American and Philippine soldiers reside, and where the activities of the native bandits are very active.

Our aim is to kill or wound all the men and collect information. Women who attempt to escape are to be killed. All in all, our aim is extinction of personnel.

I shall sleep in high spirit tonight and shall perhaps dream of home.

SECRET

ALLIED TRANSLATOR AND INTERPRETER SECTION
SOUTHWEST PACIFIC AREA
RESEARCH REPORT

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LAWS OF WAR

I.G. No. 6950
6951
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definitely the existence of a violation of the laws of
war, but where data indicates the probability of such
a violation the incident has been included.

4. Report adduces evidence of one hundred and ninety-
four executions in South West Pacific Area; burning of
guerrillas in the Philippine Islands; the destruction
of property; official Japanese admission of
cannibalism; ill-treatment of prisoners of war.

GC/CHR/mf

Distribution H

/s/ Signey F. Mashbir
Sidney F. Mashbir
Colonel, S.C.
Co-Ordinator

SOURCES: Captured Documents.
Statements by Prisoners of War.
Intelligence Reports.

(INFORMATION SHOULD BE ASSESSED ACCORDINGLY)

ADVATIS BULLETIN NO 653

29 Apr 45

Mt CALUGONG, Northeast of PUGO, LA UNION
Prov, LUZON - 8 Apr 45. Recd I Corps ATIS
Adv Ech - 12 Apr 45. Recd ADVATIS -
21 Apr 45.

ITEM 12
605074

Bound handwritten notebook dated 19 Dec 44 -
27 Mar 45, belonging to Pvt 1st Cl MATSUOKA
Itoji of ASAMI (*6) 1111 Force (TN 64 Inf
Regt, 23 Div.), TOMINAGA (*7) Unit. 29 pp.
(Partly translated in ICAE Translation 0160,
Batch 194, Item 7).

X

Extracts:

27 Mar 45 Taking advantage of darkness, we
went out to kill the natives. It
was hard for me to kill them
because they seemed to be good people.
Frightful cries of the women and
children were horrible. I myself
stabbed and killed several persons.

VG

I myself killed several

C E R T I F I C A T E

I, Jewell A. Blankenship, 1st Lt, OIC R&I Files hereby certify that the attached International Prosecution Section Document No. 415, a portion of ADVATIS Bulletin No. 653 (Item 12-605074), being a translation of an extract from a bound handwritten notebook, dated 19 December 1944 - 27 March 1945, is an English translation of a captured Japanese document rendered into English by a competent ATIS translator.

I further certify that the original Japanese document was forwarded to the Washington Document Center, Washington, D. C.

/s/ Jewell A. Blankenship

Extract from Item 1-18892-A from ATIS S/W
Pacific Area Bulletin 2065, dated 4 June 1945.

CONFIDENTIAL

BULLETIN NO 2065

603/oj/15

TIAONG, TAYABAS Pine, LUZON - 3 May 45. Recd Sixth Army ATIS
Adv Ech - 9 May 45. Recd ATIS SWPA - 19 May 45.

ITEM 1 Diary dated 24 Apr 44 - 23 Jan 45. Owner not stated but pre- AAT
18892 sumably a member of an airfield company. 50 pp. (Partially ALF
A translated by Sixth Army ATIS Adv Ech 0490, Item I.) X

Extracts:

Nov 44 - (TN Day not stated.) I cannot remember the date, but we received information from Lipa MP Squad that approximately 30 guerrillas attacked Lipa Air Depot with hand grenades and other explosives, and 11 of them were captured. The MP squad requested that the GIGO Force dispose of the captured guerrillas. During the night we dug holes here and there in the coconut grove near the graveyard and bayoneted and killed them. I noticed that some of them were small like children. They had no strength at all since they had not eaten for the last three days since their capture by the MP unit. Their hands were tied behind their backs, and they stood in front of the holes with their heads bent slightly downward. It seemed that their minds were already made up that they would be killed, and they said nothing. Their hair was very bushy. I was irritated. Later, one by one the members of the section bayoneted the guerrillas. The first one was bayoneted by SUZUKI, Yukimatsu. My turn was the second one. The moment I bayoneted the victim he cried "Ah" and fell into the hole behind him. He was suffering but I had no emotion at all. That may be because I was so excited. After bayoneting them, we covered them with soil and laid coconut leaves on top. We returned to the company singing a military song at 2200 hours.

VV 6
"We killed them
all - and
returned
singing"

C E R T I F I C A T E

I, Jewell A. Blankenship, 1st Lt. OIC R & I Files _____
hereby certify that the attached International Prosecution Section
Document No. 426, a portion of ATIS Bulletin No. 2065 (Item 1-
18892-A), being a translation of an extract from a diary, dated
24 July 1944 - 23 January 1945, owner not stated but presumably a
member of an Airfield Company, is an English translation of a
captured Japanese document rendered into English by a competent
ATIS translator.

I further certify that the original Japanese document was
forwarded to the Washington Document Center, Washington, D. C.

/s/ Jewell A. Blankenship

1441

C E R T I F I C A T E

12 November 1946

I, Jewell A. Blankenship, 1st Lt. OIC R&I Files, ATIS hereby certify that the attached International Prosecution Section Document No. 2776 is an ATIS document, #1941, XIV Corps, ATIS, Adv. Ech., being English translations of captured enemy documents rendered into English by a competent ATIS translator.

I further certify that the original Japanese document was forwarded to the Washington Document Center, Washington, 25, D. C.

/s/ Jewell A. Blankenship
JEWELL A. BLANKENSHIP

MANILA, LUZON - 24 Feb 45. Recd XIV Corps ATIS Adv
Ech - 27 Feb 45. Recd ADVATIS - 14 Mar 45.

Notebook-diary presumably belonging to member of
 AKATSUKI 16709 Force (TN 9 Shipping Engr Regt,
 Repl Unit.), covering period 31 Jul 44 - 21 Feb 45.
 (Partly translated in XIVCAE Translation 0082,
 Batch 719, Item 13).

- 7 Feb 45 - 150 guerrillas were disposed
of tonight. I stabbed 10.
- 9 Feb - Burned 1,000 guerrillas tonight.
- 10 Feb - Guarded approx 1,000 guerrillas.
- 13 Feb - Enemy tanks are lurking in the vicinity
of BANZAI Bridge. Our attack prepara-
tion has been completed. I am now on
guard duty at Guerrilla Internment Camp.
While I was on duty, approx 10
guerrillas tried to escape. They were
stabbed to death. At 1600 all
guerrillas were burned to death.
- 8 Feb - Guarded over 1,164 guerrillas which
were newly brought in today.

144 ✓
Extract from ADVATIS Bulletin No. 710, Item ¹⁵⁻605588,
from ATIS S/W Pacific Area Bulletin 2089,
dated 28 June 1945.

ADVATIS BULLETIN NO 710

IRISAN Area, MOUNTAIN Prov, LUZON - 27 Apr 45.
Recd I Corps ATIS Adv Ech - 28 Apr 45. Recd
ADVATIS - 28 May 45.

ITEM 5
605588 Loose handwritten sheet containing battle report,
dated 13 April, presumably 1945. Issued by
Commanding Officer of IJICHI (*17) Unit. Seal
reads IJICHI and HIRANO (*18). (Partly trans-
lated in ICAET 0194, Batch 236, Item 4).

4. Number of rounds of ammunition expended -
28 rounds. (For killing natives).
5. At 1200 hours today, 22 natives passed in the
vicinity of company positions. All were
either stabbed or shot to death by the remain-
ing personnel (those who returned from suicide
assault mission, led by Superior Pvt H. YASHI
of headquarters).

C E R T I F I C A T E

I, Jewell A. Blankenship, 1st Lt., OIC R&L Files hereby
certify that the attached International Prosecution Section
Document No. 428, a portion of ADVATIS Bulletin No. 710 (Item
5-605588), being a translation of loose handwritten sheet
containing battle report, dated 13 April, presumably 1945, is
an English translation of a captured Japanese document rendered
into English by a competent ATIS translator.

I further certify that the original Japanese document was
forwarded to the Washington Document Center, Washington, D. C.

/s/ Jewell A. Blankenship

1443

DOCUMENT 2749

PALO Beach, LEYTE - 24 Oct 44. Recd X Corps ATIS Adv
Ech - 24 Oct 44. Recd ATIS SWPA - 23 Dec 44.

Bound printed and mimeographed file entitled "Police Affairs, B, No 2 (Incoming Reports on Public Order)," dated 1 Jul 43 to 12 Jan 44, issued by 14 Army MP Unit, owned by TACLOBAN MP Sec, classified "Military-Most Secret", Marked "To be kept for 5 years", seals read NAKANO (*1) and HIGASHIHARA (*2). 978 pp.

VVB
→
"On 10 July, the Japanese troops gathered all the men and boys at the church and questioned those connected with the guerrilla unit. They had them drink water and hit them on the cheeks. It was pitiful, and I couldn't watch. They also shot them or speared them to death with bamboo lances. Indeed the Japanese Army does extreme things."

DOCUMENT 2749

C E R T I F I C A T E

12 November 1946

I, Jewell A. Blankenship, 1st Lt. CIC R&I Files, ATIS hereby certify that the attached International Prosecution Section Document No. 2749 is an ATIS document, ATIS, SWPA Bulletin #1862, being English translation of captured enemy documents rendered into English by a competent ATIS translator.

I further certify that the original Japanese document was forwarded to the Washington Document Center, Washington, 25, D. C.

/s/ Jewell A. Blankenship_____
JEWELL A. BLANKENSHIP
1st Lt., Infantry

1444
DOCUMENT 2777

DAGUMBANGON, LAGUNA Prov, LUZON - 17 Apr 45. Recd XIV Corps
ATIS Adv Ech - 24 Apr 45. (Batch 1348) Recd ADVATIS - 28 May 45

Bound handwritten notebook diary dated 14 Nov 43 to 17 Apr 45,
belonging to a member of FUJITA (*1) Unit 3330 Force (TN 116
Fishing Bn.) 123 pp. (Partly translated in XIVCAET 0119 Item 1.

- 13 Feb For security reasons, all inhabitants
 of the town were killed and all their
 possessions were confiscated.
- 17 Feb 45 Because 90% of the Filipinos are not
 pro-Japanese Army Headquarters issued
 orders on the 10th to punish them. In
 various sectors we have killed several
 thousands (including young and old, men
 and women, and Chinese). Their homes
 have been burned and valuables confiscated.

DOCUMENT 2777

C E R T I F I C A T E

12 November 1946

I, Jewell A. Blankenship, 1st Lt. OIC R&I Files, ATIS hereby certify that the attached International Prosecution Section Document No. 2777 is a true and correct copy of an ATIS document, ADVATIS Bulletin No. 701, being English translations of captured enemy documents rendered into English by competent ATIS translators.

I further certify that the original Japanese documents were forwarded to the Washington Document Center, Washington, 25, D. C.

/s/ Jewell A. Blankenship
JEWELL A. BLANKENSHIP
1st Lt., Infantry

BULLETIN NO 2071

1445

Northeast of LUCBAN, TAYABAS Province, LUZON -
23 May 45. Recd 165 Lang Det, XIV Corps - 26
May 45. (Batch 1600) Recd ATIS SWPA - 2 Jun 45.

ITEM 12 Bound diary-notebook dated July 1944 - 22 May 45.
605849 Owner and unit not stated. 38 pages. (Partly
A translated in XIVC165LDT 0133, Item 5).

Extracts:

Feb 45 Every day is spent in hunting guerrillas
and natives. I have already killed well
over 100. The naivete I possessed at the
time of leaving the homeland has long
since disappeared. Now I am a hardened
killer and my sword is always stained
with blood. Although it is for my country's
sake, it is sheer brutality. May God forgive
me! May my mother forgive me!

Excellent.

I kill for my Country

C E R T I F I C A T E

I, Jewell A. Blankenship, 1st Lt., OIC R&I Files _ _ _ _ _
hereby certify that the attached International Prosecution Section
Document No. 425, a portion of ATIS Bulletin No. 2071 (Item 12-
605849-A), being extracts from a bound diary-notebook dated July
1944 - 22 May 1945, is an English translation of a captured Japanese
document rendered into English by a competent ATIS translator.

I further certify that the original Japanese document was
forwarded to the Washington Document Center, Washington, D. C.

/s/ Jewell A. Blankenship

REPRODUCTION OF PERTINENT PARTS OF CAPTURED DOCUMENTS

EXHIBIT H

DOCUMENT No. : 80107
AUTHOR OR OWNER : Maj Gen ADTSU
UNIT : 41 Infantry Group
CAPTURED AT : Danmap, Aitape Area
DATE OF CAPTURE : 31 December 1944
RECEIVED ATIS AE : 7 January 1945
RECEIVED ATIS, SWPA : 25 January 1945
TRANSLATED BY : 2d Lt BRAMLAGE, Donald L., AUS
TRANSLATION CHECKED BY : 1st Lt KADANI, Tsuneo G., AUS
PHOTOGRAPHED ON : 25 April 1945

/s/ Sidney F. Mashbir
Sidney F. Mashbir
Colonel, S.C.
Co-Ordinator

There have been a great number of illegal acts recently within the jurisdiction of this detachment especially murder, robbery and also cases aiming at the acquisition of human flesh, which seriously affect the morale of the troops. We have frequently given instructions concerning their prevention and exposure, and as they are inexcusable from the standpoint not only of military discipline, but also of humanity, our detachment is determined to completely eradicate such cases.

Furthermore, as many of these serious crimes arise from inadequate moral education, you will kindly give instruction to all ranks in the general criminal code, as set forth in the attached sheet, and the military criminal code, especially special Army orders, make them exercise self-discipline as members of the Imperial Army, and prevent these types of crime, or else quickly expose and deal with them.

Part II Common Criminal Code

1. The crime of murder.

Anyone who commits murder shall be sentenced to death or given penal servitude for life or for a term.

Part III Special Army Laws

1. For murder according to the common criminal code, those sentenced to death in the Army fall within the following categories: -

- (1) Commission against one's superior officers or sentries.
(2) Commission with intent of robbery.
(3) Commission with intent to acquire human flesh.

2. Although it is not prescribed in the criminal code, those who eat human flesh (except that of the enemy) knowing it to be so, shall be sentenced to death as the worst kind of criminal against mankind.

*If you eat enemy
OK -*

SECRET

ALLIED TRANSLATOR AND INTERPRETER SECTION
SOUTHWEST PACIFIC AREA
RESEARCH REPORT

SUBJECT: JAPANESE VIOLATIONS OF THE
LAWS OF WAR

I.G. No. 6950
6951
B.I.D. No. 3134

DATE OF ISSUE 23 June 1945

No. 72 (Suppl 2)

SUMMARY:

SUPPLEMENT NUMBER 2 to COMPILATION PREPARED FOR,
AND SUBMITTED UNDER OATH TO "COMMISSION REGARD-
ING BREACHES OF THE RULES OF WARFARE BY THE
JAPANESE FORCES" (COMMONWEALTH OF AUSTRALIA),
12 MARCH 1944.

1. This report supplements ATIS Research Report No. 72
(previously ATIS Information Bulletin No. 10), and Suppl
1, and comprises a further record of violations of the
laws of war noted in documents on file at ATIS, GHQ.
It contains information which has become available
from 12 October 1944 to 28 March 1945.

2. Photolithographic copies of pertinent sections
of such original documents as are available with
relevant identifying data are reproduced as appendices
to this report.

3. It has not been possible in all cases to establish
definitely the existence of a violation of the laws of
war, but where data indicates the probability of such
a violation the incident has been included.

4. Report adduces evidence of one hundred and ninety-
four executions in South West Pacific Area; burning of
guerrillas in the Philippine Islands; the destruction
of property; official Japanese admission of
cannibalism; ill-treatment of prisoners of war.

GC/CHR/mf

Distribution H

/s/ Signey F. Mashbir
Sidney F. Mashbir
Colonel, S.C.
Co-Ordinator

SOURCES: Captured Documents.
Statements by Prisoners of War.
Intelligence Reports.

(INFORMATION SHOULD BE ASSESSED ACCORDINGLY)

1447

Prisoner YANAGIZAWA Eiji; Australian No JA 162002, a leading private of 9 Company, 3 Battalion, 239 Infantry Regiment, ill with beriberi was captured by Australian troops at MARASUPE, near AITAPE, 25 Dec 44.

Cannibalism On 1 Nov 44 in a speech to his troops, Maj Gen AOTU, 41 Division Infantry Group commander, stated that troops must fight the Allies even to the extent of eating them.

On 10 Dec 44 an order was issued from 18 Army Headquarters that troops were permitted to eat the flesh of Allied dead but must not eat their own dead. At the time rumors were prevalent that troops were eating their own dead. 15 Dec 44 four men were executed by order of Maj MORIMOTO, commanding officer of 2 Battalion for disobeying this order.

While wandering in the jungle prisoner came across four men of his unit whose bodies had been stripped of flesh. As there were no troops other than Japanese in the area he presumed the flesh was eaten by them.

In mid Dec 44 prisoner was shown some meat by his commanding officer who said it was human flesh and that anything that looked like it was not to be eaten.

On 21 Dec 44 at MARUJIPPU, Maj MORIMOTO, 2 Battalion commander, shared out to his troops the flesh of two Australian soldiers who had been killed in action and joined them in eating it. As prisoner was ill he was unable to obtain a share.

ate 2 australian

DOCUMENT 2850

C E R T I F I C A T E

12 November 1946

I, Jewell A. Blankenship, 1st Lt. OIC R&I Files, ATIS hereby certify that the attached International Prosecution Section Document is a true and correct copy of an ATIS document, ATIS, SWPA Interrogation Report No. 692, a portion of which includes the interrogation of POW Yanagizawa Eiji, Australian No. JA 162002, a leading private of 9 Company, 3 Battalion, 239 Infantry Regiment. The brief of this interrogation was prepared by a ATIS student interrogator and only that information which appeared reasonable and accurate to Examiners checking the work has been reproduced.

/s/ Jewell A. Blankenship
JEWELL A. BLANKENSHIP
1st Lt., Infantry

Judge Advocate General's Department -- War Department

United States of America

* * * * *

In the matter of the surrender
of American Forces on Bataan
on 9 April, 1942.

Perpetuation of Testimony of
Edward P. King, Jr., Major General
A.U.S. - 02442.

* * * * *

Taken at: Room 2225 Munitions Building,
War Department, Washington, D. C.

Date: 14 January, 1946

In the Presence of: Captain E. J. Connolly, JAGD, and
Captain Philip L. Smith, Captain, JAGD.

Reporter: Arthur C. Hendrix, Civilian, Office of
The Judge Advocate General, War Crimes
Office.

Questions by: Captain E. J. Connolly, JAGD.

Q Will you please give your name and serial number, sir?

A Edward P. King, Jr., 02442, Major General, A.U.S.

Q Were you the Commanding General of the American forces on Bataan in April 1942.

A I was.

Q At what time did your forces surrender to the Japanese?

A At about 2 A.M., April 9, 1942, I sent forward with a flag of truce Col. E. C. Williams, Colonel J. K. Collier, my G-3, and Major Marshall Hurt, my Assistant G-3, to make an appointment for me to meet the Japanese Commander of their forces on Bataan with a view to surrendering. Colonel Williams was to make the appointment. Colonel Collier and Major Hurt were to get word back to me of the appointment. Colonel Collier and Major Hurt returned shortly after daylight and I started forward with my two sides, Major Cothran and Captain Achille C. Tisdelle, Jr. Colonel Collier and Major Hurt accompanied us in another car. On the way forward, although carrying large white flags on our cars, we were attacked repeatedly by light bomb and machine gun fire from low-flying Japanese planes so that we were compelled often to stop and take cover. It must have been close to 10 o'clock when I reached Lamao, the place to which Colonel Collier had directed me. At that place I was received by a Japanese Major General who informed me, through a very poor interpreter, that he commanded one division of the Japanese forces; that he had reported my coming to Japanese headquarters in the Philippines and that he had no authority to treat with me; that another officer would be sent from Japanese headquarters to treat with me and that he would make no further advance for thirty minutes while I decided what to do.

Q Do you know the Japanese General's name?

A I do not know the name of the Japanese General. After some time, no Japanese officer having arrived from Japanese headquarters, Colonel Williams called my attention to the fact that the Japanese troops had resumed their advance, and I immediately sent Colonel Collier and Major Hurt back with instructions to

direct my units in the line of the Japanese advance to display the white flag and to surrender and to go to my Command Post and direct General Funk, my Chief of Staff, to order all units to display the white flag and to give themselves up to the first Japanese who approached them. Shortly after, an officer with an interpreter arrived and I was told that the officer was a Colonel and that he was General Homma's Chief of Staff, and that he had come to discuss my surrender with me, as General Homma's representative. I was concerned only with the treatment that my men would receive and whether they would be treated as prisoners of war. The Japanese officer demanded my unconditional surrender. I attempted to secure from him an assurance that my men would be treated as prisoners of war. He accused me of declining to surrender unconditionally and of trying to make a condition. We talked back and forth in this vein for some time. I should guess about a half hour. Finally, he said to me, through the interpreter, "The Imperial Japanese Army are not barbarians". With that assurance I had to content myself and surrender.

In destroying arms and equipment in preparation for surrender, I had reserved enough motor transportation and gasoline to transport all of my troops out of Bataan. I endeavored prior to surrender, to secure an assurance that this might be done. I plead, after my surrender, that this be done, offering to furnish personnel as might be required by the Japanese for this purpose or to assist in any way that they might require. The Japanese told me that they would handle the movement of the prisoners as they desired; that I would have nothing to do with it, and that my wishes in that connection would not be considered.

Q Did your men on Bataan, at that time, have any rations?

A For some time we had been on one-fourth rations in Bataan. At the time of my surrender, I had remaining two days of issue on that limited basis, that is, one-half a ration per man.

Q Did you at any time, General, consult with General Homma during these negotiations?

A I have never seen him in my life so far as I know.

Q Did the Japanese to whom you surrendered agree to accept the surrender of your whole command?

A They would not treat with me at all until after some time and effort I convinced them that I would continue to insist that I was surrendering without General Wainwright's knowledge or authority. Then the Japanese said I could surrender myself and send my staff officers, Colonel Collier and Major Hurt back to direct my units to surrender in which case they would discontinue their attack.

Q Did the Japanese agree to treat your men as prisoners of war?

A I was able to get nothing from them except the assurance, "The Imperial Japanese Army are not barbarians".

Q General, what happened after your negotiations of surrender with the Japanese were completed?

A I was taken to Balanga where I was held all afternoon, and just before dark I was carried to Orani where I was kept until Sunday evening, April 12th, when I was carried by motor car to Camp O'Donnell.

- - - - -

City of Washington)
District of Columbia) SS

I, Edward P. King, Jr., of lawful age, being duly sworn on oath, state that I have read the foregoing transcription of my interrogation, and all answers contained therein are true to the best of my knowledge and belief.

/s/ E P King, Jr.
Edward P. King, Jr.,
Major General, A.U.S.

Subscribed and sworn to before me this 15th day of January 1946.

/s/ Edward J. Connolly, Jr.
Edward J. Connolly, JAGD.
Capt. O-2052369

C E R T I F I C A T E

I, ARTHUR A. SANDUSKY, hereby certify:

1. That I am Chief of the Document Division of the International Prosecution Section, GHQ, SCAP, and as such have possession, custody and control of original or copies of all documents obtained by the said Section.

2. That the attached photostat copy of Document 2713, consisting of a 3-page affidavit of EDWARD P. KING, Jr., Major General, A.U.S., was procured by the International Prosecution Section from the War Crimes Branch, Civil Affairs Division, Office of the Chief of Staff, War Department.

/s/ Arthur A. Sandusky
ARTHUR A. SANDUSKY

1449
DIRECT EXAMINATION

Q (By Lieutenant Raff) Will you state your name, grade, organization, and your present assignment?

A Basilio Hernandez, Major, AGA; presently Chief of Casualty Division, AGO.

Q Where do you live?

A In Manila; 949 Benavides, Santa Cruz, Manila.

Q Major, were you with the American and Filipino forces at the time of the surrender in April, 1942, on Bataan?

A Yes, I was.

Q Now, based on the records presently in the A. G. Office, and from your knowledge, having been on Bataan at the time of the surrender, can you tell the Commission the number of Filipinos, Philippine Army forces, in Bataan at the time of the surrender?

A Approximately 53,000.

Q Will you repeat that?

A Approximately 53,000.

Q Can you estimate the number of Philippine Scouts that were in Bataan at that time?

A I quite remember there were 12,000 Philippine Scouts before the outbreak of the war. I understand they were all committed to Bataan at the date of surrender, but I can't tell the exact number at the date of surrender. I know they were committed before the date of surrender.

Q Can you give us an estimate?

A Around six or seven thousand.

LIEUTENANT RAFF: You may cross examine.

CAPTAIN OTT: No cross examination.

GENERAL DONOVAN: Any questions by the Commission?

(No response.)

GENERAL DONOVAN: The witness is excused.

(Witness excused).

C E R T I F I C A T E

I, Alva C. Carpenter, Chief, Legal Section, General Headquarters, Supreme Commander for the Allied Powers, do hereby certify that Document 2879 is a true and correct copy of the transcript of the testimony offered by BASILIO HERNANDEZ in the trial of the case against Masaharu HOMMA, General, Imperial Japanese Army, before a Military Commission in Manila; and that the whole record of the case, including the transcript of all testimonies taken, as well as the affidavits admitted in evidence, are now on file with this Section.

/s/ Alva C. Carpenter
Alva C. Carpenter,
Chief, Legal Section

Witness: /s/ John R. Pritchard

Sworn to before me this 21st day
of November 1946, Tokyo, Japan.

John R. Pritchard

Capt., Inf.
Summary Court.

1450

GENERAL HEADQUARTERS
UNITED STATES ARMY FORCES, PACIFIC
OFFICE OF THE THEATER JUDGE ADVOCATE
WAR CRIMES BRANCH

APO 500
17 October 1945

MEMORANDUM TO: Prosecution Section (Report # 75)
THRU: Executive Officer, War Crimes Branch
SUBJECT: Offenses Committed by the Japanese at
Camp O'Donnell.

Surrendered at Bataan
.....
II. SUMMARY OF EVIDENCE:

april 1942
Over nine thousand American and about forty-seven thousand Filipino prisoners of war were imprisoned in Camp O'Donnell, and all had surrendered on April 1942 upon the capitulation of the American Forces on Bataan (R 6, 39). Many of them had made the so-called "Death March" from Bataan to San Fernando and thence on to Camp O'Donnell (R 20, 88, 192). As a result of this trip and the privations they had endured just prior to their surrender, all of the prisoners reached Camp O'Donnell in a state of exhaustion (R 8, 38). Upon arrival at the camp, the prisoners were searched, and some were killed by the Japanese when found to possess Japanese money or souvenirs (21, 37, 38, 105, 112, 161, 163). Other groups of American and Filipino prisoners of war were executed (R 24, 129, 196), or taken from camp under guard and never heard of again (R 7).

Most of the deaths in Camp O'Donnell were due to dysentery and malaria coupled with malnutrition, and many of these deaths could have been prevented had the Japanese furnished adequate food, shelter, clothing, water, sanitation facilities, and medicine and hospital care (R 1, 7, 8, 17, 27, 91, 117, 155, 181). The quarters provided for the prisoners were overcrowded and inadequate to protect them from the weather (R 27, 109, 142, 173). Only open latrines of the "straddle trench" type were available, but many of the prisoners were too weak from illness to use them, and flies and filth were everywhere (R 54, 81). No screens were provided for the kitchen and food was contaminated by flies from the open latrines (R 54, 134). Food was inadequate, consisting only of a bowl of rice sprinkled with salt, camotes, with occasionally a little watery soup made from greens (R 1, 109), but this was later increased until the men began to gain a little weight (R 17). The death rate mounted to

500 died
4-42 to
12-42
26,000
Filipino
died

nearly sixty per day during the first two months of imprisonment (R 27). During the first few months at Camp O'Donnell the prisoners were not allowed to use water for bathing, and conditions in the hospital were most unsanitary due to the inability of the patients to move to the latrines. There were no beds nor bedding, and the patients were crowded on the floor and under the building, with no protection from insects, flies, and the weather (R 54, 96, 99, 109, 110, 134, 158). Repeated requests for medicine and hospital equipment were refused (R 38, 133). More than fifteen hundred American prisoners of war died in Camp O'Donnell between the period 18 April 1942 to December 1942 (Ex. D); and approximately twenty-six thousand Filipino prisoners died during that period (R 9, 209).

American and Filipino prisoners were forced to stand in the hot sun without hats for many hours for minor violations of prison regulations (R 3). Others were beaten with rifles, scabbards, and bamboo poles when they fell, exhausted, while at work (R 88, 119). Beatings of the prisoners on work details by the Japanese guards, with bayonets, clubs, and pick handles were common occurrences (R 100, 121).

Many of the prisoners were forced to bury the dead, build fences, and dig latrines, though they were physically unfit to perform such labor because of illness and malnutrition (R 89, 91, 119, 129, 181).

Upon arrival at Camp O'Donnell, the prisoners were forced to place all their personal belongings on their blankets, and the Japanese confiscated all money, jewelry, watches, and equipment including medical supplies, although some of the officers were allowed to keep a blanket (R 36, 91, 114, 133, 195).

Burned
alive

The prisoners were required to bury their own dead in graves containing twelve to sixty bodies each, without regard to proper identification of the graves or positions of the bodies (R 3, 4, 84, 148). Sixty-five who died were listed as unknown (Ex. D). On some occasions they were forced to bury men who were still alive (R 24, 129). Frequently the Japanese would not grant permission to bury the dead, and bodies were left exposed to the sun for two or three days at a time before permission was granted to bury them (R 3, 54, 78).

On several occasions representatives of the Red Cross and other charitable organizations attempted to bring medicine and supplies to alleviate the condition of the prisoners, but they were turned away at the entrance to the camp (R 9, 27, 38, 55). When supplies were allowed to be brought in by charitable organizations, the Japanese confiscated much of it for their own use and only allowed the prisoners to have what was left (R 8, 38, 39).

1451

GENERAL HEADQUARTERS
UNITED STATES ARMY FORCES, PACIFIC
WAR CRIMES BRANCH

19 February 1946

MEMORANDUM TO: Prosecution Section (Report No. 209)
THRU: Executive Officer, War Crimes Branch
SUBJECT: Bataan General Hospital Nos. 1 and 2

* * *

II. SUMMARY OF EVIDENCE:

On 9 April 1942, the American forces at Bataan Peninsula surrendered to the Japanese, but it was not until about six weeks later that Corregidor and Fort Drum capitulated. During this interval, Japanese artillery on Bataan was continually duelling with the American guns on Corregidor and Fort Drum.

The chief complaint against the Japanese seems to be that they placed field pieces and tanks in close proximity to the Bataan hospital where approximately seventy-five hundred American and seven thousand Filipino patients were being treated (R 14, 93). The artillery was placed so close to the hospital that it was obvious that the Japanese intended to use the hospital as a shield against answering fire from the American guns (R 19, 25), particularly since the patients could have been evacuated (R 96). One patient saw twenty-three Japanese guns from his place in the hospital (R 34). When complaints were made to the Japanese about the proximity of their artillery, Japanese officers replied that the guns would not be moved until Corregidor surrendered to the Japanese (R 34). As a result of placing these guns so near the hospital, at least five American patients in the hospital were killed and many others wounded by gunfire from the Americans on Corregidor and Fort Drum (R 19, 25).

After the American forces on Bataan surrendered, Japanese confiscated medical supplies and almost all of the food at the hospital, leaving only some fruit juices, canned milk, and dirty, wormy, mouldy rice (R 23, 53, 85). While the prisoners and patients were forced to live on this meager diet, the Japanese soldiers were eating meals which included vegetables and meat (R 53).

An American nurse was raped by Japanese soldiers and apparently no disciplinary action whatever was taken against the offenders (R 1, 2, 15).

American prisoners were forced to haul Japanese field pieces to various locations on Bataan for use against the American forces on Corregidor (R 93).

Filipino patients who were barely able to walk, were forced to leave the hospital and join the "death march" (R 158, 166).

Prisoners' personal effects were looted by Japanese (R 85, 86).

* * *

RESTRICTED

1452

GENERAL HEADQUARTERS
UNITED STATES ARMY FORCES, PACIFIC
WAR CRIMES BRANCH

4 February 1946

MEMORANDUM TO: Prosecution Section (Report No. 189)

THRU : Executive Officer, War Crimes Branch

SUBJECT : Mistreatment and imprisonment under improper conditions of American prisoners of war at Corregidor, P. I., during summer of 1942.

* * * *

II. SUMMARY OF EVIDENCE:

The record of investigation in subject case is composed entirely of statements of repatriated American prisoners of war. These statements have been selected from a large number of such statements which were taken either in the United States or at the 29th Replacement Depot on Luzon, and it is believed that these statements accurately portray conditions at the prison camp on Corregidor. The facts are:

Shortly after the capitulation of Corregidor, approximately ten thousand American and Filipino prisoners of war were crowded into a small area, formerly the 92nd Coast Artillery Corps Garage area. Conditions were so crowded that the prisoners were unable to move during the night without disturbing sleeping companions who were packed side by side. No shelter whatsoever was furnished to protect the prisoners from the rain or from the heat of the sun. Sanitary facilities consisted only of an open slit trench, and no chemicals or disinfectants were made available to improve the sanitary conditions. Water was obtained from two wells which were sunk below sea level, and the water was salty and unpalatable. The prisoners were given inadequate food, although ample supplies were available and stored in the tunnels of Corregidor (R 15, 16, 17, 19, 26). The men were forced to load captured American supplies on Japanese ships (R 26). Many of the prisoners were suffering from illness, some had been wounded in combat, and all were suffering from the privations endured in the days preceding the surrender. Yet in spite of the great need for medicine and medical care, none was furnished (R 13, 26). The Japanese guards brutally beat the American prisoners at the slightest provocation or for minor infractions of the rules (R 4, 9, 13, 20, 22). As a result of the above conditions and treatment, many of the prisoners died (R 20, 36).

* * * *

Hawood Grod Beatrice
1453

For the WAR CRIMES OFFICE

Judge Advocate General's Department -- War Department

United States of America

- - -

In the matter of torture methods
employed by the Japanese at Pasay
and Nichols Field, P.I., between
8 September 1942 and 14 July 1944.

Perpetuation of Testimony of
James Edward Strawhorn, Sgt.,
ASN 6 398 230, CAC (Unassigned)

* * * * *

Taken at: Greenville Army Air Base, Greenville, S.C.
(Base Intelligence Office)
Date: 16 July 1945
In the presence of: William A. Allen, Jr., Special Agent, Security
Intelligence Corps, Credentials No. 920 (PMGO)
Reporter: Mrs. Martha W. Cochrane, Secretary, Base Intelligence
Officer, Greenville Army Air Base, Greenville, S.C.
Questions by: William A. Allen, Jr., Special Agent, Security
Intelligence Corps, Credentials No. 920 (PMGO)

Q State your name, rank, serial number and permanent home address.

A James Edward Strawhorn, Sgt., ASN 6 398 230. Home address is RFD #3, c/o
J. M. Strawhorn, Pelzer, South Carolina.

Q Are you married?

A No, I am single.

Q Where were you born and on what date?

A New Bedford, Mass., May 1, 1916.

Q What education did you have?

A I finished High School -- eleven grades.

Q What did you do before entering the Army?

A I was just out of school when I enlisted in the Army.

Q Have you recently been returned to the United States from overseas?

A Yes.

Q Were you a prisoner of war?

A Yes.

Q At what places were you held and state the approximate dates.

A We surrendered on May 6, 1942. There is a gap from that date to May 26,
1942 when we were sent to Cabanatuan. In the meantime we were, I believe,
at Waw Waw, Batangas Province. We stayed at Cabanatuan until September 8,
1942 on which date we were moved to Pasay and remained there until July 14,
1944 when we were sent to Bilibid where we remained until February 4, 1945, on
which date we were liberated by troops of the 1st Cavalry Division, Company C,
148th Infantry Regiment of the 37th Infantry Division.

Q Did you witness any atrocities or mistreatment of American citizens at any
time?

A Yes. I would like to tell you about the torture methods employed by the
Japanese at Nichols Field, P.I., between 8 September 1942 and 14 July 1944.

Q State what you know of your own knowledge about those incidents.

A The men were allotted a certain amount of work to be done each day. Due to
physical conditions of the men and to weather conditions, it was in most

31 Inf Reg. Hq. - Bataan
"Gould + Doyle"
Hob

instances impossible to perform the required amount of work in the time allotted. If the assigned tasks were not completed within the time limit, the men would be lined up and flogged by Japanese armed with pick handles, rifle butts, etc. In such instances, many arms, legs and backs were broken and if a man fell to the ground, the Japanese would beat him over the head until he was unconscious. This was a common occurrence. It was amazing to me how men could take such punishment and still survive. I personally have been beaten unconscious.

Another form of torture was to make a person stand at attention in the hot sun with a bucket full of water on his head. If any of the water was spilled, the man was beaten as indicated above.

Another common practice was to tie a man to a board with his head lower than his feet and then pour salty water into his mouth. In that position, he had to swallow and the brine solution would cause his stomach to swell. The Japanese would then jump on his stomach with their feet. In like manner the Japanese often forced a water hose down a prisoner's throat and thus filled his stomach with water until he became painfully swollen and then they would jump on his stomach.

Still another form of punishment was to tie a man's hands behind his back and draw his hands up between his shoulders with a rope suspended over the limb of a tree and let him hang with his feet just off the ground. This usually pulled both arms out of socket. While at this camp, I personally hung as long as 24 hours in that position. No food or water was given during that time and I was under no shelter, exposed to the searing sun all day and to a heavy downpour of rain during the night. During this time, I was beaten with plaited rope and hit about the face and head with a pistol butt. This occurred in September 1943.

On one occasion, my hands were tied behind my back and I was forced to kneel on the ground. A piece of timber was placed behind my knees and I was made to squat on that piece of timber. This resulted, as a rule, in dislocation of the knee joints and cut off all circulation. I was forced to remain in that position for about three hours.

It was common practice for any and all Japanese to abuse prisoners of war by hitting them over the head with tent stakes, pistol butts etc., for any and all minor offenses and quite often for no offence whatsoever.

The above recounted torture methods were administered by W/O Kajuki and several of his aides. The aides are recalled only by the names of "Pistol Pete", "Saki Sam" and "Cherry Blossom". There was also a Warrant Officer at this prison camp who was known only as "Harvard" because he was a graduate of Harvard University. He spoke, read, and wrote English exceptionally well. He, too, participated in administering the above described punishments. The above torture methods, it is believed, were committed and witnessed by higher authority, including the Admiral in charge of Pasay Camps, without any interference.

*Harvard Grad -
Beat us*

/s/ James E Strawhorn
/t/ JAMES EDWARD STRAWHORN, Sgt.
ASN - 6398230, CAC (unassigned)

State of:)
County of:) SS

I, James Edward Strawhorn, of lawful age, being duly sworn on oath, state that I have read the foregoing transcription of my interrogation and all answers contained therein are true to the best of my knowledge and belief.

/s/ James E Strawhorn
/t/ James Edward Strawhorn, Sgt.
ASN - 6398230, CAC (unassigned)

Subscribed and sworn to before me this 31st day of July 1945.

/s/ Eugene J Twindlen, Capt MA
Notary Public, Summary Court
Moore Gen Hosp, Suannanna, NC

I, William A. Allen, Jr., Special Agent, Security Intelligence Corps, Credentials No. 920 (PMGO), certify that on 16 July 1945, personally appeared before me James Edward Strawhorn, Sgt., ASN - 6398230, and gave the foregoing answers to the several questions set forth; after his testimony had been transcribed, the said James Edward Strawhorn read the same and affixed his signature thereto.

Place: Pelzed, S. C.

/s/ William A. Allen, Jr.
Signature
Special Agent, S.I.C.
(Rank and Organization)

Date: 19 July 1945

CERTIFIED A TRUE COPY:

James P. Healey, Jr., 1st Lt. JAGD
JAMES P. HEALEY, JR., 1st Lt., JAGD

C E R T I F I C A T E

I, T. R. C. King, Major, Inf. (TD), Executive Officer, Legal Section, General Headquarters, Supreme Commander for the Allied Powers, do hereby certify that the attached mimeographed copy of the affidavit of JAMES EDWARD STRAWHORN is a true and correct reproduction of the original affidavit; and that a signed and sworn copy of said affidavit is presently on file with this Section.

/s/ T. R. C. King
T. R. C. King,
Major, Inf. (TD)

Witness: /s/ John R. Pritchard

Sworn to before me this 15th day
of November 1946, Tokyo, Japan.

/s/ John R. Pritchard
Capt. Inf.
Summary Court

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
LEGAL SECTION, MANILA

APD 500
17 April 1946

MEMORANDUM TO: Prosecution Section (Report No. 285)
THRU: Executive Officer, Legal Section, Manila
SUBJECT: Death march of prisoners of war from Camp Keithley
to Iligan, Lanao, Mindanao, P. I., 4 July 1942.

* * *

II. SUMMARY OF EVIDENCE:

The Filipino and American forces which surrendered to the Japanese in the Lanao area on 27 May 1942 were concentrated in Camp Keithley (Report No. 284). On 4 July 1942, the prisoners were made to march from Camp Keithley to Iligan, Lanao, a distance of about thirty-six kilometers, for the purpose of taking them from there to Malaybalay, Budidnon (R 1). During the march, a prisoner who was sick and unable to keep pace with the rest was shot. No food or water was given the prisoners. As a consequence, one died from drinking dirty water which he tried to purify with iodine (R 2)

* * *

1453

GENERAL HEADQUARTERS
UNITED STATES ARMY FORCES, PACIFIC
OFFICE OF THE THEATER JUDGE ADVOCATE
WAR CRIMES BRANCH

AG 000.5 (18 Aug 45) JA

AP0 500
18 August 1945

SUBJECT: Report of War Crimes Branch on Atrocities

TO: The Judge Advocate General
Washington 25, D. C.

* * *

IV. SUMMARY OF THE TESTIMONY:

On 1 August 1942, Barta, Bogue, and McDole arrived at Puerto Princesa, Philippine Islands (pp. 3, 5, Ex. B; p. 6, Ex. C) and presumably, Balchus, Koblos, Neilsen, Pacheco and Smith arrived at the same time (par. 10, p. 2, Ex. A) while Petry arrived sometime after 16 August 1943 (par. 25, p. 4, Ex. A). All prisoners present were put to work on an airfield (pp. 2, 5, 8, Ex. B) in the scorching sun, with inadequate food, water, clothing and the simplest of tools (p. 6, Ex. C). On 9 or 11 August 1942, six men, viz Buddy Henderson, USMC, Sidney Wright, USMC, Davies, USMC, Bobby Hodges, USN, Elliot, USN and the sixth unknown, attempted an escape, whereupon all prisoners were placed on one-third rations for three days, enclosures reinforced, sentries increased, and movements restricted. (Par. 27, p. 4, Ex. A; p. 5, Ex. B; p. 6, Ex. C).

Two prisoners sustained broken arms for picking a papaya from a tree within the compound, the punishment being inflicted by a cook named Nishitani (p. 6, Ex. C). Staff Sergeant Mullin's arm was broken because he refused to admit defeat and was forced to work with his arm in a sling (p. 7, Ex. C).

Another escape on 29 August 1942 by Joe Paul Little, USN, and Charlie Watkins, USN, resulted in a similar reduction of rations (p. 5, Ex. B; p. 7, Ex. C). For possessing a small portion of corned beef and talking to a Filipino, six men, Jimmy Barna, USMC, Laidlaw, USN, Jack Taylor, USMC, Yoder, USN, Robert Brown, USMC, the sixth unknown, were tied to a coconut tree in the center of the compound and were beaten with a small wire whip and a pole 3" or 4" in diameter until loss of consciousness, whereupon they were revived with water and the torture continued. The six were then returned to Manila (p. 7, Ex. C; p. 5, Ex. B). The prisoners had no access to medical supplies, one or two men were beaten every day and an appendectomy was performed on McDole without anaesthetic (p. 5, Ex. B).

In February, 1943, Sergeant Swift, USMC, Robert Pryor, MM 1c, Private Sloat, MC, U.S. Army and Hansen U.S. Army, escaped during the night and were missed the following morning, but a search resulted in the capture of Sloat and Hansen, who were placed in a Kempei (Jap Military Police) dungeon. It was later learned that Pryor was decapitated in

northern Palawan and his head placed on exhibition. (p. 7, Ex. C). On 28 June 1943, Pfc. Seldon T. White, USMC, and Wilson, USN, temporarily escaped but were recaptured on 4 July 1943, and severely beaten before being turned over to the Japanese Military Police, who put them on a truck which drove off. They did not return, and the Filipinos and Japanese stated that they were shot (pp. 7, 8, Ex. C).

One afternoon Charles Street was missing from muster and ten men were immediately locked in the brig and subjected to severe beatings. Jack Ward was beaten with a section of an iron pipe. Street had not tried to escape but had lost his way back to camp and when he returned the prisoners were released from the brig and Street incarcerated and beaten (p. 2, Ex. B).

John M. Stanley, for no reason at all, was struck over the head with a pick handle, causing a gash three inches long (p. 3, Ex. B). Men were required to work on the airstrip during raids (p. 2, Ex. B).

In September 1943 Jim Flynn, Boatswain Mlc USN, was accidentally killed by a landing dive bomber, and he was denied a decent burial (p. 8, Ex. C).

A rule was imposed providing for the execution of ten prisoners for each one that escaped (pp. 2, 8, Ex. B; p. 8, Ex. C).

Following raids by 17 B-24's on 19 and 28 October 1944, the prisoners were ordered to build air-raid shelters consisting of three trenches, five feet deep, four feet wide, and of sufficient length to accommodate 50 men. There was to be an overhead covering with only one entrance but due to American officers' continual suggestions, two entrances were permitted, one at each end. Some men had individual fox-holes in the small enclosures surrounded by double barbed-wire strands two meters high and closely interwoven. (Par. 30, p. 4, Ex. A; pp. 1, 3, 9, Ex. B; p. 9, Ex. C). The Special Company shelter was near the fence in the rear of the compound, from which a passageway led into the one for "B" Company, about one meter away. The third for the use of "A" Company was near the side fence of the compound (p. 3, Ex. B; pp. 10, 11, Ex. C).

After each raid the Japs seemed to take the attitude that the prisoners were the cause of the bombings and treatment became worse (par. 29, p. 4, Ex. A). The number of prisoners varied from time to time as new prisoners arrived and replacements were sent to Manila. However, on 14 December 1944 there were 150 in prison (par. 29, p. 4, Ex. A; pp. 1, 9, Ex. B). About 0200 14 December 1944 two Jap officers informed the men while in barracks that they were going to work early the next morning. So, they began at dawn but were called back at noon, which caused the Americans to sense something strange. There were two air raids during lunch and extra guards were placed around the compound. During the early afternoon another air raid warning was sounded and the men were forced into their shelters (par. 29, p. 4, Ex. A; p. 10, Ex. C) and required to remain under cover, the Japs saying that there were hundreds of American planes approaching (p. 5, Ex. B; pp. 9, 11, Ex. C). When everyone was securely below the ground, between 50 and 60 Jap soldiers, armed with light machine-guns, rifles, and

carrying buckets of gasoline, attacked the unsuspecting, defenseless prisoners in the first shelter where there were approximately 40 of "A" Company. They first threw a lighted torch into the entrance and followed it with a bucket or two of gasoline (par. 29, p. 4, Ex. A; p. 3, Ex. B) which exploded, setting everyone within on fire (pp. 5, 9, Ex. B; p. 10, Ex. C). As screaming men ran from the shelter, they were mowed down by machine guns and rifles (pp. 1, 6, 9, Ex. B; p. 10, Ex. C) while others, realizing they were trapped, ran to the Japs and asked to be shot in the head, but the Japs laughingly would shoot or bayonet them in the stomach. When the men cried out for another bullet to put them out of their misery the Japs continued to make merry and left the men to suffer, twelve men being killed in this manner (par. 31, p. 5, Ex. A). Captain Sato, commander of the Jap garrison at the camp, walked over to C. C. Smith, Signal 2c, USN, and split his head open with his saber (par. 29, p. 4, Ex. A). The Japs started shooting everything in sight, poked guns into the foxholes and fired them, threw hand grenades, while throughout Sato was laughing and shouting, urging the men to greater effort (par. 29, p. 5, Ex. A). Men were thrown into holes while still alive and covered with coconut husks (par. 31, p. 5, Ex. A). Some escaped through a hole in their dugout, while 30 or 40 others successively tore barehanded through barbed wire fences and ran to the water's edge (par. 29, p. 4, Ex. A; p. 9, Ex. B; p. 10, Ex. C). Those who attempted to swim the bay were shot in the water from the shore or from a barge moving just off shore (par. 30, p. 4, Ex. A). Still others who sought refuge in crevices were hunted down and dynamited (pp. 1, 9, Ex. B; p. 10, Ex. C). Bogue located Barta, Petry, Pacheco, and Martyn, and about 2100 hours they swam the bay to safety. For five days and nights, without food or water except rain, Bogue tramped through the jungle until rescued by Filipino prisoners at Iwahig Penal Colony where he met McDole. They were taken further south to Aborlan where Barta joined them, whereupon the three proceeded to Brooke's Point and were picked up 21 January 1945 by a PBY from Leyte (p. 10, Ex. C).

Neilsen reached the beach and covered himself with coconut husks for three hours. He was discovered but feigned death and was left by the Japs and crawled into a cove, finding 15 Americans, eight of whom were subsequently killed from a barge. When a group of Japs approached the cove Neilsen dived into the water, was struck in the leg, head, and ribs by bullets, but nevertheless kept on swimming as the Japs continued shooting, was washed seaward by a strong current, finally reached the other side of the five-mile bay at 3:00 p.m. and remained in a mangrove swamp until noon the next day when he moved into a coconut grove where he was found by a Filipino who led him to Petry and Pacheco, and was later joined by Balchus (par. 31, p. 5, Ex. A). The latter had been hiding in the underbrush with Deal, while the Japs were firing at Neilsen. They moved along the beach and picked up Williams and Daniels. Balchus and Deal separated from the others when an argument arose as to the best plan for an escape, and decided to approach the top of the cliff, giving up the idea of swimming the bay as Deal had a shoulder wound (par. 32, p. 5, Ex. A). Five Japs heard them and started to investigate; two of the Japs moved further down the cliff but the three others came directly towards the two men. It was quite dark at this time and the Japs were

using torches. As one of them came within a few feet of the two men, Balchus hit him on the head with a big piece of coral and they then jumped the other two. These Japs were killed but reinforcements started moving towards the vicinity of the row. Balchus and Deal moved a short distance from each other and when some Japs got in between them, Deal ran over the cliff and Balchus ran down the beach, dived into the water and swam the bay. Hearing gunfire back on the beach he assumed that the Japs had killed Daniels and Williams (par. 32, p. 5, Ex.A).

The Filipinos had the four men change to civilian clothing and took them to Brooke's Point, picking up Smith at the southern Penal Colony and Koblos at Aborlan. They stayed at Brooke's Point until 6 January 1945 when they were picked up by the "Catalina" (par. 33, p. 5, Ex.A).

Barta with four others, including Pacheco, Petry and Bogue started to swim the bay between 2000 and 2100. He became unconscious about half-way across and when he regained his senses he was floating out of the mouth of the bay but only about 50 yards from the shore which he managed to reach about sunrise the next morning. After being in the jungle 10 days he reached the Philippine Penal Colony from which he was taken to Aborlan, where he met McDole and Bogue and all were then taken to Brooke's Point (pp. 4, 6, 10, Ex. B; pp. 10, 11, 12, Ex. C).

Bogue, after being in the jungle five days and nights was also rescued by the Filipino prisoners at Iwahig Penal Colony (p. 10, Ex. B).

McDole saw six Japs torturing one American with bayonets when another Jap joined the group with a bucket and torch. While the American screamed to be shot, the Japs poured burning gasoline on one foot, then on the other until he collapsed, whereupon they poured gasoline over his body and ignited it (p. 6, Ex. B).

McDole stayed with Hamrick, whom he found on the beach, until the latter died of gangrene on 18 December 1944 from a bullet wound in the arm. Covering the body, McDole swam the bay to Iwahig Penal Colony shortly after dawn and in the late afternoon started out again but because of exhaustion had to remain on a fish trap all night, from which he was rescued by Iwahig prisoners gathering their fish, and he, with Bogue, was sent to Brooke's Point on 7 January 1945, from whence the PBY picked them up 21 January 1945 (pp. 6, 7, Ex. B; p. 12, Ex. C). Martyn swam the bay but did not contact the others (p. 13, Ex. C).

That night the Kojima Tai officers, in company with personnel from the Kempei Tai and the Obayashi Tai, held a celebration to commemorate the incident (p. 2, Ex. E).

Following the landing by American Forces at Puerto Princesa, Palawan, on 28 February 1945 a search of the POW enclosure was made and identification tags, certain personal items, and fragmentary records concerning American personnel were obtained (p. 1, Ex. D).

Between the 15 and 23 of March 1945, seventy-nine individual skeletons were buried by the 3rd Platoon,

601st QM Co. (GR). Twenty-six of these skeletons were found piled four and five high in one excavation. Bullets had pierced the skulls and they had been crushed with blunt instruments. Nine dugouts were inspected and the supporting planks were charred near the openings indicating a flash fire of intense heat but of short duration, resembling the results of a gasoline fire.

The smallest number of bodies were found in the largest dugouts which were closest to the cliff and furthest away from the prison buildings. Most of the bodies were huddled together at a place furthest away from the entrance where twenty-six bodies were taken from one hole which was not a dugout. In two dugouts (closest to the cliff) bodies were in prone positions, arms extended with small conical holes in the fingertips showing that these men were trying to dig their way to freedom (pp. 1, 2, Ex. 2 of Ex. D).

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For the War Crimes Office

Judge Advocate General's Department -- War Department

United States of America

* * * * *

In the matter of the failure of the Japanese to provide adequate medical treatment and adequate medical supplies and food at Tayabas, Luzon, resulting in the death of unknown numbers of American soldiers.

1456
*Perpetuation of Testimony
of Charles Thomas Brown,
Major, O-301813

* * * * *

Taken at: District Intelligence Office, San Antonio, Texas.
Date: 10 May 1945.
In the Presence of: Special Agent James C. Fitzgerald, Security and Intelligence Division, Headquarters Eighth Service Command, ASF. Maxine B. Stitt, Clerk-Stenographer, District Intelligence Office, San Antonio, Texas

Questions by: James C. Fitzgerald, Special Agent, SIC.

Q State your name, rank, serial number and permanent home address.

A My name is Charles Thomas Brown, Major, M.C., ASN O-301813, and my address is 311½ Bluebonnet Boulevard, San Antonio, Texas.

Q Have you recently been returned to the United States from overseas?

A Yes, I returned to Letterman General Hospital, San Francisco, California, on 16 March 1945.

Q Were you a prisoner of war?

A Yes, a prisoner of the Japanese.

Q At what places were you held and state the approximate dates?

A I was captured on 10 April 1942, at Mariveles on Bataan. I remained on Bataan at Field Hospital No. 1, until 18 June 1942. On that date I was moved to Bilibid Prison in Manila and on 19 June I went on a work detail to Tayabas and remained there until 10 July 1942. On this date I was returned to Bilibid Prison and remained there until 4 February 1945, when I was liberated by the American Forces.

Q Are you a practicing physician?

A Yes, I am.

Q Outline your medical education and your previous practice.

A I attended Baylor University, School of Medicine, at Dallas, Texas, and received my M.D. degree in 1932. Upon graduation I began my internship at Robert B. Green Memorial Hospital San Antonio, Texas, and remained there for one year. I began private practice in medicine in 1933, at San Marcos, Texas, and after practicing for one year there I went on active duty with the U. S. Army Medical Corps, and I have remained on active duty as an officer in the Army Medical Corps since that time.

- Q Are you familiar with the circumstances surrounding the failure of the Japanese to furnish proper medical treatment, supplies and food to American soldiers on work details at Tayabas, Luzon, which resulted in the death of an unknown number of American soldiers?
- A Yes, I am.

Q State what you know of your own knowledge about such failure on the part of the Japanese.

A On 19 June 1942, the Japanese ordered the Senior medical officer at Bilibid Prison, Manila, to furnish two medical officers and four medical corpsmen to go on detail. I volunteered to go on this requested detail. At that time thirty dying Americans had been brought into the prison hospital by the Japanese and we were told that other men were dying and hence the necessity for sending medical personnel to the suffering prisoners on the work detail. On or about the morning of 20 June, Captain Paul Ashton and four medical detachment corpsmen, whose names I do not now recall, and I were taken by truck to the province of Tayabas in southern Luzon to a point twenty kilometers from a town called Calauag. We arrived there at night and found in a small creek bed about three hundred American soldiers, sailors and marines in most pitiful conditions, some at the point of death, three already dead, and the living suffering from malaria, dysentery and malnutrition. The Japanese furnished us no medical supplies and Captain Ashton had only a small medical field pouch. This was all of the medicine we had. The Japanese then told us that medicine would come later. These three hundred men had been here for about three weeks having been picked at random from the survivors of the "Death March" at Camp O'Donnell. All were in poor physical condition when they were taken from Camp O'Donnell by truck. They were removed from Tayabas for the purpose of building a road through an almost impenetrable jungle. When we arrived we were told that thirty men had already died from dysentery, malaria and exposure, and the survivors were sleeping on the ground in the rocky creek bed, drinking filthy water from the creek, and living in the open without cover. These men were forced to work from daylight to dark. Men who were almost dead from malaria and dysentery were forced to work in the sun without clothing, cover or shoes, with a wheelbarrow, pick and shovel. Men were frequently beaten by guards for stopping to relieve themselves. Men too weak to work were beaten and prodded along by Japanese guards with pick handles, bayonet scabbards, or any other object they found around. When we arrived this had been going on for three weeks. Captain Ashton, who was in charge of our medical detail, immediately requested the Japanese to allow the medical detachment a free hand and asked that the dying men be allowed to rest and asked for supplies. I also interceded with the Japanese at various times on behalf of the sick. The food at the time of our arrival might be considered sufficient and had been for the previous three weeks, but due to severe illness from malaria and dysentery, men were unable to eat. This food was a stack pile of captured American food consisting of various canned goods. After the arrival of the medical detachment the food began to run out and at the end the detail survived on rice alone. It was impossible to prepare food due to the lack of cooking facilities and all food was prepared in one iron wheelbarrow with a fire built under it. The death rate for the next three weeks after my arrival was from three to four men a day. These men were buried near the camp site and given a decent burial. In order to keep the living clothed they had to strip the dead of their clothes. An accurate list of the dead was kept all the while by Captain Paul Ashton and has been, I believe, turned in to authorities at Letterman General Hospital. As time went on at the camp, conditions became worse and with flies and mosquitoes it was impossible to maintain sanitary conditions. We had no netting, no beds, although the Japanese guards had tents or Nipo barracks. On two occasions, in the last of June, as I remember, the Japanese medical officers inspected this work camp but did nothing to ameliorate conditions, although they promised aid. I do not remember the officer allowed us to send back to the prison hospital at Bilibid, thirty of the men in the most serious physical condition. Also on or about 1 July I believe the truck that took the thirty men to Bilibid brought the supplies back. We received some medical supplies from the Japanese which consisted only of a few hundred quinine tablets and a small amount of bandages, gauze and iodine, and possibly a few other items of no consequence. There were not enough medical supplies

sent by the Japanese to take care of ten men and there was not over five pounds of supplies in all. Captain Ashton made daily requests for medical supplies without success. Every effort was made on the part of the medical detachment to relieve conditions of the sick but without medical supplies little could be accomplished. On 10 July 1942, the Japanese medical officer again allowed us to send thirty men in the most serious condition to Bilibid Prison. I accompanied these men to Bilibid at the order of Captain Ashton, due to the fact that I was suffering from severe beri beri. Captain Ashton and the four corps men remained at the camp for about two or three weeks longer and then they were brought in with the survivors. I do not remember how many survived out of the original three hundred men. During the period I was there possibly fifty men died. I do not remember exactly how many. Had we been furnished with medical supplies and had we been able to improve living conditions, many of these men could have been saved. In my opinion, it was criminal to send these men to Tayabas from Camp O'Donnell as they had not received from the privations of Bataan and almost all of them had made the "Death March" from Bataan. I state unqualifiably that I hold the Japanese government responsible for the death of every American who died at this camp. We called the attention of the Japanese to the terrible conditions daily and told them that these men would all die unless the Japanese would provide necessary clothing, quarters, food and medical supplies. Upon arrival at Bilibid Prison many of the survivors died as a result of their privations at Tayabas. I cannot state who the Japanese were who operated this camp, but I believe that Captain Ashton, who is now at Corona, California, has information as to the identity of these Japanese. As I recall, it was the general opinion that the troops in charge of this work detail were engineer troops from Osaka, but I cannot be sure about that.

/s/ Charles Thomas Brown
Charles Thomas Brown, Maj.,
USA

State of Texas)
) SS
County of Bexar)

I, Charles Thomas Brown, of lawful age, being duly sworn on oath, state that I have read the foregoing transcription of my interrogation and all answers contained therein are true to the best of my knowledge and belief.

/s/ Charles Thomas Brown
Charles Thomas Brown, Maj., USA

Subscribed and sworn to before me this 12 day of May 1945.

/s/ A. C. Mogford
A. C. Mogford
Captain, Inf.
Summary Court Officer

C E R T I F I C A T E

I, James C. Fitzgerald, Special Agent, Security and Intelligence Division, Headquarters Eighth Service Command, ASF, certify that on 10 May 1945, personally appeared before me Charles Thomas Brown, Major, O-301813, and gave the foregoing answers to the several questions set forth; that after his testimony had been transcribed, the said Charles Thomas Brown read the same and affixed his signature thereto in my presence.

/s/ James C. Fitzgerald
JAMES C. FITZGERALD

Place: San Antonio, Texas
Date: May 12, 1945
CERTIFIED TRUE COPY:
E. T. Edrington
WOJG, AUS

Special Agent, SIC

U.S.A. vs. Masaharu HOMMA
Prosecution Exhibit No. 322
Received 15 January 1946

RESTRICTED

1457

GENERAL HEADQUARTERS
UNITED STATES ARMY FORCES, PACIFIC
WAR CRIMES BRANCH

19 February 1946

MEMORANDUM TO: Prosecution Section (Report No. 210)

THRU : Executive Officer, War Crimes Branch.

SUBJECT : Transportation of prisoners of war under improper conditions from Davao Penal Colony, Mindanao, P.I. to Manila, P.I. from June 6 to June 26, 1944.

* * * *

II. SUMMARY OF EVIDENCE:

Sometime during the first week in June, 1944 between 1,200 and 1,500 American prisoners of war were transported by truck from the Davao Penal Colony to Davao City. The men were tied together by rope around their waists and crowded into trucks. They were blindfolded and required to keep their hands in view. Many of the sick prisoners and even amputees on crutches were required to stand during the 25-mile-trip. If it was thought that any of the men were peeking, they were struck with clubs or rifle butts by the guards. Many were suffering from beri-beri and during the rough trip their flesh was rubbed raw against the sides of the trucks. Some men fainted and were held up only by the rope, tying the prisoners together, and this in turn, cut off the circulation of blood of the prisoners near by. (R 1, 6, 11, 17, 26, 27, 30, 37, 44). When they arrived in the port at Davao, the men were loaded into two holds of a small unmarked freight ship that had not been cleaned since carrying a cargo of coal. The ship stayed in the harbor a few days and then sailed with a convoy. The more seriously ill were in one hold where there was room for them to lie down in a crowded condition. The ship traveled close to the shore during the day and anchored at night. The prisoners were allowed a free run of the ship until they were near Zamboanga where a Lt. Colonel John MAGEE and a Lt. ILLIS escaped over the side of the ship. For the remaining days of the trip the prisoners were required to stay in the hold. There was not enough room for them to lie down and it was necessary for them to sleep in shifts. The only latrine facilities were a few 5-gallon cans that were lowered into the hold. As many of the men were suffering from dysentery and diarrhea they often were forced to relieve themselves before these latrine cans became available. The hatches were kept almost completely covered. The men never had enough water to drink and what was provided was not completely distilled. The temperature of the hold was estimated at 120 to 125 degrees Fahrenheit and many suffered from heat prostration. The food consisted of small amount of rice and thin soup. Some of the soup had been made from spoiled meat which probably aggravated the sickened condition of the men. After the escape of the two officers, the rations were decreased so that it was estimated that the Americans received about one-sixth of the amount received by the Japanese (R 2, 7, 11, 12, 13, 17, 20, 23, 27, 30, 33, 37, 45, 46, 47, 51, 54).

Around 12 or 14 June 1944, the ship arrived at Cebu where the men were all put ashore. Many of them had to be carried because of their weakened condition. The seriously ill were crowded into a barracks and the others were put into a small open area inside an old Spanish fort believed to have been called Fort San Pedro. It rained part of the time and the prisoners were given no shelter either day or night. There were no latrine facilities and the men had to designate latrine areas on the open ground (R 2, 13, 27, 47, 54).

*AM**6 Weeks - 1 week*

After two or three days at Cebu, the prisoners were loaded into the holds of another larger unmarked former coal ship. It was infested with rats and mice. Though this ship was larger, they were crowded worse than before. The physical condition of the men was worse as they were weak and sick from malnutrition. Some of the men were unable to stand, their nerves were shattered and their rations were so small that fist-fights occurred over a spoonful of rice. The men were not allowed on deck. The sanitary facilities again consisted of 5-gallon cans and because of illness many of the men were unable to control their bowels. The ventilation, food and sanitary conditions on this ship were in general the same as on the previous ship. However, some medical supplies were finally given to American medical officers. About 24 June 1944, they arrived in Manila Bay. On 26 June 1944, Lt. William VEDEN of Minneapolis, Minnesota, died. This is the only death recorded during the voyage. The men disembarked at Pier 7. The litter patients were taken by truck to Old Bilibid Prison in Manila, while the others were compelled to walk through the streets to Bilibid (R 2, 3, 7, 14, 17, 20, 27, 30, 37, 54, 55). Later, most of the men were sent to the Cabanatuan Prison Camp. Bilibid and Cabanatuan are the subjects of separate reports.

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Witness = Col -

TABON

$\frac{1}{2}$ hr after court adjourned the six men were shot.
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Brooks - 2.10 Refused Jil Judge absent

C E R T I F I C A T E

I, T. R. C. King, Major, Inf. (TD), Executive Officer, Legal Section, General Headquarters, Supreme Commander for the Allied Powers, do hereby certify that the attached photostatic copy of the affidavit of MAJOR CHARLES THOMAS BROWN is a true and correct reproduction of the original affidavit; and that a signed and sworn copy of said affidavit is presently on file with this Section.

/s/ T. R. C. King
T. R. C. King,
Major, Inf. (TD)

Witness: /s/ John R. Pritchard

Sworn to before me this 14th day of
November 1946, Tokyo, Japan.

/s/ John R. Pritchard
Capt. Inf.
Summary Court

145-8
GENERAL HEADQUARTERS
UNITED STATES ARMY FORCES, PACIFIC
OFFICE OF THE THEATER JUDGE ADVOCATE
WAR CRIMES BRANCH
UG

APO 500
18 October 1945

MEMORANDUM TO: Prosecution Section (Report #76)
THRU: Executive Officer, War Crimes Branch
SUBJECT: Crimes Against Allied Prisoners of War
at Bilibid Prison, Manila, Luzon, P.I.,
from May 1942 to February 1945.

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II. SUMMARY OF EVIDENCE:

A detailed summary of the evidence contained in the attached fifty-three sworn statements of witnesses and forty-six unsworn statements or memorandums would serve no useful purpose. Suffice it to say that these statements contain ample evidence to prove that from May 1942 until its fall to American forces in February 1945, the conditions at Old Bilibid Prison, Manila, P.I., were atrocious.

a. The cells were grossly over-crowded and sanitation facilities were non-existent or extremely crude (Exhibits 1-11). The regular diet consisted of a maximum of seven hundred to eight hundred calories a day and during the worst periods, the prisoners received only two meals a day consisting of one-half and three-fourths of a canteen cup of rice respectively (R 15-21).

b. The little food actually issued to the prisoners was often contaminated, resulting in many cases of dysentery and diarrhea. Beri-beri was also prevalent (R 11-14). On one occasion eight persons died from dysentery, no hospitalization having been provided (R 24).

c. American prisoners of war frequently resorted to eating garbage from the scrap cans and pig troughs. Captain NOGI, Medical Director, was apparently responsible for these conditions (R 2, 113-115).

d. American prisoners were beaten with sticks and baseball bats, often to insensibility. A Major R. B. PRAGER, 26th Cavalry, was hanged by the wrists for sixty hours and a Major Thomas S. JONES of the same unit for eighteen hours in September and October 1943 (R 89, 90).

e. About three thousand prisoners slept on concrete floors without bedding or mosquitoanets. There were three showers for their use (R 36).

g. In 1942 a prisoner escaped from Old Bilibid. Fifteen hundred prisoners were placed on a diet of straight rice for three months as punishment (R 141-143).

h. On 11 or 12 October 1944 twelve hundred prisoners were evacuated from Bilibid Prison to the dock area in Manila Bay which was then subjected to an Allied bombing raid (R 129-131).

i. On about 19 June 1942, Japanese army personnel at Old Bilibid Prison confiscated all quinine and medical supplies brought by prisoners of war from the hospital at "Little Baguio" (R 15, 16).

j. Confiscated Red Cross supplies originally destined for Allied prisoners of war were stored in General YAMASHITA's Headquarters in Manila. The number of these boxes was estimated to be more than a thousand (R 151-152).

The above mentioned incidents are merely representative examples of the uniformly brutal treatment accorded to prisoners of war at Old Bilibid by the Japanese.

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GENERAL HEADQUARTERS
UNITED STATES ARMY FORCES, PACIFIC
OFFICE OF THE THEATER JUDGE ADVOCATE
WAR CRIMES BRANCH

APO 500
12 November 1945

MEMORANDUM TO: Prosecution Section (Report No. 99)

THRU : Executive Officer, War Crimes Branch

SUBJECT : Cabanatuan (Tanaka Phase) September 1942 to May 1943.

145-9

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II. SUMMARY OF EVIDENCE:

There is no evidence in the record to the effect that General TANAKA was in supreme command in the Philippine Islands during the period covered by this report. However, the Prosecution Section advises that the following four Japanese generals were supreme commanders in the Philippine Islands for the periods set out opposite their names:

General HOMMA	May 1942 to August 1942
General TANAKA	September 1942 to May 1943
General KURODA	June 1943 to October 1944
General YAMASHITA	October 1944 to the end of the war.

For the purpose of convenience the report of investigation covering Cabanatuan Prison Camps has been divided into four parts; each one covering the respective period during which one of the above generals was in command in the Philippine Islands. This report covers only the period of September 1942 to May 1943 (The Tanaka Phase).

It would serve no useful purpose to summarize every offense committed by the Japanese during the period of this report, but the following are typical examples and give a complete picture of conditions at Cabanatuan Prison Camps:

Living conditions were poor, and sanitary facilities inadequate. The roofs were wooden frames covered with nipa grass with a strip of tin along the peak. Storms blew holes in the roof and the Nipa rotted, but no supplies were provided for making repairs. Seven men were crowded into compartments 7 x 10 feet, in which they slept on tiers of bamboo platforms, some without any blanket. No clothing was provided, and any extra clothes the prisoners had were taken away by the Japanese (R 27).

The latrines consisted of slit trenches not more than twenty or thirty feet from the buildings. Flies swarmed around these latrines and into the living quarters and mess hall as there were no screens whatsoever (R 27).

Medical supplies were lacking entirely or provided in such small amounts as to be of no value. There was enough quinine to treat only about ten per cent of the patients needing it. Supplies of antiseptics were inadequate and there were very little sulpha drugs (R 1, 79). While the prisoner hospital patients were forced to sleep on shelves of bamboo poles, the Japanese hospital patients had hospital beds with inner spring mattresses, linen, blankets, and mosquito bars (R 179, 180). While prisoners were dying because of lack of medicine (R 134, 140, 170, 171), the Japanese refused to release adequate supplies of adrenalin, although there was sufficient to meet both, their needs, and those of the prisoners. Medical supplies from the Gripsholm were unloaded by prisoners and taken to the Japanese warehouse where large supplies of aspirin, sulpha drugs, organic iodine, emetine, bandages, cotton, and adhesive tape were seen by the prisoners. But despite this vast supply, the Japanese refused to release adequate amounts for the treatment of the prisoners. (R 180).

Though the prisoners were so weakened by malnutrition and inadequate medical treatment that they were physically unable to perform ordinary labor, they were forced to do heavy work and beaten if they collapsed (R 38, 132).

Prisoners of war were forced to work on military installations such as building runways and digging foxholes (R 82, 84).

The prisoners were also forced to submit to medical experiments at the hands of Dr. NOGI (R 184).

In November 1942 American prisoners of war were loaded into steel freight cars, one hundred and fifty to a car, at Capas, Tarlac, and transported to Cabanatuan Prison Camps. The cars were so crowded that the men could not sleep or lie down; the only way they could rest was for half of the car to kneel at a time. The men were kept in the cars in this way during the entire trip which lasted fifteen hours. No latrine facilities whatever were provided (R 175, 176).

In order to prevent attempted escape by the prisoners, the Japanese forced them to sign pledges not to escape (R 108). The squad system of punishment was employed (R 17, 18, 21, 108, 128). Under this system the prisoners were divided into squads of ten. The Japanese announced that if any prisoner escaped and was not apprehended, the remaining men in his squad would be executed. If he were apprehended, he would be executed (R 108).

VG There were innumerable beatings and tortures for minor mistakes or infractions of the rules (R 25, 41, 69, 76). A prisoner who joined the wrong group at the noon bell was slapped on the face with a bamboo stick and then twenty-six American prisoners were forced to pass by the prisoner and slap him in the face. Many of the blows were not sufficiently hard to satisfy the Japanese guard who was supervising the procedure, and he required the slapping to be repeated after first having demonstrated how it should be done (R 44). At other times the prisoners were paired off and forced to slap each other (R 15, 30, 33).

At least four prisoners of war were executed for attempted escape (R 4, 5, 119, 155). Lt. Colonel H.E.C. BREITUNG, Lt. Colonel BIGGS and Lt. GILBERT had attempted to escape. A Japanese who was jiu jitsu expert threw the prisoners into the air and on to the ground, kicked them, beat them with a club, and otherwise badly mistreated them for an hour and a half. A Japanese Lt. also beat these men with his hands, an iron pipe, and an encased saber. After the beating, Lt. Colonel BREITUNG had one eye hanging out on his cheek, one ear was almost torn off, his jaw was broken in several places, and his arms and legs appeared useless. Following the beating these officers were tied to fence posts along the road and left there overnight during a typhoon. All Filipinos and Japanese who passed by were required to beat them. The next morning the three prisoners were taken away in a truck with an execution squad of eight Japanese soldiers and four Japanese equipped with picks and shovels. Shortly thereafter shots were heard and the Japanese later returned without the prisoners. The Japanese Lieutenant boasted that he had beheaded Lt. Colonel BIGGS and had the other two shot (R 5). The Commanding Officer at the camp issued a certificate of execution of the three men (R 4, 5, 117).

Also three Filipino prisoners of war were beheaded for alleged attempted escape (R 149). Many other prisoners were executed on the charge of attempted escape, although there was no evidence of any such attempt (R 102, 104, 106, 107, 132, 152, 153). Filipinos threw food to the prisoners, and when one of the Americans reached over to get the food, he and three others with whom he shared it were shot (R 102). Four other prisoners, accused of attempting to escape, were led through the camp with their hands tied behind their back. The rest of the prisoners were called out to witness the execution. The four prisoners were made to kneel at the edge of a trench and the Japanese shot them and buried them in the trench

(R 106, 107). As a further deterrent to escape, the beaten and mutilated bodies of those who had attempted to escape were placed on display. The body of one of these prisoners showed severe beating and torture. There were compound fractures of his left arm and leg, a bullet hole in his chest, and one eye had been gouged out. The body was terribly mangled and had a horrible bayonet wound extending from the left thigh up into the solar plexus. The ribs were broken and the face was mashed in, apparently by rifle butts (R 119, 155).

During the period covered by this report one thousand and sixty-six prisoners of war died (R 87).

A town near Cabanatuan Prison Camp was raided and burned by the Japanese who returned exhibiting heads of Filipinos stuck on the ends of bamboo poles (R 161, 164, 166, 167).

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GENERAL HEADQUARTERS
UNITED STATES ARMY FORCES, PACIFIC
WAR CRIMES BRANCH

18 February 1946

MEMORANDUM TO: Prosecution Section (Report No. 207)

THRU: Executive Officer, War Crimes Branch

SUBJECT: Deaths of thirty-seven American prisoners of war
at Gapan, Nueva Ecija Province, Luzon, P.I., in
May and June 1942.

* * *

II. SUMMARY OF EVIDENCE:

In May 1942, about two hundred American prisoners of war were brought to Gapan and stayed for a period of approximately two months. During this time, thirty-seven of them died and were buried in the cemetery of Gapan (R 4, 6). The Americans were sickly when they arrived (R 19, 20), and continued to suffer from dysentery, diarrhea, malaria, beri-beri and malnutrition (R 5, 9, 16, 20). The Japanese became alarmed at the high death rate and called in a Filipino doctor. The Japanese told the doctor not to use medicine that was useful to the army or civilians. However, he treated them with medicine of his own. The Americans began to improve and he was prevented from giving further aid (R 5, 6). The prisoners were poorly clothed, most of them only having an undershirt, drawers, and sometimes overalls (R 9, 13). They were underfed, part of the time receiving "kangkong" leaves, pig-skin, squash, a little dried fish, and an insufficient amount of rice (R 9, 13, 17, 20). The natives were prevented from aiding the prisoners and were punished when caught giving them food or cigarettes (R 10, 14, 17, 21). The evidence shows that the Japanese had eggs and meat to eat and gave the Americans only what was left (R 20).

Some of the prisoners worked at the Japanese garrison and were mistreated if they rested or asked for more food (R 8, 9). Others worked at the Gapan Bridge at duties difficult to perform because of their physical condition (R 9). Forty or fifty men a day hauled gravel, stone and sand in sacks for road and bridge repair (R 14, 16). Some of them were required to dig canals (R 13). The prisoners were whipped, slapped and kicked when they were unable to do the work required (R 13, 14). All of the witnesses agree that the work required was too strenuous for men in their condition (R 9, 14, 16). The Japanese even refused to allow a priest to visit the dying prisoners (R 15).

1461

GENERAL HEADQUARTERS
UNITED STATES ARMY FORCES, PACIFIC
OFFICE OF THE THEATER JUDGE ADVOCATE
WAR CRIMES BRANCH

APO 500
16 October 1945

VC

MEMORANDUM to: Prosecution Section (Report #72)
THRU: Executive Officer, War Crimes Branch
SUBJECT: Murder of two American PW's at Cebu City.

* * *

Cebu City

II. SUMMARY OF EVIDENCE:

On 21 March 1945, American planes bombed the vicinity of Cebu City, P.I., and an American flyer by the name of Paul MANSELLA parachuted into the water from a damaged American plane (R 1, 4). The American was burned on both arms and legs, and either walked or was carried to the Summer House of the Sisters of The Immaculate Conception, about five and one-half kilometers north of Cebu City. He was given first aid by one of the Sisters and a short time later a Japanese member of the Kempei Tai, accompanied by a Filipino undercover agent, appeared at the house and took him away, with his hands tied behind his back (R 2). Between 21 March and 25 March, 1945, the Japanese Kempei Tai at Cebu City captured another American flyer by the name of SCOTT. Although it is not clear from the evidence, it is probable he was a member of the same plane crew as MANSELLA (R 6, 9). Both men were confined at the Cebu Normal School and on the morning of 26 March 1945 were taken to a point approximately one hundred and fifty (150) feet directly East of the Southeast corner of the school building, where a foxhole had been dug (R 9, 10, 15, 17). They were forced to kneel by the edge of the foxhole with heads bent forward while a Japanese sergeant took a saber in both hands, and struck each of them across the back of the neck. The Americans fell forward into the foxhole and a Japanese officer stepped up and fired a number of shots into their bodies (R 10, 15, 17, 24).

On the same morning, and shortly prior to the execution of the Americans, five (5) Filipino civilians were killed by the same Japanese, in the same method, and their bodies left in a foxhole on the Normal School grounds, a short distance from where the Americans were executed (R 12, 13, 15, 17, 19).

VC
Around noon on 27 March the Japanese piled wood on top of the bodies of the Americans in the foxhole, poured gasoline on the wood, and lighted it (R 18). Between the time of the execution and the burning of the bodies it appears that one of the Americans managed to crawl out of the foxhole and was seen sitting on the ground attempting to wave to an American plane overhead; but he was thrown back into the foxhole, either dead or alive, before the fire was started (R 17, 18, 19).

On the morning of 28 March, 1945, when American forces arrived in Cebu City, an officer and two enlisted men of the 110th Quartermaster Company, Graves Registration Platoon, found three open foxholes with dead bodies in them on the grounds of the Cebu Normal School. One of the foxholes contained the bodies of two Filipinos and another the bodies of three more Filipinos. All five of these bodies had their hands tied behind their backs. The bodies were not mutilated or covered, and although no examination was made to determine the cause of death or the nature of the wounds, it was observed that each of them had numerous stab wounds, apparently made by bayonets or sabers (R 28). In the third foxhole, located approximately one hundred (100) feet northeast of the other two holes, the charred bodies of two men were found. The lower body was lying face upward with the upper body directly on top of it and lying face downward. The hands of both corpses were tied behind their backs with ropes. Fire had consumed most of the clothing on the upper

body, and only a few small shreds of what appeared to be underwear remained; clothing on the lower body had not been entirely consumed by the fire and it was ascertained that it had been dressed in a pair of regulation army issue khaki trousers worn underneath blue fatigue trousers similar to those issued by the navy (R 28, 29). The bodies were examined for items of identification but the only thing found was a metal belt buckle in the ashes at the bottom of the foxhole (R 29). On the face of this belt buckle appears the emblem of a spread eagle and the figures 1942 (Exhibit D). Pictures were taken of the two bodies (Exhibits E, F, G) and they were then buried as unidentified dead (R 29, 30).

* * *

V

Pearl Bottoms
Penn.

Col. G.H.

Subl

et

Dir

King ^{comm} Bottoms
or Chief of Staff

~~Mon. 7~~

Surrender Passes dropped =

"Horrific at Home treatment of
newspaper - Personal message to Wainwright"
dropped - et Radio program to Bottom
Def. who left in the justice of this camp
also will Rec - Hon + ~~High Command~~ ^{Human & civilized} ..
all in name of "Ingr. Jap. It Comm"

King ~~order~~

(King)

on cross - suffic transport to move all POW. to Camp -
King kept out - not allowed to use

ALLIED TRANSLATOR AND INTERPRETER SECTION
SOUTH WEST PACIFIC AREA

RESEARCH REPORT

No. 65 (Suppl No. 1)

29 Mar 45

*Captured
Document*

b. Other Techniques

(1) Extracts from a captured booklet entitled "Japanese Instructions on How to Interrogate", was published in Daily Intelligence Extracts, Headquarters 10 Air Force, 13 August. It is interesting as representing an official view. Its application by individual commanders is quite another matter.

VC { (2) Measures to be normally adopted. - "Torture (COMON) (embraces beating, kicking, and all conduct involving physical suffering). It is the most clumsy method and only to be used when all else fails. (Specially marked in text). When violent torture is used change interrogation officers and it is beneficial if one new officer questions in a sympathetic fashion.

"Threats. As a hint of physical discomforts to come, e.g. murder; torture; starving; deprivation of sleep; solitary confinement; etc. Mental discomforts to come, e.g. will not receive same treatment as other prisoners of war; in event of exchange of prisoners he will be kept till last; he will be forbidden to send letters; will be forbidden to inform his home he is prisoner of war, etc.

Original file in 51-0-6

CONFIDENTIAL

C E R T I F I C A T E

I, Jewell A. Blankenship, 1st Lt, OIC R&I Files _
hereby certify that the attached International Prosecution
Section Document No. 552 is a true and accurate copy of an
extract from ATIS Research Report No. 65 (Supplement No. 1);
Instructions for Interrogation.

I further certify that the attached document is a
translation made by a competent translator from a captured
Japanese document, the original of which was forwarded to
the Washington Document Center, Washington, D. C.

/s/ Jewell A. Blankenship

REPRODUCTION OF PERTINENT PARTS OF CAPTURED DOCUMENTS

EXHIBIT F

DOCUMENT NO. : 14178

AUTHOR OR OWNER : Unknown

UNIT : Engineer Unit attached to 222 Infantry Regt

CAPTURED AT : Maffin Area

DATE OF CAPTURE : 30 June 1944

RECEIVED ATIS AE : 11 July 1944

RECEIVED ATIS, SWPA : 26 July 1944

TRANSLATED BY : T/3 NAGANO, Charles H., AUS

TRANSLATION CHECKED BY : 1st Lt KADANI, Tsuneo G., AUS

PHOTOGRAPHED ON : 25 April 1945

VB 82

/s/ Sidney F. Mashbir
Sidney F. Mashbir
Colonel, S.C.
Co-Ordinator

No. 5. Search for and disposal of mines in areas adjoining enemy lands require a unified post under a high-ranking commander, especially when attacking the areas mentioned above.

No. 6. The senior commanders shall, if necessary, post the requisite number of engineers in each column body of forward troops, etc. and make each unit search for and dispose of the mines itself.

All necessary controls as to time, method and area of searching for and disposing of mines will be exercised in order to keep our plans secret, if circumstances require it.

Advance troops and scouting troops shall be given sufficient men and materials for the searching and disposal of mines.

An advance party may be specially sent on ahead, if circumstances require it, to deal with mines.

No. 7. All unit (column) commanders will as far as possible avoid areas likely to contain mines and advance through areas where it is difficult to lay mines. At the same time, he will make the engineers and infantry working

troops responsible for clearing the mines in their way. In such cases it would be well to send on ahead a unit commanded by an officer or a mine disposal unit (patrol)

It would be advantageous if prisoners of war, natives or animals could be sent ahead as a precautionary measure, along the route of advance.

- No. 8. Even when there is a unit ahead responsible for dealing with mines, it will still be essential for each unit advancing from the rear to search and clear mines for themselves as far as possible. This is especially necessary in places easy of approach, strong points, and places suitable for headquarters.

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