

16 Dec 46

Minute

Rules

I N D E X

Of

WITNESSES

<u>Prosecution's Witnesses.</u>	<u>Page</u>
de Weerd, Klaas A., Major, Artillery, Royal Netherlands Indies Army (resumed)	12333
Cross by Mr. OKUYAMA (cont'd)	12333
Werff, Wanda O.	12392
Direct by Mr. Lopez	12392
Cross by Mr. SOMIYA	12402
" " Mr. Blewett	12403

I N D E X

Of

EXHIBITS

<u>Doc.</u> <u>No.</u>	<u>Pros.</u> <u>No.</u>	<u>Def.</u> <u>No.</u>	<u>Description</u>	<u>For</u> <u>Ident.</u>	<u>In</u> <u>Evidence</u>
2854	1354		Schedule and attached Certificate of Titles of all Publications of the Total War Research Institute (98 publications)		12345
2747	1355		List of 317 Separate Reports prepared from the Judge Advocate Service of the U.S. Army on Atrocities reported in the Philippines (accompanied by a certificate executed by Colonel Alva C. Carpenter, Chief of Legal Section, SCAP)		12381

I N D E X

Of

EXHIBITS

(cont'd)

<u>Doc.</u> <u>No.</u>	<u>Pros.</u> <u>No.</u>	<u>Def.</u> <u>No.</u>	<u>Description</u>	<u>For</u> <u>Ident.</u>	<u>In</u> <u>Evidence</u>
2871	1356		Map of the Philippines showing by dots the places where Japanese Atrocities occurred according to information contained in the above mentioned List of Reports		12381
2730	1357		Radiographic Report sent 9 July 1946 by Legal Section, SCAP, to the War Department in Washington re total number of deaths in the Philippines by Murder, Cruelty, Torture, Starvation and Neglect among American and Filipino civilians and members of the Armed Forces		12382
2885	1358		Chart prepared by the War Department at Washington based in part on the Report submitted by the Legal Section, SCAP		12383
2801	1359		Summary of evidence of Report No. 11 of the List of Reports on Atrocities committed at the Headquarters of the Philippine Red Cross in Manila in February of 1945		12385
2813	1360		Summary of evidence of JAG Report No. 88 on the massacre of the house of Dr. Moreta at 417 Isaac Peral Street, Manila in February 1945		12405

I N D E X

Of

EXHIBITS

(cont'd)

<u>Doc. No.</u>	<u>Pros. No.</u>	<u>Def. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
2812	1361		Summary of evidence of JAG Report No. 70 on the massacre in the house of Dr. Price at Colorado Street in Manila in February 1945		12407
2845	1362		Affidavit of Basilio Umagap on Atrocities at the Pons residence in Manila in February 1945		12410
2802	1363		Summary of evidence of JAG Report No. 27 on the massacre at De La Salle College in Manila in February 1945		12411
2849	1364		Transcript of the testimony of Nena Alban at the trial of former Japanese General Masaharu HOMMA in Manila during the early days of the Japanese Occupation in 1942		12414
2838	1365		Summary of evidence of JAG Report No. 66 on the massacre at the German Club in February 1945 in Manila		12421
2874	1366		Transcript of the testimony of Mariano del Rosario in the trial of YAMASHITA		12422
2873	1367		Transcript of the testimony of Rosalinda Andoy in the YAMASHITA trial in Manila		12426

I N D E X

Of

EXHIBITS

(cont'd)

<u>Doc.</u> <u>No.</u>	<u>Pros.</u> <u>No.</u>	<u>Def.</u> <u>No.</u>	<u>Description</u>	<u>For</u> <u>Ident.</u>	<u>In</u> <u>Evidence</u>
2798	1368		Summary of evidence of JAG Report No. 53 on the massacre of over 200 civilians at St. Paul's College in Manila in February 1945		12434
2864	1369		Summary of evidence of JAG Report No. 63 on Looting, Burning and Murder of civilians in the Campos residence in Manila during February 1945		12436
2814	1370		Summary of evidence of JAG Report No. 84 on the massacre of more than 1000 civilians at Lipa, Batangas Province, Luzon, in February 1945		12437
2794	1371		Summary of evidence of JAG Report No. 117 on additional massacres Lipa, Batangas Province, Luzon, in March 1945		12440
2720	1372		Affidavit of Apolinaria Navarro on Atrocities in Suloc, Santo Tomas in March 1945		12441
2839	1373		Summary of evidence of JAG Report No. 106 on the massacre of 194 Filipino civilians at Santo Tomas and the burning of the town in February 1945		12443
2790	1374		Summary of evidence of JAG Report No. 69 on the massacre of civilians at Bauan, in February 1945		12446

I N D E X

Of

EXHIBITS

(cont'd)

<u>Doc. No.</u>	<u>Pros. No.</u>	<u>Def. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
2796	1375		Summary of evidence of JAG Report No. 90 on the massacre of 320 Filipino civilians in Taal in February 1945		12447
2797	1376		Summary of evidence of JAG Report No. 96 on the massacre of 300 civilians at Cuenca in February and March 1945		12449
2834	1377		Summary of evidence of JAG Report No. 101 on the massacre of at least 107 Filipino civilians at San Jose in February and March 1945		12450
2810	1378		Summary of evidence of JAG Report No. 74 on the Murder of 39 civilians at Lucaro in March 1945		12451
2793	1379		Summary of evidence of JAG Report No. 126 on the massacre of more than 100 Filipino civilians at Tapel in July 1945		12452
2800	1380		Summary of evidence of JAG Report No. 197 on the Murders, Looting and Burning of the town of Calauang in February 1945		12453
2884	1381		Transcript of the testimony of Jose Habana in the trial of YAMASHITA re massacre at Calamba during February 1945		12454

INDEX

Of

EXHIBITS

(cont'd)

<u>Doc.</u> <u>No.</u>	<u>Pros.</u> <u>No.</u>	<u>Def.</u> <u>No.</u>	<u>Description</u>	<u>For</u> <u>Ident.</u>	<u>In</u> <u>Evidence</u>
2806	1382		Summary of evidence of JAG Report on the burning of the Barrio of Nanipil and the murders of civilians on Titig Mountain in April 1945		12456
2823	1383		Summary of evidence of JAG Report No. 267 on the execution of 21 Filipino prisoners at Barrio Angad, Banguad, Abra in November 1944		12460
2883	1384		Transcript of the testimony of Mariano Bayaras, Mayor of Basco, Batanes Island in the YAMASHITA trial re Atrocities in Basco in May-September 1945		12461
2827	1385		Summary of evidence of JAG Report No. 304 on the execution of Charles Putnam, Thomas Daggott, Captain Vicente Pinon and six other unarmed Filipinos in March 1944, Alamionos, Pangasinan		12463
2807	1386		Summary of evidence of JAG Report on the massacre of approximately 500 Filipino civilians at Dapdap, Penson Island, Camotes Islands, Cebu Province in December 1944		12464
2835	1387		Summary of evidence of JAG Report No. 137 on the Murder of 5 civilians in Corvantes Ilocos Sur in August 1945		12468
2725	1388		Affidavit of Isidro Cabusas re Torture and Murder at Cordova, Cebu in August 1944		12469

I N D E X

Of

EXHIBITS

(cont'd)

<u>Doc.</u> <u>No.</u>	<u>Pros.</u> <u>No.</u>	<u>Def.</u> <u>No.</u>	<u>Description</u>	<u>For</u> <u>Ident.</u>	<u>In</u> <u>Evidence</u>
2833	1389		Summary of evidence of JAG Report No. 253 on the Murder, Torture and Rape of civilians at Bogob, Cebu during August, September, October and November 1944		12471
2818	1390		Summary of evidence of JAG Report No. 180 on Torture and Murder of civilians at Dumanjug, Cebu in August 1944		12472
2791	1391		Summary of evidence of JAG Report No. 174 on executions of Filipino civilians at Calbayog, Samar, in July 1943		12472
2859	1392		Summary of evidence of JAG Report No. 298 on the massacre of 37 civilians in Pilar, Camotes Islands, Cebu in December 1944		12473
2816	1393		Summary of evidence of JAG Report No. 142 on the Murder of 11 American Baptist teachers of the faculty of the Central Philippine College and the Murder of 6 other Americans at Camp Hopevale near Tapaz, Capiz in December 1943		12474
2836	1394		Summary of evidence of JAG Report No. 140 on punitive expeditions on Panay Island by Japanese Forces against civilians in September and October 1943		12476

1 Tuesday, 10 December, 1946

2 - - -

3
4 INTERNATIONAL MILITARY TRIBUNAL
5 FOR THE FAR EAST
6 Court House of the Tribunal
7 War Ministry Building
8 Tokyo, Japan

9 The Tribunal met, pursuant to adjournment,
10 at 0930.

11 - - -

12 Appearances:

13 For the Tribunal, same as before with
14 the exception of: HONORABLE JUSTICE D. JARANILLA,
15 Member from the Republic of the Philippines, not
16 sitting.

17 For the Prosecution Section, same as before.

18 For the Defense Section, same as before.

19 The Accused:

20 All present except OKAWA, Shumei, who is
21 represented by his counsel.

22 - - -

23 (English to Japanese and Japanese
24 to English interpretation was made by the
25 Language Section, IMTFE.)

DE WEERD

CROSS

M
o
r
s
e
&
W
h
a
l
e
n

1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now in session.

3 THE PRESIDENT: Counsel OKUYAMA.

4 - - - -

5 K L A A S A. D E W E E R D, called as a witness
6 on behalf of the prosecution, resumed the stand
7 and testified through Dutch interpreters as follows:

8 CROSS-EXAMINATION

9 BY MR. OKUYAMA (Continued)

10 Q How many friends did participate in the
11 drawing up of the list, together with the witness,
12 during the time the witness was kept in the intern-
13 ment camp?

14 A There were quite a few people concerned.
15 There was a nucleus of four people who worked with
16 me.

17 Q Among the four who worked with you, were
18 there any who could read the Japanese newspapers?

19 A Yes.

20 Q In what labor -- sort of labor were those
21 people engaged in at the internment camp?

22 A My helpers had the normal jobs in the camp,
23 which were at that time working in the vegetable
24 gardens.

25 Q You have testified that the materials that

DE WEERD

CROSS

1 you had collected were put by you in a can and sol-
2 dered. How could you find the solder and other
3 utensils necessary for it?

4 A They came from one of the first camps where
5 there were still many work shops and materials
6 available.

7 Q Were there any accomplices of yours working
8 in the factory, as you testified that those people
9 were working in the vegetable gardens?

10 A No.

11 Q Then, I would be at a loss to understand how
12 you came to get hold of solder.

13 THE PRESIDENT: We have heard enough on that
14 phase, Counselor. It is not helping us.

15 Q The materials which you collected during
16 the time you stayed in the internment camps, were
17 those materials used by you, the witness, as mater-
18 ials to be presented in this court? That is, did you
19 prepare those materials during the time you were
20 working at the Army Attorney-General's office with
21 the purpose -- for the purpose of using them as
22 evidence in this court?

23 A My statement is based on what I found --
24 on the materials I found in the Kampo, the official
25 government gazette, and has been -- have been added

DE WEERD

CROSS

1 to by other materials from newspapers.

2 Q My question was whether you used also the
3 materials which you collected during the time you
4 were in the internment camp.

5 A It has been used as additional evidence.

6 THE PRESIDENT: These are trifling matters.
7 It is a pity to waste time on them. It is interest-
8 ing to know the source of his information, but just
9 how -- the state of its compilation from time to
10 time is quite immaterial.

11 Q Then, is that evidence already introduced
12 submitted to this Tribunal?

13 A The evidence which I collected during -- in
14 the prisoner-of-war camps has not been presented
15 to the bench because it would have been much too much.

16 Q On the cover of your affidavit that comes
17 immediately after the preface to your affidavit --
18 the personal history, that comes right after -- after
19 the personal history, I found the words "International
20 Prosecution Section, Netherlands Division," does that
21 mean that you belong to that Netherlands Prosecution
22 Division?

23 THE PRESIDENT: You explained your position
24 very fully yesterday. But answer yes or no to that
25 question: Do you belong to the International

DE WEERD

CROSS

Prosecution Section.

1 A No.

2 Q It is understandable from the report that
3 most of the documents that you referred to -- you
4 have referred to since you came to Tokyo, that you
5 have investigated since you came to Tokyo were the
6 documents belonging to the International Prosecution
7 Section, Netherlands Division. Am I right to under-
8 stand that in that fashion?

9 JAPANESE MONITOR: Netherlands Division is
10 omitted: Just documents found in the International
11 Prosecution Section.

12 A That is true.

13 THE PRESIDENT: What does it matter? In
14 national tribunals -- before national tribunals
15 police officers investigate cases and then go into
16 the box and give evidence.

17 Q I was not very clear on that point. But,
18 however, there seems to be an important point in
19 connection with that point.

20 JAPANESE MONITOR: From our point of view.

21 THE PRESIDENT: It is of no importance what-
22 soever. We know that investigators of crime are
23 frequently witnesses; more often so than not.

24 MR. OKUYAMA: That is also true in the case
25 of Japan.

DE WEERD

CROSS

1 However, there is one thing to which I should like
2 to call the Tribunal's attention in connection with
3 this matter. This report, as was clearly stated
4 by the witness, consists of two different materials;
5 namely, one is materials which had been used at the
6 time of the Indictment: Two, the documents, mater-
7 ials or documents which are now being used by the
8 Prosecution Section. Therefore, this report --
9 although this report is an affidavit in its form,
10 actually -- it actually is an excerpt from the evi-
11 dence -- in its substance an excerpt from the evi-
12 dence and can be regarded as a statement by the
13 prosecution, or as testimony made by the prosecution.
14 I should like to point the attention of the Tribunal
15 to this point.

16 THE PRESIDENT: It is immaterial. The police
17 who give evidence are frequently called the prosecu-
18 tors.

19 Q Then I will ask another question to the wit-
20 ness. In your affidavit, Japanese text page 29,
21 paragraph two and three, in those paragraphs you
22 give an explanation of the judicial system. I should
23 like to ask a question to you about this matter. In
24 the territory occupied by the Navy, are you aware of
25 the fact that in the territory occupied by the Navy

DE WEERD

CROSS

1 three different courts were established; that is,
2 courts martial, military tribunal and civil courts.

3 A The jurisdiction in the areas occupied by
4 the Navy was regulated by an Ordinance, or Minsei
5 Furei, of November '43, No. 26. It was the -- that
6 was the final establishment. Before that a provisional
7 system had been in force similar to that in Java. The
8 judicial system was otherwise similar, entirely sim-
9 ilar to that in force in Java; only the name is dif-
10 ferent. In essence it was entirely similar.

11 DUTCH MONITOR: That is the judicial system
12 of the Japanese Navy occupied areas.

13 Q The military courts applied marshal laws of
14 Japanese expeditionary forces in the southern regions
15 to try natives who committed acts detrimental to
16 the Occupation purposes of the Japanese forces--

17 JAPANESE MONITOR: Correction, please. The
18 term "Gun-ritsu-Kaigi" is translated as military
19 courts, and the word "Nippon Nampo-ku Gun-ritsu"
20 is translated as marshal law of the Japanese expe-
21 ditionary force in the southern regions.

22 Q (Continuing) Now, this marshal law was applied
23 to try any natives who acted in -- acted against the
24 execution of operations by the Japanese navy. Now,
25 the Gumpo-Kaigi, which is translated as courts

DE WEERD

CROSS

1 martial, was established to try PW -- prisoners of
2 war and internees, and by application of the Japanese
3 criminal and military laws--

4 JAPANESE MONITOR: Japanese criminal laws
5 and criminal laws within the Army criminal regulations.

6 Q (Continuing) And in the third place there
7 were civil courts where other cases were tried, and
8 the setup was as I explained. Am I correct to
9 understand that in this way?

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

DE WEERD

CROSS

D
u
d
a
&
E
i
e
r

1 THE PRESIDENT: What is the effect of that
2 long statement?

3 MR. OKUYAMA: As I said before, all this
4 is because I fail to understand what is written
5 here, at least in Japanese. It is so involved that
6 is why I am asking this question.

7 THE PRESIDENT: I don't think that the
8 counsel means to ask any more than whether the
9 Japanese tried the natives and others according to
10 their own laws, martial and criminal.

11 MR. OKUYAMA: In some it is so, however.
12 However, the purpose is there. That is why I asked
13 a question about the judicial system.

14 C Page 46 of the English text, and page 49.
15 I should like to put a question to you concerning
16 matters referred to in those paragraphs -- those
17 pages, as it is a problem which is always brought
18 up in this court room, in pages 46 and 49, you
19 refer to Hakko Ichiu.

20 JAPANESE MONITOR: And the question of
21 the fundamental principle of Hakko Ichiu becomes a
22 problem, and you are referring to that Hakko Ichiu
23 here.

24 THE PRESIDENT: The Tribunal does not want
25 to hear this witness' view of that doctrine.

DE WEERD

CROSS

1 MR. OKUYAMA: I wanted to ask the witness
2 whether those words -- this word, which is used in
3 two places, means the same thing.

4 THE PRESIDENT: We will construe the mean-
5 ing of any document, unless they contain technical
6 terms upon which the witness can give us expert
7 advice, and he can not.

8 MR. OKUYAMA: The next point is in the
9 English text, page 58 of the English text -- 55.

10 In the second paragraph of that page you state:
11 "to receive the Imperial Decree direct from the
12 Japanese government". As we read the Japanese trans-
13 lation of this part it seems to us that there is a
14 gross mistake of translating the Japanese word into
15 the English word "Imperial Decree." Now can you
16 tell me from what source you obtained this informa-
17 tion?

18 A These words were taken from a report on
19 the meeting between TERAUCHI and this delegation and
20 was made by a Japanese interpreter who was present.

21 MR. OKUYAMA: That is all.

22 MR. LOGAN: No further cross-examination,
23 your Honor.

24 MR. HYDE: Mr. President, there will be
25 no --

DE WEERD

CROSS

1 THE PRESIDENT: Mr. Hyde. Mr. Hyde,
2 yesterday I prevented Captain Brooks from asking
3 a question, and I may have been wrong in doing so.

4 Were you on the Staff of the Netherlands Army
5 in the East Indies?

6 THE WITNESS: No. In my statement I said
7 I was with the Staff of the First Division of the
8 Netherlands Indies Army.

9 THE PRESIDENT: Did you have anything to
10 do with the preparation of military plans before
11 the war?

12 THE WITNESS: The only thing I ever did
13 before December 1941 in this connection was that I
14 was connected with the preparation of defensive
15 preparations in West Java.

16 THE PRESIDENT: Mr. Hyde.

17 MR. HYDE: Mr. President, the other matter
18 that the witness requested permission to clear up
19 yesterday was clarified during the afternoon.

20 There will be no redirect examination and
21 we respectfully request that the witness be excused
22 on the usual terms.

23 THE PRESIDENT: He is at liberty on those
24 terms.

25 (Whereupon, the witness was excused.)

1 THE PRESIDENT: Mr. Justice Mulder.

2 MR. JUSTICE BORGERHOFF MULDER: If the
3 Court please, this concludes the presentation of
4 the evidence on this phase of the case.

5 THE PRESIDENT: Brigadier Quilliam.

6 BRIGADIER QUILLIAM: Mr. President and
7 Members of the Tribunal, it is proposed at this
8 stage, if the Tribunal approves, to produce a
9 schedule containing the titles of all the publica-
10 tions of the Total War Research Institute of which
11 the prosecution has been able to obtain information.
12 This schedule is submitted in accordance with
13 directions given by the Tribunal during the pro-
14 ceedings of the 30th October, as shown on pages
15 8871, 8872, 8875, 8876, 8877, 8909 and 8910, of
16 the transcript.

17 Attached to the schedule is a certificate
18 made by Lt. Steiner, Assistant Chief of the Document
19 Division of the International Prosecution Section.

20 I do not propose to read the certificate or
21 the schedule unless the Tribunal otherwise directs.
22 It is sufficient, I respectfully suggest, to state
23 that the schedule contains a list of 98 publica-
24 tions, 71 of which are held by the International
25 Prosecution Section. These 71 documents will be

1 made available to the defendants on request being
2 made. The remaining 27 publications were sent to
3 Washington by the Allied Translator and Interpreter
4 Section of SCAP some time ago, it being considered
5 that they would not be required for the purposes
6 of these proceedings.

7 May it please the Tribunal, I offer in
8 evidence the schedule and attached certificate
9 which applies, IPS document No. 2854.

1 THE PRESIDENT: Admitted on the usual terms.

2 CLERK OF THE COURT: Prosecution's document
3 No. 2854 will receive exhibit No. 1354.

4 (Whereupon, the document above
5 referred to was marked prosecution's exhibit
6 No. 1354, and was received in evidence.)

7 THE PRESIDENT: Mr. Higgins.

8 MR. HIGGINS: If it please the Tribunal,
9 Mr. Pedro Lopez, Associate Prosecutor from the
10 Philippines, will now present that feature of the
11 prosecution's case which deals with Class C offenses,
12 generally, and Class B offenses committed in the
13 Philippine Islands.

14 THE PRESIDENT: Mr. Cunningham.

15 MR. CUNNINGHAM: If the Tribunal please,
16 before the prosecutor commences with his opening state-
17 ment at this phase of the case I should like to make
18 one objection to the introduction of the Philippine
19 phase of the case, and state, for the reason, that the
20 Philippine Republic, not having been a party to the
21 conventions relied upon for recourse and as a basis
22 for their complaint in this proceeding, should not
23 be entitled to present any evidence in support of
24 violation of the rules of land warfare.

25 THE PRESIDENT: You are making substantially

1 the same objection as you did to the Dutch or Nether-
2 lands case.

3 MR. CUNNINGHAM: I am making just the opposite
4 objection to this as I made to that, on the basis--

5 THE PRESIDENT: You cannot be right in both
6 of them.

7 MR. CUNNINGHAM: I am basing this objection
8 upon the ruling made on that objection, your Honor.

9 THE PRESIDENT: Well, I am mystified.

10 MR. CUNNINGHAM: As a basis, I wish to state
11 that the Philippine Republic is only permitted to
12 exercise the right of sovereignty as is granted under
13 the Congress of the United States as to the time of
14 the commission of the acts which are complained of in
15 the Indictment and the recourse sought under the Charter.

16 THE PRESIDENT: Your point is the Philippines
17 were not a nation when these alleged atrocities
18 were committed. It could be got over by the adoption
19 by the American section of the Philippine evidence if
20 they wish to follow that course, if there is any merit
21 in the point. I don't say there is. There is one
22 Chief Prosecutor here covering all sections.

23 MR. CUNNINGHAM: Well, the light cut my point
24 in the middle, your Honor. I should like to finish it,
25 and then I think we will be understanding each other.

1 The further point is that the full criminal
2 responsibility for the acts complained of by the
3 Philippine prosecution have been adjudicated and
4 established in a court organized under the Congress
5 of the United States and Constitution of the United
6 States in the prosecution of General YAMASHITA and
7 General HOMMA.

8 THE PRESIDENT: But we are not re-trying
9 YAMASHITA or HOMMA. We are trying the accused whom
10 the prosecution assert are responsible for what was
11 done by YAMASHITA and HOMMA and the others. The
12 conviction and the execution of YAMASHITA and HOMMA
13 do not absolve the accused if they were guilty.

14 The position is so elementary as to be
15 incapable of argument; and I resent the waste of time
16 involved in listening to you.

17 MR. CUNNINGHAM: Well, I should like to make
18 my position clear, if I may, by stating that the
19 responsibility for the violation of the rules of land
20 warfare is a military responsibility and not a poli-
21 tical responsibility under the Rules of Land Warfare,
22 itself.

23 THE PRESIDENT: But for the fact that you
24 have contended it, I could not believe counsel would
25 be capable of submitting it.

1 MR. CUNNINGHAM: Well, your Honor, I want to
2 assure you that I feel that I have perfectly legal
3 authority for the statement which I made, and I could
4 quote it from the Rules of Land Warfare, that the
5 government's responsibility for the violation of the
6 rules of land warfare and the political responsibility
7 is only a pecuniary responsibility and not one of
8 criminal responsibility.

9 While I am here, I want to say that if there
10 was anything that I said yesterday that was harsh or
11 severe, that I am sorry, that I did not intend to
12 offend the Court at all.

13 THE PRESIDENT: Apparently one of my brothers
14 wants to hear you, so go ahead. You know what I think.

15 MR. CUNNINGHAM: Well, I have finished as far
16 as the presentation of the objection to the atrocity
17 phase of the Philippine phase of the case is concerned.

18 THE PRESIDENT: Mr. Lopez.

19 MR. LOPEZ: Mr. President, Members of the
20 Military Tribunal for the Far East:

21 From living witnesses and from Japanese
22 documents, this Tribunal has heard and seen abundant
23 prosecution evidence portraying the basic policy
24 pursued by the defendants and other leaders of Japan
25 to produce a warlike master race dead set on world

1 conquest. It will be recalled that in order to
2 implement that policy the combined resources of the
3 state-controlled press, radio, schools, stage, movies,
4 literature and religion were marshalled to indoctri-
5 nate the Japanese people with fanatical martial
6 spirit, blind worship of totalitarianism and ultra-
7 nationalism, love for aggression and burning hatred
8 and contempt for all potential and actual enemies.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

M
O
R
S
E
&
A
B
R
A
M

1 Our present phase will show the flowering and
2 results of that policy in terms of thousands upon thou-
3 sands of innocent persons butchered, maimed, starved
4 and degraded; of innumerable cities, towns and villages
5 sacked, and of homes and farms pillaged. Sine qua non
6 to a proper assessment of our evidence is the under-
7 standing that this insidious internal propaganda of
8 hate succeeded somehow in poisoning the mind and heart
9 of many a Japanese to such a degree that in the ensu-
10 ing military campaigns their character and nature swung
11 like a pendulum from the extreme of kindness and
12 courtesy to the other extreme of cruelty and indecency.
13 Without this understanding, it will be difficult for
14 anyone, who has come in contact with the average Japanese
15 in the streets and public places, in their homes and
16 offices, and has observed their civility, to give due
17 weight to the mass of our proof demonstrative that
18 either in their moments of arrogance born of victory
19 or desperation in the face of impending defeat, count-
20 less propaganda misled Japanese perpetrated in the
21 fields of operation barbarities, the full extent of
22 which would shock the world.

24 We will prove that Japanese atrocities were
25 not isolated incidents of individual misconduct, but
were general in the whole Pacific and Asiatic war

1 theatre; that the technique and method used in the
2 wholesale murder, torture, and rape, and the wanton
3 destruction of property followed throughout a consistent
4 and similar pattern; that the stronger the resistance
5 offered the more abominable became the invaders; that
6 the strategy of terror was in time identified as part
7 of the Japanese form of warfare calculated to crush
8 the spirit of resistance and the will to fight of the
9 people of the over-run countries. Secondly, those
10 atrocities, launched on large scale for the first time
11 at Nanking in 1937, and climaxed with the Rape of Manila
12 in 1945, covered a period of eight long years. Thirdly,
13 the situs of their commission comprised one-fourth of
14 the territorial space of the globe, including Burma,
15 China, Indo-China, Malaya, the Netherlands Indies,
16 Hongkong, Philippines, New Guinea and various islands
17 in the Pacific Ocean. Fourthly, the multitude of
18 perpetrators came from both enlisted men's and officers'
19 ranks and from all branches of the Japanese armed
20 services. Fifthly, the victims were legion, including
21 both civilians and prisoners-of-war, the well and the
22 infirm, the young and the old, men and women, and even
23 children and babies.

24 Finally, indignant official protests from
25 aggrieved governments poured on the government at Tokyo.

1 Allied radio broadcasts, regularly monitored by the
2 Japanese Foreign Office for the information of the
3 inner government circles, widely publicized and
4 severly condemned the massacre and mistreatment of
5 Allied civilians and prisoners-of-war. Even without
6 those protests and denunciations, the leaders of Japan
7 would have undoubtedly known of the rampant atrocities
8 committed by so many of their misguided compatriots
9 on so many helpless peoples of so many lands and for
10 so many years. Instead of heeding the protests, they
11 dismissed and branded them as instruments of false
12 propaganda. And instead of investigating the charges,
13 determining, trying and punishing the guilty, or taking
14 other effective measures necessary to deter or prevent
15 the repetition of the atrocities, they permitted or
16 tolerated their continued perpetration.

17 A part of the pattern of these crimes has
18 already been delineated with the presentation of the
19 Chinese case and the extensive testimony of the late
20 lamented Colonel Wild. We shall now proceed to unfold
21 more of that pattern with evidence relating to how a
22 staggering total of more than 131,028 Americans and
23 Filipinos met horrible death by murder, cruelty,
24 starvation, assaults and mistreatments at the hands
25 of a sadistic enemy. This figure does not represent

1 the war casualties; it does not encompass those who
2 died in the fields of battle. Neither does it include
3 the infinitely larger number of Americans and Filipinos
4 who escaped death but went through the ordeal of in-
5 describable sufferings and humiliations.

6 We shall by proof establish that Japanese
7 atrocities on Philippine civilians were not confined
8 to Manila, the heart of the nation, or a few other
9 cities like Cebu and Iloilo, but in all cities and in
10 almost all big towns and in numberless villages, in
11 all of the main islands of the archipelago, ranging
12 from Basco, Batanes, in the far north, to Davao City,
13 in the extreme south; from Puerto Princesa, Palawan,
14 way out west, to Tayabas, farthest east. They were
15 committed by Japanese Kempei-tai, Marines and Army and
16 Navy men on all sexes, ages and classes of Filipinos
17 in all stages of Japanese Occupation from December,
18 1941, to August, 1945.

19 Outstanding of the massacres that took the
20 lives of 91,184 Filipino civilians may be mentioned
21 those at Manila where 800 men, women and children were
22 herded into the building of St. Paul's College. They
23 were drawn toward the center of the hall with candies
24 enticingly placed on tables set under five overhanging
25 covered chandeliers. A Japanese Navy man pulled a string,

1 and the grenades concealed in the chandeliers exploded
2 with such power that it blew off the top of the build-
3 ing and instantly killed a great number of those in
4 the hall. Panic-stricken survivors fleeing from the
5 burning inferno were mowed down with machine gun fire
6 by sentries strategically posted outside. At Calamba,
7 Laguna, revered by Filipinos as the birthplace of their
8 foremost national hero, Dr. Rizal, 2,500 men, women
9 and children were shot or bayoneted. Only a few sur-
10 vived. At Ponson, Cebu, in central Visayas, the whole
11 population of the village was ordered to assemble in
12 the barrio church. One hundred were machine-gunned
13 and bayoneted to death within its sacred walls. The
14 rest were hunted down from one corner to another of
15 the village and murdered in their homes and in the
16 swamps. Three hundred died in the massacre. At Basco,
17 Batanes, 80 civilians were arrested, and while in con-
18 finement some were hung from the rafters and flaming
19 fluid applied to their skins, others were beaten, break-
20 ing their hands and losing their eyesight, but all were
21 eventually executed. At Matina Pangl, Davao, 169 men,
22 women and children were murdered in cold blood.

23 Evidence will be offered showing that the
24 Japanese in the Philippines, especially the Kempei-tai,
25 displayed a great ingenuity and sadism in inflicting

1 the cruelest forms of torture on their victims whose
2 number ran into thousands. They converted Fort Santiago,
3 an old Spanish stone bastion overlooking Manila Bay,
4 into their leading torture chamber and death hole.
5 Fort Santiago became a synonym for torture and a symbol
6 of Japanese brutality. Here hundreds suffered slow
7 and painful death in dark, foul and lice-infested
8 cells, for whom the quick, scientific mass extermina-
9 tion in the lethal gas chambers at Camp Dachau would
10 have been a welcomed alternative.

1 Prominent among the many forms of tor-
2 ture used were hanging by the neck, by the thumbs,
3 or by the limbs, and burning the feet or other
4 delicate parts of the body as it hung suspended; the
5 water cure, with several variations depending on the
6 savage bent and imagination of the torturer; placing
7 ammunition between the fingers and squeezing them
8 until the bones broke; pulling out tongues and prying
9 out toe and fingernails with pliers; searing the
10 flesh with lighted cigarettes and pieces of burning
11 wood; slapping and kicking and boxing with bare hands
12 or with steel knuckles; beating with long bamboo
13 poles, wooden clubs, baseball bats and iron rods;
14 jiujitsuing and hurling the subject repeatedly to the
15 ground; twisting and breaking the hands, arms, or
16 legs; lashing with rope, thorn switches or barbed
17 wire; smashing with gun butts; shocking with
18 electricity; applying gasoline on the skin and hair
19 and igniting it; forcing small bamboo splints under
20 the toe and fingernails; crucifying by nailing through
21 the wrists and skull; lopping off the ears and nose
22 and gouging out the eyes; killing either by
23 bayoneting through the eyes, and other vital organs
24 of the body, chopping the heads off with razor-sharp
25 bolos or samurai swords, drowning, choking, shooting

1 or burying alive, or by starving to death.

2 Before proceeding further, we pause to beg
3 the indulgence of this Court for the precise language
4 we have been and will be using in describing the
5 nature of these atrocities. While realizing our
6 duty to express ourselves here at all times in tem-
7 perate and restrained terms, the crimes committed to
8 my country and my people were so shocking, so brutal
9 and so revolting that resort to euphemisms would only
10 do violence to the truth.

11 Of the manifold instances of such torture
12 and sadism in the Philippines, our proof will point
13 out that in February 1945 in Manila, in the home of
14 Bartolome Pons, a pregnant woman with an 11-month old
15 baby in her arms, was shot and killed. The Japanese
16 started to leave, but hearing the baby cry, returned
17 and killed it with two shots. At the Campos residence,
18 the breast of one woman was hacked out. At St. Paul's
19 College a baby was hurled into the air by a Japanese
20 soldier and impaled on the bayonet of another. At
21 Fort Santiago, a piece of skin was sliced off the
22 back of a prisoner's hand and he was forced to eat
23 it. The skin on his face and arm was twisted with a
24 pair of wooden pliers.

25 At Palo Alto, Leyte, in the Vasayan Islands,

1 three members of the Palacio family, including a
2 woman, were arrested in February 1942, their hands
3 tied behind their backs and hung by the arms from
4 the branch of a tree for five hours. They were
5 beaten with thorn switches until they bled. On the
6 arm pits of the two male members gasoline was poured
7 and set on fire. In Inopacan, Leyte, Eufresina
8 Payot, a 24 year old girl was caught, her clothing
9 stripped, her breasts slashed with a saber, and
10 burned. In Iloilo, on 18 September 1943, Lucas
11 Doctolero was crucified on the ground, three six-inch
12 nails driven through each wrist and the base of his
13 skull. In Romblon, on 17 November 1943, a blind
14 woman was dragged out of her house, stripped naked.
15 She was hog-tied and then hung from a tree head down.

16 At Kabayo, Mountain Province, in northern
17 Luzon, Tayambong Chagsa was forced on two occasions,
18 in March 1943, to drink a four-gallon can of water.
19 A Japanese bounced on his distended belly, then with
20 hands tied behind his back was hung. While hanging,
21 his G-string was set on fire consuming all but two
22 feet of it. The remaining portion was wrapped
23 around Chagsa's head and again ignited. At Bacolod,
24 Negros Occidental, a man was beaten with a club,
25 thrown across the floor and the next evening was

1 forced to jump from a window to the asphalt pave-
2 ment twenty feet below. The fall dislocated his
3 hips and prevented him from walking for four months.
4 Another was strapped to a table and his wrists
5 burned with an alcohol flame until the odor of burn-
6 ing flesh filled the room. A third man had a
7 bayonet thrust through his arm progressively deeper
8 as he was questioned. At Dumanjug, Cebu, a three-
9 and-a-half year old child was bayoneted and thrown
10 into the sea.

11 Our proof will bear out that Japanese de-
12 pravity in the Philippines, recurring in varying de-
13 grees throughout the occupation, reached its lowest
14 ebb during the last dying days of Manila in February
15 1945. Lack of time prevents a full recital of spe-
16 cific cases, but for our present purposes it suf-
17 fices to state that at Bay View and three other hotels
18 the Japanese went on a wild orgy of debauchery that
19 culminated in the rape of many young girls, promi-
20 nent in Malate society. At the German Club women
21 were disrobed, raped and murdered, as the rest of
22 the crowd of about 500 civilians huddled in the
23 basement helplessly looked on. One young girl was
24 decapitated when she resisted advances made on her;
25 even her lifeless body was violated. Women taking

1 sanctuary in the Manila Cathedral were assaulted.

2 In Tanauan, Batangas, a pregnant woman had her un-
3 born child carved out of her stomach and beheaded.

4 In Obando, Bulacan, the niece of Juan Etuijera, along
5 with eight other women, was abused and bayoneted and,
6 as her intestines came out, she was thrown into a
7 fish pond.

8 On 22 September 1943, in Iloilo, the hands of
9 two young girls were bound behind their backs, their
10 clothing stripped and they were later raped. On 2
11 February 1942, at Santa Ana, Pampanga, an elderly
12 lady and her maid were assaulted. In Bansic, Hermosa,
13 Bataan, the men in a house were forced to leave while
14 a girl who was left behind was raped. She sub-
15 sequently became pregnant and gave birth to a child.
16 During the first week of Japanese Occupation of
17 Manila, in January 1942, two American girls, among
18 many others, were raped. Three Japanese soldiers
19 went out into the street naked and raped two women
20 in broad daylight at the busy intersection of Espana
21 and Quezon Boulevard, in the commercial section of
22 the city.

23 Our evidence will further disclose the
24 appalling destruction caused by Japanese aggression
25 on public and private properties in the Philippines

1 with an aggregate value of approximately
2 \$1,370,263,324.50. Most of the destruction was far
3 in excess of the exigencies of the situation and
4 the limits of military necessity. This evidence will
5 disclose how churches, hospitals and residential
6 buildings were mined and destroyed, or doused with
7 gasoline and set afire -- how cities, towns and
8 villages were burned without military rhyme or
9 reason; how homes were looted and farms ravished of
10 their crops, draft animals, poultry and livestock,
11 and how the people were plundered of their money and
12 jewelry. The Japanese did a thorough job of wrecking
13 and devastating the Philippines beyond recognition.

14 THE PRESIDENT: We will recess now for
15 fifteen minutes.

16 (Whereupon, at 1045, a recess was
17 taken until 1100, after which the proceedings
18 were resumed as follows):
19
20
21
22
23
24
25

G
o
l
d
b
e
r
g
&
B
a
r
t
o
n

1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Mr. Lopez.

4 MR. LOPEZ: If your Honor please, could I
5 resume?

6 To complete the over-all picture of Japanese
7 atrocities in the Philippines, proof will be
8 presented describing the indignities, the degra-
9 dation, the suffering and deaths of American,
10 Filipino and other allied prisoners-of-war and
11 civilian internees, imposed by the Japanese in the
12 Philippines in violation of every important pro-
13 vision of the Hague Convention No. IV of 18 October
14 1907, to which Japan was one of the signatories,
15 and of the Geneva Prisoner-of-War Convention of
16 27 July 1929, by which Japan solemnly committed
17 herself to be bound mutatis mutandis.

18 Typical of the treaty breaches were failing
19 to accord to those who surrendered, the status and
20 treatment of prisoners-of-war; subjecting the
21 prisoners-of-war to public curiosity, to insults
22 and inhumane treatment; not treating the women with
23 the regard due their sex; coercing the prisoners and
24 internees to reveal information regarding their Army
25 and country; confiscating their effects and objects

1 of personal use, such as watches, fountain-pens, shoes;
2 confiscating money in their possession without giving
3 receipts therefor; evacuating them from the zone
4 of combat or foot at excessive distances per day;
5 placing them at certain points so that their
6 presence there would give protection from bombard-
7 ment; lodging them in barracks without safeguarding
8 their hygiene and health; not providing them with
9 quarters and bedding equal in quantity and quality
10 to those furnished Japanese base camps; not pro-
11 viding them with sufficient potable water; not
12 furnishing them with clothing and footwear when
13 they needed them; not taking all sanitary measures
14 necessary to assure the cleanliness and healthfulness
15 of camps and other places of detention and to prevent
16 epidemics; not furnishing them with sufficient water
17 for their bodily cleanliness; refusing them to take
18 physical exercise and enjoy the open air; not
19 maintaining adequate infirmaries for their benefit;
20 requiring them to pay for their medical care and
21 failing to have them examined by doctors at least
22 once a month.

24 Also requiring officer prisoners-of-war to
25 salute all members of the Japanese Armed forces,
regardless of rank; transferring sick and wounded

1 prisoners-of-war when their recovery might be
2 endangered thereby and when the conduct of military
3 operations did not require such transfer; requiring
4 officers who were prisoners-of-war to do manual
5 labor and non-commissioned officers to do other
6 than supervisory work; compelling them to work an
7 excessive number of hours per day and requiring them
8 to do manual labor even when physically unfit;
9 requiring them to work seven days a week and per-
10 forming manual labor directly related to war opera-
11 tions; requiring them to perform unhealthful and
12 dangerous work; aggravating their conditions of
13 labor by disciplinary measures and requiring them
14 to perform manual labor under conditions less favor-
15 able than the conditions under which Japanese troops
16 at Japanese base camps were required to perform
17 similar labor; not affording facilities to enable
18 them to write to their families regarding their
19 capture and state of their health; refusing to permit
20 them to receive parcels containing food and clothing;
21 looting the parcels intended for them; being cruel
22 to them, inflicting corporal punishment and torturing
23 them; imposing collective punishment against them
24 for individual acts; imposing punishment, which
25 included killing, upon escaped prisoners-of-war and

1 civilian internees who were recaptured, in excess
2 of arrest for not more than thirty days; not seeing
3 that those who died in captivity were honorably
4 buried and that their graves bore all due informa-
5 tion, were respected and properly maintained; and
6 not affording properly constituted relief societies
7 for prisoners-of-war every facility for giving food,
8 clothing and medical supplies to them when military
9 necessity did not require refusal of such aid.

10 Most shocking of the atrocities committed against
11 prisoners-of-war in the Philippines was the Bataan
12 Death March wherein 11,000 American and 62,000
13 Filipino troops, exhausted, gaunt remnants of a
14 small brave Army whose long heroic resistance on
15 Bataan had drawn the admiration of the civilized
16 world, were forced to march 7 to 11 days without
17 food or water approximately 120 kilometers under a
18 scorching tropical sun. Throughout the march, many
19 of these prisoners were slapped, boxed, beaten,
20 bayoneted or shot. About 1,200 of their American
21 and 16,000 of their Filipino comrades were thus
22 murdered and left in the dusty and bloody road to
23 rot. Throughout that time, the U. S. Army had enough
24 motor vehicles and supplies of gasoline which the
25 Japanese could have used to transport all the

1 Fil-American forces that had surrendered on 10 April
2 1942.

3 The end of the march was by no means the end of
4 the martyrdom of the heroes of Bataan. At Camp
5 O'Donnell, by not providing them with enough food
6 and medical care, by forcing them to labor while
7 sick and physically unfit; by subjecting them to
8 punishment and torture for minor infractions, and
9 by crowding them together in a filthy, small place
10 unfit for human habitation, the Japanese further
11 accomplished the indirect mass annihilation of the
12 cream of the American-Filipino Army. Every day in
13 the camp Americans and Filipinos were dying like
14 flies. Up to 1 August 1942 alone, 1,522 Americans
15 and 29,000 Filipinos died there.

16 The Bataan march had a counterpart in Mindanao.
17 On 4 July 1942, about 600 American and Filipino
18 prisoners-of-war were grimly reminded of American
19 Independence Day when compelled to march under a
20 blistering sun from Camp Kiethley to Iligan, a
21 distance of 38 kilometers. Many were without shoes
22 and hats. On the way many were badly mistreated,
23 and several were shot and killed. On 6 May 1942,
24 between 8,000 and 10,000 American and Filipino
25 prisoners of war were loaded at Corregidor into the

1 holds of ships with no latrine facilities, given
2 no food, and in a state of exhaustion were disem-
3 barked not at the pier of Manila but near Dewey
4 Boulevard and from there forced to march 15 miles
5 to Old Bilibid Prison under a hot sun.

6 On 14 December 1944 at Puerto Princesa, Pala-
7 wan, 150 American prisoners-of-war were herded into
8 three air raid shelters each about 75 feet by 4 feet
9 by 3 feet. Suddenly the Japanese poured in buckets
10 of gasoline which they set on fire with torches.
11 They laughed as they fired into the shelters with
12 their rifles and machine guns. Screaming American
13 prisoners were shot as they ran out of the shelter.
14 Five escaped by dashing successfully toward the
15 beach and swimming five miles across the bay.

16 In May 1942, 300 emaciated American prisoners-
17 of-war were sent out from Bilibid Prison to build
18 a road through the almost impenetrable malarial
19 jungles of Tayabas. These men who were almost dead
20 from malaria and dysentery were forced to work in
21 the sun without clothing, shelter, or shoes, with
22 wheelbarrows, picks, and shovels. They were
23 frequently beaten with pick handles and bayonet
24 scabbards for pausing to relax. They were dying
25 from dysentery, malaria and exposure and the

1 survivors were sleeping on the ground in the rocky
2 creek bed, drinking filthy water from the creek,
3 and living in the open without cover. Japanese
4 guards were living comfortably in tents. Not enough
5 food and no proper medicine were provided. Only
6 75 men, starved, ragged, and sick, went through
7 that project alive.

8 At Fort Santiago, three American pilots who
9 were shot down during the bombing of Manila received
10 sword thrusts through the shoulders or were scorched
11 with lighted cigarettes. Holes were drilled through
12 their fingers, wires inserted through them, and
13 they were then suspended by the wires. The body of
14 one pilot was burned, that of another paralyzed.

15 At Panay, American prisoners-of-war were forced,
16 after their surrender in May, 1942, to locate the
17 sites of ammunition dumps and food caches. For six
18 days they were made to hike up and down the hills
19 without water and eating only rice crumbs left over
20 by the Japanese guards. American officers were made
21 to work like coolies, loading and unloading cargo
22 to and from Japanese vessels.

23 At Nichols Field, sick American prisoners-of-war
24 were made to push and haul heavy cars laden with
25 rock and dirt one kilometer across the airfield at

1 least eleven times a day, and failure to make the
2 minimum number of trips required before the day was
3 over meant severe beating and flogging. Water cure
4 and hitting with pick handles and rifle butts until
5 the prisoner became unconscious were the forms of
6 punishment usually administered. Another kind of
7 torture was to make a person stand at attention in
8 the hot sun with a bucket full of water on his head.
9 If any of the water was spilled, he would get a
10 terrific beating. In September, 1943, Sergeant
11 James Edward Strawhorn's hands were tied behind his
12 back, and hung from a tree for 24 hours. Deprived
13 of food or water, he was exposed to the sun all day
14 and to the rain at night. He was then beaten with
15 a plaited rope and hit about the face and head with
16 a pistol butt.

17 We will show that before, during and after the
18 commission of these atrocities, the Japanese Govern-
19 ment and its leaders assured that American prisoners-
20 of-war and civilian internees were and would be well
21 treated and well fed. For instance, on 24 February
22 1942, the Japanese Government through the defendant
23 TOGO, then Minister of Foreign Affairs, declared
24 that American civilians will be treated in a manner
25 "more favorable than contemplated by the Convention,"

1 and their "provisioning in bread, butter, eggs, meat,
2 heating oil, coal and fats assured by Japan." On
3 9 March 1942, the Japanese Government through the
4 defendant TOGO assured the United States Government
5 that its nationals were being afforded indulgent
6 treatment by the Japanese military authorities.
7 "Apprehensions of the American Government based on
8 information from unknown source and citing no
9 exact facts are, therefore, without foundation."

10 We shall show, however, that specific "exact
11 facts" of atrocities and mistreatments were, by
12 formal protests, opportunely brought to the atten-
13 tion of the Japanese Government and its leaders
14 who were repeatedly warned by the American Government
15 that punishment would be visited upon those who
16 were responsible officially and personally for them
17 either by neglect or by willfulness, regardless of
18 their position, status and rank.

19 In the Hull note of 12 December 1942, the United
20 States Government directed attention to and protested
21 against the barbarous conditions at Fort Santiago
22 where Roy Bennett and other Americans were reported
23 imprisoned; the bad conditions existing at Santo
24 Tomas, Davao and other internment camps in the Philip-
25 pines; the Death March from Bataan to Camp O'Donnell;

1 the atrocious conditions at Camp O'Donnell. In
2 that note the American Government lodged with the
3 Japanese Government "a most emphatic protest" and
4 expected "that the inhumane and uncivilized treat-
5 ment accorded American nationals, both civilians
6 and prisoners-of-war, will be made a matter of
7 immediate investigation and that the Japanese
8 Government will give assurances that treatment
9 inconsistent with the provisions and spirit of
10 the Geneva Convention is not now and will not in
11 the future be inflicted upon American nationals."
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 In the Hull note of 5 April 1943, the United
2 States Government warned "the Japanese Government that
3 for any other violations of its undertakings as regards
4 American prisoners-of-war or for any other acts of
5 criminal barbarity inflicted upon American prisoners
6 in violation of the rules of warfare accepted and
7 practiced by civilized nations as military operations
8 now in progress draw to their inexorable and inevitable
9 conclusion, the American Government will visit upon the
10 officers of the Japanese Government responsibility for
11 such uncivilized and inhuman acts the punishment they
12 deserve."

13 In an undated Hull note, which was incorporated
14 in the letter of the Swiss Minister of 5 February 1944,
15 the United States Government again protested against the
16 mistreatment of American and Filipino prisoners-of-war
17 and civilian internees, charging that at Baguio civilian
18 internees were forced to labor without shoes and garbed
19 only in loin cloth; that prisoners-of-war from Corregidor
20 being taken to Manila were not landed at the port of Ma-
21 nila but outside the city and forced to walk through the
22 city of Bilibid Prison about 23 May 1942; that prisoners-
23 of-war at Davao Penal Colony, suffering from grave vitamin
24 deficiencies, could see from their camp trees bearing
25 citrus fruit but were not allowed to pluck them; nor were

1 they allowed to retrieve lemons floating down a stream
2 running through the camp; that American officer prisoners-
3 of-war were being compelled to perform all kinds of labor
4 including menial tasks, such as scrubbing floors, clean-
5 ing latrines used by Japanese troops, and working in the
6 kitchens of Japanese officers; that 10 American engineers
7 were required to go to Corregidor in July 1942 to assist
8 in rebuilding the military installations in that area;
9 that the condition of health of prisoners-of-war in the
10 Philippines was deplorable, citing that at San Fernando
11 in April 1942 American and Filipino prisoners were held
12 in a barbed wire enclosure so overcrowded that sleep and
13 rest were impossible and that the many who were sick were
14 given so little care, that human excrement covered the
15 whole area; that many of those who were made to march
16 from Bataan to San Fernando, a distance of over 100 kilo-
17 meters, were shot or bayoneted by the guards; that at Camp
18 O'Donnell conditions were so bad that 2,200 Americans and
19 more than 20,000 Filipinos are reported to have died in
20 the first few months of their detention; that at Cabana-
21 tuan there was no medicine for the treatment of malaria
22 until the prisoners had been in the camp for five months;
23 that at Los Banos camp, recognized as the established
24 endemic center of malaria, no quinine was provided and
25 the internees were not allowed to go outside the fence to

1 take anti-malarial measures; that at Camp O'Donnell many
2 of the men had to live without shelter during 1942, 23
3 officers were assigned to a space of 14 by 20 feet in
4 area, drinking water was so scarce that it was necessary
5 to stand in line six or ten hours to get a drink, and of-
6 ficers had no bath for the first 35 days in the camp;
7 that in late October 1942 approximately 970 prisoners
8 were transferred from the Manila area to the Davao Penal
9 Colony on a transport vessel providing only twenty inches
10 of sleeping space per man; that at Camp Hay at Baguio
11 20 to 30 civilians were assigned sleeping accommodations
12 in a room which had been intended for the use of one
13 person; that at Cabanatuan Lieutenant-Colonel Lloyd Biggs
14 and Lieutenant-Colonel Howard Breitung and Lieutenant
15 M. D. Gilbert, for attempting to escape, were severely
16 beaten and tortured and Filipino passersby forced to beat
17 them on the face with clubs; and that at Baguio Mr. Gray
18 was beaten and given the water-cure.

19 In the Hull note of 11 September 1944, the
20 American Government protested against the removal of cer-
21 tain American internees from Los Banos camp to Fort Mc-
22 Vinley where a major ammunition dump was maintained.

23 In the Atcheson note of 6 April 1942, the United
24 States Government protested against the murder of four
25 American citizens, Grinnell, Duggleby, Larsen and Johnson,

1 all internees in the Santo Tomas internment camp. In the
2 Grew note of 19 May 1945, the American Government pro-
3 tested against the massacre of 150 American prisoners-of-
4 war at Puerto Princesa on 14 December 1944. The note
5 ended with a warning that "the Japanese Government cannot
6 escape responsibility for this crime."

7 We will further prove that contrary to the re-
8 peated assurances of the Japanese Government in these
9 notes, American and Filipino prisoners-of-war and civilian
10 internees continued to be deliberately humiliated, starved,
11 mistreated, abused and murdered. These assurances were
12 so obviously hypocritical that on 10 March 1945 the United
13 States Government sent a note through Mr. Grew, Acting
14 Secretary of State, asserting that: "These most gross and
15 shocking violations of elementary human decency are highly
16 inconsistent with numerous professions of the Japanese
17 Government that it is according humanitarian treatment to
18 prisoners-of-war. The Japanese Government has stated
19 its justification of other violations of its undertakings
20 and of human decency that the United States Government has
21 based its protests on misunderstandings of the facts. The
22 United States Government has not misunderstood the facts,
23 the persons who reported these outrages themselves suf-
24 fered them."

25 The "provisioning in bread, butter, eggs, meat,

1 heating oil, coal and fats assured by Japan" was a far
2 cry from the actual starvation diet of about 300 grams of
3 rice and 10 grams of vegetables which the prisoners-of-war
4 and civilian internees ordinarily received daily during
5 their internment. While camps in the Philippines were
6 located in places where food was plentiful and while their
7 Japanese guards were eating truckloads of rice, carabao
8 meat, cattle, pigs, chickens, fresh and dried fish, soya
9 sauce and paste, and drinking beer and whiskey, the pri-
10 soners and internees were suffering from loss of weight
11 and dying from such malnutritional diseases as beri-beri,
12 pellagra, scurvy and elephantitis.

13 Finally, our closing evidence will pierce the
14 sham and hypocrisy of the pious protestations by the Japa-
15 nese Government that humanitarian treatment was and would
16 be given to American prisoners-of-war and civilian internees.
17 Our evidence will cast light on a top secret policy directive
18 emanating from Tokyo in July 1942. This directive ordered
19 commanders of prisoner-of-war camps to use white prisoners
20 for labor in a manner to impress the people of the locali-
21 ties in which the camps were located with the superiority
22 of the Japanese over the white people.

23 THE PRESIDENT: Mr. Lopez, your opening statement
24 to a considerable extent exceeds the due limits of an open-
25 ing statement, and to that extent will be disregarded by

1 the Tribunal.

2 MR. LOPEZ: I will proceed. If the Tribunal
3 please, before starting to present our evidence we beg to
4 call attention to the fact that technically our phase
5 covers Class C offenses in general and Classes D and C
6 offenses in the Philippines involving the 2nd, 3rd and
7 4th clauses of the last paragraph of page 1 of the Indict-
8 ment; Counts 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47,
9 48, 49, 50, 51, 52, 53, 54 and 55 of the Indictment, in-
10 cluding Appendix B thereof.

11 MR. SOMIYA: I am SOMIYA, Shinji, counsel for
12 the defendant OKA.

13 I believe that the Navy is partly responsible
14 for the atrocities alleged to have been committed in the
15 Philippines by the prosecutor.

16 THE PRESIDENT: We cannot hear you on that issue
17 now.

18

19

20

21

22

23

24

25

W
o
l
f
&
Y
e
l
d
e
n

1 MR. LOPEZ: We offer in evidence IPS Docu-
2 ment No. 2747 which is a list of 317 separate reports
3 containing in all 14,618 pages prepared by roving
4 teams from the Judge Advocate Service of the U. S.
5 Army on atrocities reported in the Philippines (7
6 of those reports relate to other Pacific areas). Those
7 reports are now on file with Legal Section, SCAP. "

8 This list is accompanied by a certificate
9 executed by Colonel Alva C. Carpenter, Chief of Legal
10 Section, which reads as follows:

11 "I, Alva C. Carpenter, Chief, Legal Section,
12 General Headquarters, Supreme Commander for the Allied
13 Powers, do hereby certify that immediately after the
14 liberation of the Philippines roving teams, comprised
15 of military personnel from the Judge Advocate Service
16 of the United States Army, were sent out to conduct
17 investigations throughout the Philippines on reported
18 and known cases of atrocities committed by the Japanese
19 Army and Navy personnel; that many of those cases have
20 been thoroughly investigated in the immediate vicinity
21 of their occurrence; that witnesses who had first-hand
22 knowledge of the atrocities were interrogated and their
23 affidavits taken and ocular inspection of the place
24 where the crimes were committed were invariably made;
25 that reports have been submitted regarding those

1 atrocities investigated and are now on file in our
2 office, and that the attached document, consisting of
3 twenty-one pages, is a list of reports submitted so far
4 regarding these investigations, together with their
5 report number, title, and number of pages each contain."

6 THE PRESIDENT: Mr. Logan.

7 MR. LOGAN: If the Tribunal please, in view
8 of the nature of the evidence about to be introduced
9 by the prosecution, we respectfully request that the
10 prosecution be required to follow the ordinary
11 procedure which is adopted in a law suit of showing
12 or introducing some evidence to at least prove a
13 prima facie case as to which, if any, of these accused
14 they intend to hold responsible for these atrocities.

15 THE PRESIDENT: As one of my colleagues
16 suggests, he should start with his top secret docu-
17 ment alleged to have emanated from Tokyo.

18 MR. LOGAN: There can be no denying the fact,
19 your Honor, that after all we are all human and have
20 our likes and prejudices, and we feel that if the
21 prosecution here should be permitted to introduce
22 this evidence without at least showing a prima facie
23 case against those whom they intend to hold responsible
24 for these acts, that some of the other accused would
25 possibly suffer as a result of the introduction of this

1 evidence and perhaps the failure on the part of the
2 prosecution when they are finished to show any connect-
3 ing link between these acts and any of these accused.

4 THE PRESIDENT: Because we appreciate what you
5 say, Mr. Logan, we called on Mr. Justice Mansfield the
6 other day to tell us how he proposed to prove the
7 connections and after hearing him we were satisfied to
8 let evidence of this type go.

9 MR. LOGAN: I recall the discussion had between
10 Mr. Justice Mansfield and the Tribunal, but in addition
11 to the assurances of the prosecution that they intend
12 to connect it up, I think the Tribunal itself should
13 be satisfied from evidence submitted that at least a
14 prima facie case will be made against those against
15 whom the evidence is intended to be directed.

16 THE PRESIDENT: I think we should be satisfied
17 with the prosecution's assurance, but I will take the
18 views of my colleagues, Mr. Logan.

19 Mr. Smith.

20 MR. SMITH: If your Honor please, with respect
21 to prosecution Document No. 2747, which has been offered,
22 we object to this list of documents which are on file
23 with the armed forces. The list does not mean any-
24 thing unless the documents themselves are going to
25 be produced, and, in those circumstances, this

1 exhibit has no probative value.

2 THE PRESIDENT: We decided to hear the
3 evidence that it is now proposed to offer without
4 first hearing the connecting evidence. The objections
5 are overruled.

6 Admitted on the usual terms.

7 CLERK OF THE COURT: Prosecution's document
8 No. 2747 will receive exhibit No. 1355.

9 (Whereupon, the document above
10 referred to was marked prosecution's exhibit
11 No. 1355 and received in evidence.)

12 MR. LOPEZ: We offer in evidence IPS Document
13 2871 which is a Map of the Philippines showing by
14 dots the places where Japanese atrocities occurred
15 according to the information contained in the list of
16 reports, IPS Document 2747, now Exhibit 1355 of this
17 Tribunal.

18 THE PRESIDENT: Admitted on the usual terms.

19 CLERK OF THE COURT: Prosecution's document
20 No. 2871 will receive exhibit No. 1356.

21 (Whereupon, the document above
22 referred to was marked prosecution's exhibit
23 No. 1356 and received in evidence.)
24
25

1 MR. LOPEZ: We tender in evidence IPS
2 document No. 2730 which is a radiographic report
3 prepared and sent 9 July 1946 by Legal Section,
4 SCAP, to the War Department in Washington, giving
5 the total number of deaths in the Philippines by
6 murder, cruelty, torture, starvation, and neglect
7 among American and Filipino civilians and members
8 of the armed forces:

9 THE PRESIDENT: Admitted on the usual terms.

10 CLERK OF THE COURT: Prosecution's document
11 No. 2730 will receive exhibit No. 1357.

12 (Whereupon, the document above
13 referred to was marked prosecution's exhibit
14 No. 1357 and received in evidence.)

15 MR. LOPEZ: We read the document:

16 "FROM: CINCAFPAC 0907471

17 "TO: WASHINGTON (WDSCA) . . . PRIORITY

18 "PAREN Z 07232 PAREN REURAD WILLIAM SUGAR
19 LOVE TWO THREE EIGHT TWO FIVE PD FIGURES GIVEN ARE
20 THE CLOSEST ESTIMATES THAT CAN BE ARRIVED AT HERE
21 PD NUMBER OF VICTIMS IN UNITED STATES ARMED FORCES
22 PAREN THIS INCLUDES UNITED STATES ARMY AND FILIPINO
23 ARMY PAREN PD MURDER CLN TWO TWO FIVE THREE SCLN
24 CRUELTY AND TORTURE CLN ONE SIX FOUR SIX SCLN
25 STARVATION AND NEGLECT CLN THREE FIVE NAUGHT NINE

1 TWO SCLN OTHER ASSAULTS AND MISTREATMENTS CLN TWO
2 SIX SEVEN PD FIGURES FOR AMERICAN CIVILIANS PD
3 MURDER CLN THREE ONE SEVEN SCLN CRUELTY AND TORTURE
4 CLN TWO FIVE SCLN STARVATION AND NEGLECT CLN TWO
5 FOUR FOUR SCLN OTHER ASSAULTS AND MISTREATMENTS
6 CLN NAUGHT PD FIGURES FOR FILIPINO CIVILIANS PD
7 MURDER CLN EIGHT NINE EIGHT ONE EIGHT SCLN CRUELTY
8 CLN ONE TWO FIVE EIGHT SCLN STARVATION CLN SEVEN
9 SCLN OTHER ASSAULTS AND MISTREATMENTS CLN ONE
10 NAUGHT ONE PD."

11 We submit in evidence IPS document No.
12 2885 which is a chart prepared by the War Department
13 at Washington based in part on the report submitted
14 by Legal Section, SCAP, IPS document No. 2730,
15 now exhibit 1357 of this Court.

16 From this chart whose large-scale copy
17 hangs on the panel of the wall of the courtroom we
18 read the first ten lines--

19 THE PRESIDENT: Admitted on the usual terms.

20 CLERK OF THE COURT: Prosecution's document
21 No. 2885 will receive exhibit No. 1358.

22 (Whereupon, the document above
23 referred to was marked prosecution's exhibit
24 No. 1358 and received in evidence.)

25 MR. LOPEZ: From this chart whose large-scale

copy hangs on the panel of the wall of this court-
 room we read the first ten lines and also the
 tabulation of figures with reference to the
 Pacific Areas, subdivided as to murder, cruelty
 and torture, starvation and neglect, other assaults
 and mistreatments, sub-total and total:

"WAR CRIMES DEATH VICTIMS

of

"U.S. & FILIPINO ARMED FORCES & CIVILIANS

"As Known and Estimated by Theaters

"U.S. ARMED FORCES VICTIMS	23,039
"FILIPINO ARMED FORCES VICTIMS	27,258
"U.S. CIVILIAN VICTIMS	595
"FILIPINO CIVILIAN VICTIMS	<u>21,184</u>
"GRAND TOTAL	142,076

"PACIFIC AREAS

	U.S. & Filipino Armed Forces	U.S. Civilians	Filipino Civilians
"Murder	2,253	317	89,818
"Cruelty & Torture	1,646	25	1,258
"Starvation & Neglect	35,092	244	7
"Other Assaults & Mistreatments	267	0	101
"Sub-Total	39,258	586	<u>91,184</u>
"TOTAL	131,028."		

1 We offer in evidence IPS document 2801
2 which is the summary of evidence of Report No. 11
3 of the list of reports (IPS document 2747, now
4 Court exhibit 1355), on atrocities committed at
5 the Headquarters of the Philippine Red Cross in
6 Manila in February of 1945. This summary of evi-
7 dence, and others similar to it which will be sub-
8 mitted in evidence subsequently, is part of each of
9 the 317 separate reports mentioned in IPS document
10 2747, now Court exhibit 1355. The introduction of
11 those summaries instead of the entire reports from
12 which they were taken was authorized by this Tribunal
13 in its order of 6 December 1946.

14 In our subsequent presentation of other
15 summaries we shall, for the sake of avoiding need-
16 less repetition, refer to the particular reports from
17 which they were taken, by their IPS and Judge Advocate
18 General numbers.

19 THE PRESIDENT: Admitted on the usual terms.

20 CLERK OF THE COURT: Prosecution's document
21 No. 2801 will receive exhibit No. 1359.

22 (Whereupon, the document above
23 referred to was marked prosecution's exhibit
24 No. 1359 and received in evidence.)

25 MR. LOPEZ: From exhibit 2801 we read the

following--

1 THE PRESIDENT: Exhibit 1359.

2 MR. LOPEZ: I am sorry, your Honor. From
3 exhibit 1359 we read the following:

4 Page 1, second paragraph, first sentence:

5 "The headquarters of the Philippine Red
6 Cross at the intersection of Isaac Peral and General
7 Luna streets near Taft Avenue in Manila during the
8 early part of 1945 and many years prior was located
9 in a building prominent both as to place and size
10 and on all dates referred to herein, bore large
11 Red Cross emblems on its walls and roof and in
12 every window of the building (R 2, 44, 45)."

13 THE PRESIDENT: Mr. Lopez, if you read a
14 little slower we would pick it up more rapidly.

15 MR. LOPEZ: I am sorry, your Honor.

16 Page 1, fourth paragraph:

17 "Later in the same day, at about 1800,
18 when approximately seventy persons, including seven
19 patients, five members of the staff and the remaining
20 refugees, were in the building, Miss Gliceria ANDAYA,
21 a nurse, and some others, unidentified, were at the
22 rear of the premises preparing to eat their evening
23 meal when they heard shots at the back gate and an
24 unknown woman entered screaming that a child had been
25

1 shot and behind her came four marines, one of whom
2 was an officer who began firing his revolver at the
3 children in the building. Miss ANDAYA ordered
4 everyone to lie flat on the floor and almost everyone
5 obeyed except one unidentifiable crying child who
6 was silenced when three bullets were fired directly
7 into its mouth (R 47). Through the interpreter,
8 Corazon ABELLARA, the Japanese were advised that
9 Miss ANDAYA was a Red Cross nurse and that they
10 were in a Red Cross building and were asked what
11 they wanted. They answered by pointing a gun at her
12 and she got behind the nurse who was then bayoneted
13 in the chest, causing her to fall to the floor.
14 She did not faint until after she had seen them
15 enter the other room and bayonet and shoot the
16 patients lying on the cots (Ex. B; R 45, 46, 47, 59)."

17 Page 2, paragraphs 1, 2, 4 and 5.

18 "The commotion and the shrill cry given by
19 Miss ANDAYA as she was bayoneted were heard by Mr.
20 FAROLAN who had been at his desk on the other side
21 of the partition separating them, talking with Dr.
22 German de VENECIA who was preparing for an operation
23 (R 4, 52). Mr. FAROLAN hid under his desk just be-
24 fore one of the marines entered the room and killed
25 Dr. VENECIA with two shots from his rifle. A

1 volunteer attendant known only as Lydia, attempted
2 to protect the doctor by saying, 'He is our doctor;
3 please save him,' and the marine thrust his bayonet
4 at her, missed, and she feigned death. The assailant
5 continued, bayonetting six other patients who were
6 lying on or hiding under cots in that room, among
7 whom were Mrs. Juan P. JUAN, her daughter Paulina
8 ZABALA, and her ten days old baby, Rene ZABALA
9 (R 4). Following this the lone marine left the
10 room and could be heard going through other parts
11 of the hospital killing and bayonetting the
12 victims (R 4). When Mrs. ZABALA's husband found
13 the bodies two days later, that of his wife showed
14 that she had been bayoneted in the mouth and
15 abdomen and shot through the chest, while the
16 condition and position of the child's body indicated
17 that he had been bayoneted in the right arm and
18 had bled to death or suffocated under his mother's
19 body (R 39).

20
21 "Patrocinio ABAD, a movie actress whose
22 screen name was Corazon NOBLE and who had taken
23 refuge at the headquarters, was in the downstairs
24 corridor along with some twenty-five or thirty others
25 when the Japanese came, and attempted to hide behind
a medicine cabinet with her ten months old baby,

1 Maria Lourdes VERA. The cover was insufficient and
2 she was shot in the right elbow, fell and lay prone
3 with her baby under her. The marine was not satis-
4 fied and stabbed her with his bayonet nine times
5 on her side and back (Ex. B, C, I; R 14, 16).
6 Later she gave the child to her brother to take
7 to a doctor but it died as a result of three bayonet
8 wounds.

9 "The carnage covered the entire ground
10 floor and continued for twenty or thirty minutes,
11 after which the Japanese departed (R 42). cursory
12 examination of the premises that night revealed
13 numerous bodies and after the building was burned
14 13 February, ashes, bones, and bodies were found
15 piled in corners, along the corridors and in the
16 latrine, identifiable only because some survivors
17 were able to point out the locations where various
18 victims had cowered for protection (Ex. E; R 31, 40);
19 similarly, record files and safes together with
20 their contents were destroyed by fire before they
21 could be examined (R 7).

22 "The estimates as to the number killed vary
23 considerably, two of the nurses placing it at twenty
24 (R 52, 56, 59); another, at approximately thirty
25 (R 31); the surviving German at eighty (R 64); the

1 manager, fifty (R 6); while another survivor thinks
2 there were thirty or more (R 71); and a witness who
3 entered the building the night of the massacre said
4 he saw twenty bodies in the hallway and did not
5 look into the rooms (R 30)."

1 We introduce --

2 MR. SOMIYA: I am counsel SOMIYA. I should
3 like to call the Court's attention to the following
4 fact: The facts -- the statements of facts -- which
5 have just been made by the prosecutor concern the Navy.
6 However, OKA, SHIMADA, and NAGANO who are among the
7 defendants had already retired from the Navy at the time
8 those incidents -- those facts which the prosecutor
9 referred to occurred.

10 THE PRESIDENT: You can state that again at
11 the proper time, not now though.

12 Mr. Lopez, it is pointed out to me by a
13 colleague that so far you have not read into the
14 transcript the date of this alleged atrocity. From
15 a paragraph not read it appears to have been the 10th
16 of February 1945.

17 Proceed with your next exhibit.

18 MR. LOPEZ: We introduce as our first witness,
19 Miss Wanda O. Werff, to testify on improper conditions
20 at Los Banos Civilian Internment Camp.

21 THE MONITOR: Mr. Lopez, your brief here,
22 as we read over the simultaneous channel, states that
23 the first witness is Miss Patrocinio Abad. Is that
24 wrong?
25

 MR. LOPEZ: She has not arrived and that is

WERFF

DIRECT

1 the reason why we are putting on Miss Werff. Miss
2 Werff is trying her best to get out of Tokyo.

3
4 - - - -

5 W A N D A O. W E R F F, called as a witness
6 on behalf of the prosecution, being first
7 duly sworn, testified as follows:

8 DIRECT EXAMINATION

9 BY MR. LOPEZ:

10 Q Will you please give your name, age, occupation
11 and residence?

12 A Wanda Werff, 25, Headquarters PACUSA, secretary.

13 THE PRESIDENT: We adjourn until half-past
14 one.

15 (Whereupon, at 1200, a recess was taken.)
16
17
18
19
20
21
22
23
24
25

W E R F F

DIRECT

AFTERNOON SESSION

W
h
a
l
e
n
&
S
p
r
a
t
t

1
2
3 The Tribunal met, pursuant to recess, at
4 1330.

5 MARSHAL OF THE COURT: The International
6 Military Tribunal for the Far East is now resumed.

7 THE PRESIDENT: Mr. Lopez.

8 MR. LOPEZ: If your Honor please, I should
9 like to ask permission to pursue my examination of
10 the witness.

11 THE PRESIDENT: Proceed.

12 - - -

13 W A N D A O. W E R F F , called as a witness on
14 behalf of the prosecution, resumed the stand
15 and testified as follows:

DIRECT EXAMINATION

16
17 BY MR. LOPEZ (Continued):

18 Q When the war broke out in the Philippines
19 where were you?

20 A I was working for the War Department at Fort
21 Santiago, Manila.

22 Q What was your position, please?

23 A I was secretary.

24 Q Your present position now, please?

25 A Secretary to the Judge Advocate, Headquarters,

W E R F F

DIRECT

1 Pacific Air Command.

2 Q Here in Tokyo?

3 A Yes.

4 Q When the Japanese first entered Manila
5 on 2 January 1942, where were you?

6 A I was at my home, 1128 California Street,
7 Manila, Philippine Islands.

8 Q Were you ever arrested and interned by the
9 Japanese forces?

10 A Yes, I was, on January 3, 1942. I was
11 put in Santo Tomas Internment Camp up to December
12 10, 1944.

13 Q From December 10, 1944 until your libera-
14 tion, where were you, please?

15 A I was interned at the Los Banos Internment
16 Camp.

17 Q Could you tell us the circumstances under
18 which you were moved from Santo Tomas to Los Banos
19 Camp?

20 A On December 10, 1944 the Japanese Com-
21 mandant notified 150 internees of Santo Tomas to
22 get ready for a move to Los Banos. At two o'clock
23 in the morning of December 10, 150 of us gathered in
24 front of the main building in Santo Tomas Internment
25 Camp, and were counted. We were put on trucks and

WERFF

DIRECT

1 taken to Tutuban Station, where again the roll was
2 called. The Japanese guards then told us to load
3 in one of these box cars, which was made out of
4 steel without any windows. The group of 150 con-
5 sisted of 120 persons over the age of 50, and 30
6 under the age of 30. We filed into the box car with
7 7 or 8 guards. Most of us were standing with some
8 of the few older people sitting down. We started
9 at two o'clock in the morning and arrived at Los
10 Banos Station at eleven o'clock that same morning.
11 In the meantime, some of the older people had al-
12 ready passed out from suffocation. Upon arrival
13 at the Los Banos Station the guards told us to get
14 off and to line up on the road. By that time most of
15 us were exhausted and weakened from the trip. We
16 stood at attention on the road under the hot sun up
17 to four o'clock that afternoon. At four o'clock the
18 Japanese guards told us to start marching to the
19 camp, which was two miles south of the station. We
20 started marching and arrived at Los Banos Camp at
21 eight o'clock that night. Only half of the group
22 arrived, the others having fallen out during the
23 March. Some of them we saw again; others we never
24 laid eyes upon.
25

Q Miss Werff, when you arrived at Los Banos

WERFF

DIRECT

1 Camp were you given any food?

2 A No food was prepared for us, and we didn't
3 eat until next morning at ten o'clock, when we got
4 the usual rice, corn, and water.

5 Q Could you tell us the number of internees
6 when you got there in that camp?

7 A There were 1950 internees in the Los Banos
8 Camp, and with the new group they amounted to 2025.

9 Q Will you please describe to the Tribunal
10 the living conditions in the camp when you were
11 there?

12 A Living conditions were pretty poor, with
13 96 to one barrack. The water supply was very poor.
14 At times we would go for four or five days without
15 any water supply at all. Our latrines were the
16 regular open type, and no disinfectant was issued to
17 prevent disease. Drinking water had to be boiled,
18 and usually it was too dirty to even wash your
19 clothes.

20

21

22

23

24

25

WERFF

DIRECT

1 Q Were you provided with medical supplies in the
2 camp?

3 A No. No medical supplies were issued to us,
4 and the little that we had on hand would not have even
5 been enough to divide equally among the patients. It
6 would not have had any effect at all.

7 Q Are you familiar with that section of the
8 Philippines where Los Banos Camp was located?

9 THE PRESIDENT: What about food?

10 THE WITNESS: At that time we were getting
11 exactly two hundred grams of rice, corn and water.
12 One meal a day.

13 Q Are you familiar with that section of the
14 Philippines where Los Banos Camp was located, Miss
15 Werff?

16 A Yes. It is considered one of the most fertile
17 regions in the Philippine Islands.

18 Q Before the outbreak of the war did you frequent
19 that area of Los Banos?

20 A Yes. Most of us used to go there for the hot
21 springs.

22 Q What plants and crops were abundantly planted
23 around that area of Los Banos?

24 A Corn, coconuts, rice, sugar, bananas, sweet
25 potatoes, mangoes, chicos. I guess that is about all.

WERFF

DIRECT

1 Q Did you and other prisoners complain to the
2 Japanese authorities in the camp about the lack of food
3 that you were getting?

4 A Yes, we did complain, but they always told us
5 that they did not have enough food to feed us with,
6 and that even the Japanese did not have enough, which
7 we knew was not true because at night we could hear
8 the pigs squeal and the chickens cackle; the Japanese
9 were killing them for their next morning's meal. Also,
10 on one occasion I saw a truck load of rice being
11 brought into camp which was thrown in one of the ware-
12 houses, and we never did see any grain of that rice.
13 Also, the Filipinos would try to bring us some food
14 from the mountains, and they were always driven away
15 by the Japanese guards.

16 Q Were there banana groves and coconut trees
17 surrounding the camp?

18 A Yes. About twenty feet from the fence you
19 could see thousands of banana trees so loaded with
20 bananas that the Filipinos used bamboo poles to keep
21 the banana trees up. Also, one side of our camp was
22 surrounded with banana groves and the other side with
23 coconut trees loaded with coconuts.

24 Q Are you familiar with the nutritional value
25 of young coconut fruits, Miss Werff?

WERFF

DIRECT

1 A Yes. The milk of young coconuts is very nutri-
2 tional, and at that time we had about 400 children in
3 camp which the milk would have done a great deal for.

4 Q Do you recall if you and other internees re-
5 quested the Japanese to allow you to pick some of those
6 fruits for your consumption in the camp?

7 A Yes. We did ask permission, but they never
8 granted it to us.

9 Q During your confinement do you remember if
10 the internees were allocated a parcel of land around
11 the camp where they could plant vegetables and other
12 foodstuffs for their consumption?

13 A Yes. The Japanese allocated an area of land
14 to the prisoners at Los Banos Camp. The men plowed
15 the earth, one man acting as the draft animal; he was
16 harnessed to the plow, and the other man led the plow.
17 The women would plant the seedlings.

18 Q What plants were planted, please?

19 A Corn, lettuce, cabbage, radishes, garlic,
20 onions, sinkamas and pichay.

21 Q Could you inform the Tribunal if you and
22 the other internees were able to harvest those plants
23 which you sowed and planted?

24 A When the harvesting season came round, the
25 Japanese put the area off limits and threatened any

WERFF

DIRECT

1 internee if caught near the area that they would be
2 shot at sight.

3 Q At that very moment, or that particular time,
4 what was the diet that you had at the camp?

5 A We were getting one meal a day consisting of
6 rice and water. And to add to the rice and water most
7 of us ate dogs, cats, cockroaches, snails, slugs;
8 some even went to the extent of eating rats and weeds.

9 Q Do you happen to know an internee of that camp
10 by the name of George Lewis -- L-e-w-i-s?

11 A Yes. George Lewis was a Pan American Airways
12 employee of about 28 years old, and one of the pris-
13 oners at the camp.

14 Q Could you tell us, please tell us what hap-
15 pened to him on 28 January 1945 in the camp.

16 A On 28 January 1945 George Lewis was on our
17 side of the fence digging for some weeds in the gutter.
18 A Japanese guard shot him, but the bullet just grazed
19 his shoulder. And without a summary trial of any sort
20 George Lewis, that afternoon, at around 2 o'clock in
21 the afternoon, he was executed for attempting to
22 escape.

23 Q When you were liberated in February of 1945
24 will you be good enough to tell us, Miss Werff,
25 just how much you weighed?

WERFF

DIRECT

1 A I weighed 88 pounds.

2 Q When you entered Santo Tomas for the first
3 time as a war prisoner, or as an internee, in Jan-
4 uary of 1942, how much did you weigh?

5 A I weighed 152.

6 MR. LOPEZ: Your witness.

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

WERFF

CROSS

D
u
d
a

E
c
c
r

1 THE PRESIDENT: Counsel SOMIYA.

2 MR. SOMIYA: I am SOMIYA, Shinji, defense
3 counsel.

4 CROSS-EXAMINATION

5 BY MR. SOMIYA:

6 Q When you were interned, during the period
7 of your internment in Los Banos, were not the
8 Philippines suffering from a severe food shortage?

9 A At the time of my internment, I don't recall
10 ever knowing of the Philippines suffering from a
11 severe food shortage.

12 Q Is the climate at Los Banos divided into the
13 dry season and the wet season?

14 A Yes, the climate at Los Banos is divided into
15 the dry and the wet seasons.

16 Q Is there not a shortage of water during
17 the dry season?

18 A At Los Banos, is that?

19 Q Yes, at Los Banos.

20 A Not to my knowledge. There are quite a few
21 waterfalls there. I don't ever have remembered of
22 Los Banos being country where there is a shortage of
23 water, especially with the hot springs.

24 Q Do not these waterfalls dry up in the dry
25 season?

WERFF

CROSS

1 A No, they do not.

2 Q Was there a water system in the camp?

3 A Yes. The water system would come from the
4 mountains and it was taken to the camp in bamboo
5 tubes.

6 MR. SOMIYA: I conclude my cross-examination.

7 THE PRESIDENT: Mr. Blewett.

8 MR. BLEWETT: If the Court please.

9 CROSS-EXAMINATION (Continued)

10 BY MR. BLEWETT:

11 Q Miss Werff, who was in charge of the Los
12 Banos camp, if you know?

13 A At that time it was a Mr. Hikert, was the
14 chairman of the committee at the time I was there.

15 Q Were there any Japanese officers there?

16 A Yes, the commandant at the camp was a
17 Major IWANAKA, and his assistant, Sergeant KONISHI.
18 There were about fifty guards around the gates; and
19 under the commandant, he had about fifteen in his staff.

20 Q Of what branch of the service were the guards?

21 A They were military; they wore military clothes.

22 Q Did you see the insignia, or was there any
23 insignia on the uniform?

24 A I don't understand the military rank of the
25 Japanese Army. But they did have stripes on their

WERFF

CROSS

1 sleeves and up on the shoulder.

2 THE PRESIDENT: Did they belong to the Army,
3 the Navy, or the Air Force? I think that is what you
4 are asked to say.

5 MR. BLEWETT: That is right, sir.

6 THE WITNESS: Well, I gathered that they
7 belonged to the Army. They wore khakis, green suits.

8 Q But you couldn't tell us whether they were
9 Army, Navy, or Marine Corps, is that correct?

10 A I couldn't tell about the guards. But I
11 knew the commandant was Army. He was Major IWANAKA.

12 Q Was he the highest-ranking Japanese officer
13 that you saw at Los Banos during your stay?

14 A At Los Banos, he was the highest ranking.
15 At Santo Tomas we saw General HOMMA.

16 Q At Santo Tomas, I assume from your testimony
17 that your treatment was quite all right there?

18 A I didn't testify against Santo Tomas. I
19 didn't say a word about it.

20 MR. BLEWETT: That is all, Miss Werff.
21 Thank you.

22 MR. LOPEZ: No redirect.

23 THE PRESIDENT: The witness is released on
24 the usual terms.

25 (Whereupon, the witness was excused.)

1 MR. HORWITZ: We tender in evidence IPS
2 document No. 2813, which is a summary of evidence of
3 JAG Report No. 88 on the massacre in the house of
4 Dr. Moreta at 417 Isaac Peral Street, Manila, in
5 February 1945.

6 THE PRESIDENT: Admitted on the usual terms.

7 CLERK OF THE COURT: Prosecution's document
8 No. 2813 will be given exhibit No. 1360.

9 (Whereupon, the document above
10 referred to was marked prosecution's exhibit
11 No. 1360, and was received in evidence.)

12 MR. HORWITZ: We read paragraphs 1 and 3 of
13 that document:

14 "On 17 February 1945, approximately sixty-three
15 Spanish, Filipino, and Chinese civilians had taken
16 refuge at the house of Dr. Moreta at 417 Isaac Peral
17 Street, Manila, P. I. About noon, a group of about
18 twenty Japanese Marines entered the building and, at
19 the direction of an officer, separated the men from
20 the women, placing the men in the bathroom and the
21 women in the kitchen.

22 "Thereafter several grenades were thrown into
23 the bathroom by the Japanese, resulting in the death
24 and wounding of many of the men. Meanwhile, many of
25 the women were bayoneted, stabbed or shot, while

1 while others were dragged upstairs by the Japanese
2 and never again seen alive. None of the survivors
3 witnessed the raping of any of the women, but the
4 bodies of several of the women were mutilated and
5 bore indications of having been violated."

1 We offer in evidence IPS document No.
2 2812, which is a summary of evidence of JAG report
3 No. 70 on the massacre in the house of Dr. Price at
4 Colorado Street in Manila in February 1945.

5 THE PRESIDENT: Admitted on the usual
6 terms.

7 CLERK OF THE COURT: Prosecution's docu-
8 ment number 2812 will receive exhibit No. 1361.

9 ("Whereupon, the document above
10 referred to was marked prosecution's exhibit
11 No. 1361 and received in evidence.)

12 MR. HORWITZ: We read from paragraph two
13 of that document, the first and last two sentences.
14 (Reading:)

15 "The number of people assembled at the Price
16 residence is variously estimated at from two hundred
17 to seven hundred.

18 "The Japanese then walked among the victims,
19 and with bayonet or bullet, administered the coup
20 de grace to those who made a sound or movement. A
21 supply of whiskey was then discovered in the Price
22 residence, and after an orgy of drinking, the Japs
23 urinated on the dead bodies, and also caught a pig
24 and permitted it to lick the blood off the floor."

25 THE PRESIDENT: What is the date of that?

1 It seems to be dated the 9th of February, 1945. You
2 haven't read that.

3 MR. HORWITZ: 9 February 1945.

4 THE PRESIDENT: Why didn't you read the
5 passage you omitted, between the excerpts you read?

6 MR. HORWITZ: The material in there would
7 be repetitious and we wish to point out merely
8 the main event at that point, your Honor.

9 THE PRESIDENT: You left out the most im-
10 portant part. Better not read it at all than read
11 it this way.

12 MR. HORWITZ: If your Honor please --

13 THE PRESIDENT: The pig episode is not
14 worth giving any attention to and that is about all
15 you read. We don't know under what circumstances
16 these people died, whether illegally or otherwise.

17 MR. HORWITZ: In that event I will read
18 the whole of the second paragraph.

19 THE PRESIDENT: All or none. I hope you
20 haven't any more passages like this.

21 MR. HORWITZ: (Reading) "The number of
22 people assembled at the Price residence is variously
23 estimated at from two hundred to seven hundred.
24 Japanese sentries appeared at irregular intervals,
25 but apparently did not molest any of the refugees

1 until about 1700 in the afternoon, at which time
2 approximately thirty marines, commanded by three
3 officers, appeared on the scene. When the marines
4 appeared many of the refugees were inside the house;
5 others had taken shelter in the basement, while
6 still others were lying against the walls of the
7 house and garden, using bundles of food and clothing
8 as barricades. The Japanese marines came into the
9 garden shouting and shooting, and after a few minutes
10 shouted an order in English for the people inside
11 the house to come out. Those inside filed out, and
12 when they reached the garage at the rear of the
13 premises, the Japanese opened fire on them with
14 machine guns, rifles and pistols. The whole group
15 fell to the ground either dead, wounded or feigning
16 death. The Japanese then walked among the victims,
17 and with bayonet or bullet, administered the coup
18 de grace to those who made a sound or movement. A
19 supply of whiskey was then discovered in the Price
20 residence, and after an orgy of drinking, the Japs
21 urinated on the dead bodies, and also caught a pig
22 and permitted it to lick the blood off the floor."

23 We offer in evidence IPS document No.
24 2845, which is an affidavit of Basilio Umagap on
25 atrocities at the Pons residence in Manila in

1 February 1945.

2 THE PRESIDENT: Admitted on the usual
3 terms.

4 CLERK OF THE COURT: Prosecution's docu-
5 ment No. 2845 will receive exhibit No. 1362.

6 ("Whereupon, the document above
7 referred to was marked prosecution's
8 exhibit No. 1362 and received in evidence.)

9 MR. HORWITZ: From page two of that docu-
10 ment, we read the eighth question and answer:
11 (Reading)

12 "Q Then tell what happened.

13 "A There were tables inside the ground
14 floor, so the Japanese moved them to the side, and
15 we were placed in the middle of the room. Then
16 the Japanese having a gun placed ammunition and
17 began to shoot us. The first one shot was Mr.
18 Pons; second, Isaac; third, Mrs. Pons; fourth, Eva;
19 fifth, Pacita; sixth, Candida; eighth, Delfin;
20 ninth, Virginia; and the last was the baby. The
21 baby was shot last because the Japanese was about
22 to leave the house when they heard the cry of the
23 baby. The Japanese returned and shot the baby.
24 While we are moved into the ground floor, I was
25 trying to untie the knot in my hands. I was able

1 to take off the knot of one of my hands and when
2 Isaac was shot and dropped to the floor all of us
3 was pulled down, thus all of us dropped to the
4 pavement. By this way, the knot on my other arm was
5 untied automatically. I then slipped and crawled
6 to a nearby corner where an armchair was located.
7 I lay flat with my face downward and with my two
8 palms covering my face."

9 "We offer in evidence IPS document No.
10 2802, which is a summary of evidence of JAG report
11 No. 27 on the massacre at De La Salle College in
12 Manila, in February 1945.

13 THE PRESIDENT: Admitted on the usual
14 terms.

15 CLERK OF THE COURT: Prosecution's docu-
16 ment No. 2802 will receive exhibit No. 1363.

17 (Whereupon, the document above
18 referred to was marked prosecution's exhibit
19 No. 1363 and received in evidence.)

20 MR. HORWITZ: We read from that document
21 the following: (Reading)

22 Page 1, paragraph 2.

23 "The De La Salle College, 1501 Taft Avenue,
24 Manila, Philippine Islands, is a Catholic educa-
25 tional institution but due to war conditions was not

1 in active operation, and was temporarily used by
2 the Japanese as a hospital until January 1945 when
3 the families of Don Enrique VASQUEZ PRADA, the
4 related families of Judge Jose R. Carlos, Dr.
5 Antonio COJUANGCO and Dr. Clemente UYCHUICO together
6 with their servants, took residence therein with
7 seventeen Lay (Christian) Brothers who were faculty
8 members, seven servants and employees of the school,
9 and a refugee priest, making Francis J. COSGRAVE,
10 who were already living there, making a total of
11 sixty-eight people residing in the institution.
12 Shortly thereafter, an unidentified number of
13 Japanese Marines or Navy men occupied a portion of
14 the first floor."

15 Page 2, paragraph 2, first three sentences:

16 "Shortly after the shots were heard, the
17 officer went to the Nippon Club but returned to
18 the College and instructed the soldiers to murder
19 all the people; they began shooting and bayoneting
20 those who were downstairs in the corridor. Many
21 hid in an improvised air-raid shelter on the first
22 floor and when the Japanese heard the cries of the
23 women and children and the prayers of the Brothers,
24 it attracted their attention and one of the soldiers
25 carrying a lamp came into the shelter, ordered them

1 out and as they left the Japanese struck them with
2 the butts of their guns. They were then forced
3 to face the wall and the officer came down from
4 upstairs and gave instructions to start killing,
5 whereupon they were shot and bayoneted."

6 Page 2, the last paragraph:

7 "There is evidence that an attempt was
8 made to rape some of the victime and the body of
9 Asela CARLOS was discovered en dishabille and in
10 such a position as to indicate she had been violated.
11 On the 13th the Japanese returned and when they saw
12 the body of fourteen-year-old Fortunata SALONGA
13 lying in an exposed condition, attempted to have
14 intercourse with her although she had been dead from
15 eight to ten hours and rigor mortis had set in.
16 An enlisted man attempted to violate Miss Rosario
17 CARLOS but left when an officer saw him. Servillano
18 ACUINO and Dionisia CARLOS stated they saw a Japanese
19 soldier rape Isabel LAMBAN, but she denies that such
20 act occurred. That evening the Japanese came back
21 and kicked the bodies in an effort to find out who
22 were still alive but those who were dared not move or
23 make any noise, whereupon attempts were made to burn
24 the south wing of the building and while Brother
25 HUBERT was endeavoring to extinguish the flames he

was observed and killed."

1 THE PRESIDENT: What is the exact date
2 of that?

3 MR. HORWITZ: 31 January.

4 THE PRESIDENT: It seems to be February,
5 isn't it?

6 MR. HORWITZ: Between 7 and 10 February,
7 your Honor.

8 THE PRESIDENT: Tenth of February 1945.

9 MR. HORWITZ: We offer in evidence IPS
10 document No. 2849, which is a transcript of the
11 testimony of Nena Alban at the trial in Manila of
12 the former Japanese General Masaharu HOMMA. The
13 witness described Japanese atrocities in Manila dur-
14 ing early days of Japanese Occupation in 1942.

15 THE PRESIDENT: Admitted on the usual
16 terms.

17 State the date in each case.

18 CLERK OF THE COURT: Prosecution's docu-
19 ment No. 2849 will receive exhibit No. 1364.

20 (Whereupon, the document above
21 referred to was marked prosecution's
22 exhibit No. 1364 and received in evidence.)

23 MR. HORWITZ: On page 1 we read from that
24 document the 4th, 5th, 6th and 7th questions and
25 answers. (Reading)

1 "Q What is your profession?

2 "A A nurse, sir.

3 "Q Were you working in 1941?

4 "A Yes, sir.

5 "Q As what?

6 "A As a social worker.

7 "Q For what organization?

8 "A The American and Philippine Red Cross."

9 On page 1 we read the 12th question and
10 answer:

11 "Q (By Colonel Lim) During the months of June
12 and July, 1942, did you know that the Japanese Army
13 was occupying the grounds of the San Beda College?

14 "A Yes, sir."

15 On page 2 we read the 5th question through
16 to the end of the 5th question and answer on page 3.

17 "Q Go ahead, please.

18 "A The first afternoon I saw four Filipinos
19 were made to kneel right at the edge of the creek
20 and beheaded, and the bodies fell into the creek.

21 "Q How many Filipinos did you say?

22 "A Four Filipinos.

23 "Q Who beheaded the Filipinos?

24 "A The Japanese soldiers.

25 "Q Did you see anything else?

1 "A And the next one I saw were two Filipinos
2 were beheaded at the same position, but just very
3 near to the place where the first time I saw.

4 "Q Go ahead.

5 "A And the next one I saw were more or less
6 seven Filipinos who were made to kneel on the bar
7 across the hole in the ground and beheaded, and the
8 body fell right inside the hole.

9 "Q Who beheaded these seven Filipinos, more
10 or less?

11 "A The Japanese soldiers.

12 "Q Did you witness any other atrocities?

13 "A I saw ten Filipinos were standing inside
14 of the pit, and the soldiers beheaded them, the
15 Japanese soldiers.

16 "Q What else?

17 "A And I saw four Filipinos were killed by
18 juco. The Japanese soldiers took ahold of the feet
19 of the victims and struck the head right on the con-
20 crete pavement.

21 "Q Was the Filipino killed?

22 "A Yes, sir; and the body thrown into the
23 creek after they were killed.

24 "Q Go ahead.

25 "A And I saw other atrocities. The Filipinos

1 were tortured, boxed, kicked, beaten by a business
2 of heavy wood, heavy sticks, until they were flat on
3 the ground, and I have not seen them move again. All
4 by the Japanese.

5 "COLONEL LIM: What was that last?

6 "(Answer read.)

7 "Q (By Colonel Lim) What else?

8 "A I saw more or less 20 Filipinos who were
9 tied up right in front of San Beda, and they were
10 kicked, boxed, tortured in different ways, beaten by
11 the barbed wires, and all the bodies of the victims
12 were bleeding. When they pretend to scream or to cry,
13 they were boxed right on the back of the head, and
14 they were placed under the very hot sun.

15 "Q Do you remember of any other atrocities
16 witnessed by you?

17 "A Yes, I know so many.

18 "Q Go ahead, please.

19 "A Another group of Filipinos were placed
20 under the sun and boxed right in the stomach, were
21 beaten, were kicked, slapped, and when they were al-
22 ready sleeping the Japanese had a pail of water and
23 poured the water right from the head of the victims
24 to the feet.

25 "Q Anything else?

1 "A Yes, sir. Four Filipinos were killed
2 right by the side of San Beda College, bayonetting
3 them until they were killed."

4 On page 3 we read the 8th question and answer:

5 "Q Go ahead.

6 "A Two Filipinos were hanging from the tree.
7 The leg was tied with a chain, tightly, and every
8 Japanese soldiers that passed by, they boxed the
9 victims until he was dying."

10 On page 4 we read from the 8th question on
11 through to the end of the 8th question and answer
12 on page 5.

13 "Q Anything else, Mrs. Alban?

14 "A Another two Filipinos were tortured heavily
15 in different kinds of torturing, and when they were
16 already helpless they were bayonetted and they were
17 killed, right at the side of San Beda, near the
18 bridge of Mendiola.

19 "Q Any other atrocities?

20 "A And another six Filipino victims were tied
21 under the sun, very hot sun, and they were beaten
22 with heavy wood and kicked, slapped, boxed right on
23 the head, and pushing them against the barbed wired
24 fence, and all of their backs were bleeding."
25

On page 4 we read from the 8th question and

1 answer through the remainder of the direct exami-
2 nation:

3 "Q What happened to these Filipinos?

4 "A. Well, they were held in the stock by the
5 leg, group by group. They were in two groups.
6 There were six Filipinos. And while they were held
7 in the stock their hands were held also with heavy
8 stock, and they were boxed, they were pushed --
9 They were pushed back against the fence, barbed
10 wire, and they were burned with the burning tips
11 of cigarettes, and I saw burning piece of wood put
12 under the armpit of Rosalino Aurora, one of the
13 victims.

14 "Q (By Colonel Lim) What else, Mrs. Alban?

15 "A And another two Filipinos were beaten,
16 were pushed in the ground, kicked by the Japanese
17 officer, and then when they were already dying,
18 so helpless they could hardly move, they were
19 bayoneted. And one of them was Remigio Reyes.

20 "Q Do you remember of the case of Filipinos
21 whose eyes were bayoneted?
22

23 "A Yes. There were nine or more tied up
24 right almost near the corner of Mendiola and
25 Tuberias Street, and they were bayoneted right
 through the eyes, side by side.

1 "Q Who did this bayonetting?

2 "A The Japanese soldiers.

3 "Q Did you ever witness the use of pliers by
4 the Japanese?

5 "A Yes, sir.

6 "Q In what instance?

7 "A The victims, the Filipinos victims, were
8 tied and made to kneel right in front of the San
9 Beda College building --

10 "Q How many Filipinos?

11 "A More or less seven.

12 "Q Seven Filipinos?

13 "A And their tongues were pulled out by the
14 help of the pliers, and I saw the tongues hanging
15 up to the chest.

16 "Q Did you see these Filipinos alive again?

17 "A No, sir.

18 "COLONEL LIM. That is all with the witness."

19 We offer in evidence IPS document No. 2838,
20 which is a summary of evidence of JAG report No. 66
21 on the massacre at the German Club in February 1945,
22 in Manila.
23

24 THE PRESIDENT: Admitted on the usual terms.

25 CLERK OF THE COURT: Prosecution's document No. 2838 will receive exhibit No. 1365.

(Whereupon, the document
above referred to was marked prose-
cution's exhibit No. 1365 and received
in evidence.)

A
b
r
a
m
&
M
o
r
s
e

1 MR. HORWITZ: We offer in evidence IPS docu-
2 ment No. 2838, which is a summary of evidence of
3 JAG Report No. 66 on the massacre at the German Club
4 in February, 1945, in Manila.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: Prosecution's document
7 No. 2874 will receive exhibit No. 1366.

8 (Whereupon, the document above re-
9 ferred to was marked prosecution's exhibit
10 No. 1366 and received in evidence.)

11 MR. HORWITZ: We read from that document the
12 summary of evidence, with the exception of the last
13 two sentences:

14 "The German Club, the scene of the atrocity, is
15 located on San Luis Street near its intersection with
16 San Marcelino Street, Ermita, Manila, P.I. The build-
17 ing is adjacent to the San Marcelino Church and com-
18 pound where twenty-six civilians were murdered on 9
19 and 10 February 1945, and the perpetrators of both
20 atrocities are undoubtedly the same. The German Club
21 was managed by a Mr. and Mrs. Ohaus (first names un-
22 known), who were German citizens. On 6 February 1945
23 all the houses in the vicinity of the German Club were
24 surrounded by Japanese, presumably members of the Im-
25 perial Naval Ground Forces. This district was then

1 under heavy bombardment and shell fire. From 7 to 10
2 February 1945 at least five hundred civilian resi-
3 dents in the vicinity of the German Club took shelter
4 underneath the club from the bombardment and shell
5 fire. These people were crowded and jammed in a
6 four foot high space between the concrete floor of
7 the club and the ground. They remained there until 10
8 February 1945, leaving only on occasional secret trips
9 to seek food and go to the latrine in the club.

10 "Between 7 and 10 February 1945 the Japanese
11 set fire to the Red Cross building at the corner of
12 General Luna and Isaac Peral Streets and to all the
13 private houses in the neighborhood. At approximately
14 1000 hours, 10 February 1945, the Japanese surrounded
15 the German Club and forbade anyone to leave their
16 shelter beneath the club. While the victims under-
17 neath the club were guarded with aimed rifles, the
18 Japanese built an inflammable barricade out of the
19 victims' clothing and personal possessions which they
20 had stored in the club. This barricade completely
21 surrounded the club, closely hemming in the victims
22 underneath. The Japanese then piled the furniture
23 inside the club, poured gasoline over the pile and
24 ignited it. They then poured gasoline over the
25 barricade surrounding the club and ignited it. As

1 the heat from the flames mounted, many men and women
2 ran out from underneath the club and attempted to leap
3 over the flaming barricade. Most of these were
4 bayoneted and shot by awaiting Japanese. Some of the
5 women were raped and their infants bayoneted in their
6 arms. After raping the women the Japanese poured
7 gasoline on their hair and ignited it. The breasts
8 of some of the women were cut off by Japanese soldiers.
9 Bernardino Calub, the house boy of the surviving eye-
10 witness Francisco Lopez, was tied to a pillar of the
11 Lopez garage. The Japanese then proceeded to cut off
12 his genitals and thrust his severed penis in his
13 mouth."

14
15 We introduce in evidence IPS document No.
16 2874, which is a transcript of the testimony of
17 Mariano del Rosario in the trial of YAMASHITA.

18 THE PRESIDENT: Admitted on the usual terms.

19 CLERK OF THE COURT: Prosecution's document
20 No. 2874 will receive exhibit No. 1366.

21 (Whereupon, the document above re-
22 ferred to was marked prosecution's exhibit
23 No. 1366 and received in evidence.)

24 MR. HORWITZ: We read from that document
25 the following: Page 1, 4th answer through to and

1 including the 7th answer:

2 "A I am the city undertaker for the City of
3 Manila.

4 "Q Were you so acting on the first part of
5 February and during February of this year?

6 "A Yes, sir, I was.

7 "Q Did you have occasion to go to the home
8 known as the Campos home, on Taft Avenue?

9 "A Yes, sir.

10 "Q When did you go there?

11 "A After the fighting was diminished to a
12 certain extent around that area, Major David Binkley,
13 Division Sanitary Inspector, of the 37th Division, and
14 myself went to the Campos residence to remove the
15 dead bodies in that locality."
16

17 Page 1, the tenth question and answer:

18 "Q How many dead bodies did you find within
19 the Campos yard?

20 "A Approximately about a hundred, sir."

21 Page 2, 2nd question and answer:

22 "Q Did you have occasion to observe the wounds,
23 if any, on any of the dead bodies?

24 "A Yes, sir. More particularly so in that
25 crowd or in that pile that we found on the driveway.
We noticed most particularly a lady whose breast had

1 been completely chopped off, and also we found a lady
2 whose genital organs had apparently been ripped off
3 with a bayonet."

4 We offer in evidence IPS document No. 2873,
5 which is a transcript of the testimony of Rosalinda
6 Andoy in the YAMASHITA trial, relating how her
7 mother and father were killed and how she herself was
8 bayoneted 38 times in February 1945 at Intramuros,
9 Manila.

10 THE PRESIDENT: Admitted on the usual terms.

11 CLERK OF THE COURT: Prosecution's document
12 No. 2873 will receive exhibit No. 1367.

13 (Whereupon, the document above referred
14 to was marked prosecution's exhibit No. 1367
15 and received in evidence.)

16 MR. HORWITZ: We read from that document
17 the following: On page 1, the first eight lines of
18 the direct examination:

19 "MAJOR OPINION: Do you believe in God?

20 "THE WITNESS: Yes.

21 "MAJOR OPINION: Do you confess?

22 "THE WITNESS: Yes.

23 "MAJOR OPINION: Do you know that to tell a lie
24 is a sin and it is punished by our Lord that you may
25 be sent to jail?

1 "THE WITNESS: Yes.

2 "Q What is your name?

3 "A My name is Rosalinda Andoy.

4 "Q Age?

5 "A 11."

6 On page 2, the 4th question and answer:

7 "Q Did you go to the Manila Cathedral as
8 ordered by the Japanese?

9 "A Yes, sir."

10 On page 2, the 11th and 12th questions and
11 answers:

12 "Q How many days did you stay in the Manila
13 Cathedral?

14 "A Only one day.

15 "Q From the Manila Cathedral where were you
16 taken?

17 "A At the Santa Rosa Church."

18 On page 2, 15th and 16th questions and
19 answers:

20 "Q Who were your companions?

21 "A Our entire family.

22 "Q How about your father, was he with you?

23 "A He was no more with us."

24 On page 3, the first five questions and
25 answers:

1 "Q Why? Where was your father?

2 "A He was killed by the Japanese.

3 "Q Where was your father when he was killed?

4 "A He was killed in Fort Santiago.

5 "Q From where was he taken?

6 "A At the church, the Manila Cathedral.

7 "Q When you were assembled with your mother
8 and aunts in the Manila Cathedral?

9 "A Yes."

10 On page 3, the 9th and 10th questions and
11 answers:

12 "Q Where were you taken?

13 "A We were ordered to go to Santo Domingo.

14 "Q Who ordered you?

15 "A The Japanese."
16
17
18
19
20
21
22
23
24
25

1 On page 3, the last three lines:

2 "Q What happened in Santo Domingo when you
3 arrived at that place?

4 "A Right away we were thrown some grenades.

5 "Q By whom?

6 "A The Japanese."

7 On page 4, the 6th question through the
8 remainder of the page:

9 "Q Where is your mother now?

10 "A She is no more.

11 "Q Why?

12 "A She was killed by the Japanese.

13 "Q Where was your mother when she was killed?

14 "A Right there at Santo Domingo.

15 "Q Inside or outside of the church?

16 "A Inside.

17 "Q How do you know she was killed by the Japanese?

18 "A She was beside me.

19 "Q How about you, were you wounded?

20 "A Yes, sir.

21 "Q Who wounded you?

22 "A The Japanese.

23 "Q With what weapon were you wounded?

24 "A Bayonet.

25 "Q How many wounds did you sustain?

1 "A Thirty-eight wounds.

2 "Q Who was the companion of your mother when she
3 was bayoneted?

4 "A There were three, including me.

5 "Q What was the name of the third one?

6 "A Salin.

7 "Q Now, you say that you have sustained 38 wounds.
8 On what parts of your body were you wounded?

9 "A In different parts of my body.

10 "Q On your left arm did you sustain any wound?

11 "A Yes, sir.

12 "Q Will you please show to the Commission that
13 left arm and tell the Commission how many wounds there
14 are?

15 "A Ten wounds.

16 "Q And how about your right arm, did you sustain
17 any wound at that time?

18 "A Yes, sir.

19 "Q Do you have any scars on that arm?

20 "A Yes, sir.

21 "Q How many?

22 "A Four.

23 "Q Will you please show the Commission that
24 right arm?
25

"(The witness exhibited her right arm.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

"Q Were you wounded in the chest?

"A Yes, sir.

1 "Q Will you please show the Commission the scars
2 on your chest?

3 (The witness raised her dress and exhibited
4 portions of her body.)

5 "Q Did you count how many scars there are?

6 "A I cannot remember now.

7 "Q All right. On your abdomen did you suffer
8 any wound?

9 "A Yes, sir.

10 "Q Will you please show to the Commission the
11 scar of your wound on the abdominal portions, region?

12 "(The witness exhibited scars on her abdomen.)

13 "Q As a result of that wound in your abdominal
14 region, did your intestines protrude, or come out?

15 "A Yes, my intestine came out.

16 "Q Did you suffer any wound in your back?

17 "A Yes.

18 "Q How many wounds were there?

19 "A Only one, sir.

20 "Q Will you please show the Commission your
21 wound in your back?

22 "(The witness exhibited her back.)

23 "Q And your legs, how many wounds did you sus-
24 tain?

25 "A Five, sir.

1 "Q Before your mother died did she tell you
2 anything?

3 "A Yes, sir.

4 "Q What did she tell you?

5 "A She cautioned me to be always good.

6 "Q Did she tell you that she was dying then?

7 "A Yes, sir.

8 "Q Where did you sleep that night?

9 "A At Santa Domingo.

10 "Q By the side of your mother?

11 "A Beside my mother.

12 "Q Was she dead already, then, when you slept
13 with her?

14 "A Yes, sir.

15 "Q Now, when did you get out from the Santa
16 Domingo Church?

17 "A Already in the morning.

18 "Q While you were inside Santa Church and by the
19 side of your mother, did you see any child tossed up
20 in the air and received with the bayonet as it came
21 down?

22 "A Yes, sir.

23 "Q Did you know who that boy or baby was?

24 "A Yes, sir.

25 "Q What was the name of the baby?

1 "A Teteey.

2 "Q How old was the baby?

3 "A About three months, sir.

4 "Q Who tossed him up in the air?

5 "A The Japanese.

6 "Q Who received him with the bayonet?

7 "A The Japanese, also.

8 "Q The same Japanese who threw him up?

9 "A Yes, sir.

10 "Q Was the boy wounded?

11 "A Yes, sir.

12 "MAJOR OPINION: That is all.

13 "CAPTAIN REEL: No questions."

14 We tender in evidence IPS Document No. 2798
15 which is a summary of evidence of JAG Report No. 53
16 on the massacre of over two hundred civilians at
17 St. Paul's College in Manila in February 1945.

18 THE PRESIDENT: Admitted on the usual terms.

19 CLERK OF THE COURT: Prosecution's document
20 No. 2798 will receive exhibit No. 1368.

21 (Whereupon, the document above referred
22 to was marked prosecution's exhibit No. 1368 and
23 received in evidence.)

24 MR. HORWITZ: We read from page 1 of that
25 document the fourth line from the bottom of the page

1 through line 17 on the following page:

2 "At a conservative estimate, approximately two
3 hundred fifty people were placed there and the doors
4 and windows solidly shut and barred. While so confined,
5 witnesses noticed that the three hanging chandeliers
6 were wrapped in black-out paper and that strings or
7 light wires ran from inside the 'package' through the
8 transoms to the outside. At about 1730 hours, five
9 Japanese brought in biscuits, candy and liquor of some
10 sort, placed them in the center of the room and, through
11 some Indians who were among the captive group, told the
12 crowd that they would be safe in this room, that their
13 houses were to be burned and that they might eat and
14 drink, then these Japanese left. A rush for the candy
15 and biscuits followed, and within a matter of moments,
16 three explosions proved that the covered chandeliers
17 were nothing less than grenade traps. Pandemonium
18 ensued; many were thrown to the floor by the blast,
19 others milled about in panic, and Japanese outside be-
20 gan machine-gunning and throwing grenades into the
21 room through the windows and also into the crowds in
22 the corridors. The force of the explosions broke out
23 the windows of the building and a section of the com-
24 pound wall and through these holes those who were able
25 began to escape. In the hail of machine-gun and rifle

1 fire, many of these persons were killed, some to lie
2 grotesquely sprawled across the compound wall where
3 they had been stopped in their flight by the bullets
4 of the guards; -"

5 We introduce in evidence IPS document No.
6 2864 which is a summary of evidence of JAG Report
7 No. 63 on looting, burning, and murder of civilians
8 in the Campos residence in Manila during February
9 1945.

10 THE PRESIDENT: Admitted on the usual terms.

11 CLERK OF THE COURT: Prosecution's document
12 No. 2864 will receive exhibit No. 1369.

13 (Whereupon, the document above referred
14 to was marked prosecution's exhibit No. 1369 and
15 received in evidence.)

16 MR. HORWITZ: From that document we read the
17 following: Page 1, paragraph 3:

18 "At about 1130 hours on 7 February 1945, four
19 members of the Japanese Navy came to the home of Mrs.
20 Campos, 1462 Taft Avenue, and while two of them pointed
21 their rifles at all of the above mentioned people, the
22 other two searched the house. They took five thousand
23 pesos, jewels, watches, and a revolver belonging to
24 Mrs. Campos. They then took Salvador and Antonio
25 Campos, their hands tied behind their backs, to the

1 Nippon Club, saying that they would bring them back in
2 half an hour. Neither Salvador nor Antonio Camros was
3 ever seen again."

4 Page 1, paragraph 5, the last four sentences:

5 "At about 1600 hours, 12 February, four members
6 of the Japanese Navy ordered all the occupants of
7 1462 Taft Avenue to leave the house and go out into
8 the garden. There the men and women were separated and
9 searched, the women being subjected to gross indignities
10 to their persons during the search. The Japanese took
11 five thousand pesos and a watch from Judge Locsin and
12 many valuables from other members of the group. Early
13 that evening the Japanese burned Judge Locsin's house
14 and the fire spread to many of the neighboring houses."

15 We offer in evidence IPS document No. 2814
16 which is the summary of evidence of JAG Report No. 84,
17 on the massacre of more than 1,000 civilians at Lipa,
18 Batangas Province, Luzon, in February 1945.

19 THE PRESIDENT: Admitted on the usual terms.

20 CLERK OF THE COURT: Prosecution's document
21 No. 2874 will receive exhibit No. 1370.

22 (Whereupon, the document above referred
23 to was marked prosecution's exhibit No. 1370 and
24 received in evidence.)

25 MR. HORWITZ: We read from that document, the

1 summary of evidence:

2 "During the latter part of February 1945, the
3 Japanese engaged in a program of murder, looting and
4 destruction in the municipality of Lipa, Batangas
5 Province, Luzon, P.I.

6 "One civilian woman was bayoneted to death
7 because she refused to submit to the advances of a
8 Japanese soldier.

9 "Two groups of civilians of two hundred and
10 three hundred respectively were pushed into wells where
11 they perished either by drowning, being crushed by
12 heavy objects dumped upon them, or by gunfire.

13 "Another group of over five hundred civilians
14 was led to a break where the entire number were bayoneted,
15 practically all of them dying.

16 "The other group, composed of some six hundred
17 civilians, was assembled by the Japanese at the Lipa
18 Cathedral and bayoneted to death.

19 "Other murders and bayonetting of a smaller
20 group took place at or about the same time.

21 "In March 1945 the Japanese burned the City
22 of Lipa and destroyed its utilities, including the
23 water system."

24 THE PRESIDENT: We will recess for fifteen
25 minutes.

1 (Whereupon, at 1445, a recess was
2 taken until 1500, after which the proceedings
3 were resumed as follows:)

B
a
r
t
o
n
&
G
o
l
d
b
e
r
g

1 MARSHALL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Mr. Horwitz.

4 MR. HORWITZ: We tender in evidence IPS
5 document No. 2794, which is a summary of evidence of
6 JAG Report No. 117 on additional massacres at Lipa
7 Batangas Province, Luzon, in March 1945.

8 THE PRESIDENT: Admitted on the usual terms.

9 CLERK OF THE COURT: Prosecution's document
10 No. 2794 will receive exhibit No. 1371.

11 (Whereupon, the document above re-
12 ferred to was marked prosecution's exhibit
13 No. 1371 and received in evidence.)

14 MR. HORWITZ: We read the entire summary:

15 "At about 2100 hours on 5 March 1945 about
16 one thousand Filipino men, women, and children were
17 required by the Japanese to assemble in the Barrio of
18 Bulihan, Lipa, Batangas, Luzon, P. I. The men were
19 separated from the women and children and led away in
20 small groups to the edge of a cliff. Here they were
21 blindfolded and tied and then bayoneted to death.
22 Their bodies were pushed over the cliff into a stream
23 which ran at the feet of the embankment. The Japanese
24 then disposed of the women and children in the same
25 manner. The slaughter continued for four hours. Five

1 or six hundred dead bodies were seen later along the
2 edge of the river.

3 "On the same night five or six hundred Filipino
4 men, women, and children were assembled in the Barrio
5 of Suloc, Santo Tomas, Batangas, Luzon, P. I. Suloc
6 is about two kilometers from Bulihan. About two hun-
7 dred of them were released but the remaining three
8 hundred were taken in small groups to the edge of a
9 nearby stream and bayoneted to death, after which their
10 bodies were thrown into or along the bank of the stream.

11 "Nineteen other male Filipino civilians were
12 murdered in a similar manner on a mountain side near
13 Suloc."

14 We submit in evidence IPS document No. 2720,
15 which is the affidavit of Apolinaria Navarro, on
16 atrocities in Suloc, Santo Tomas, Batangas in February
17 and March 1945.

18 THE PRESIDENT: Admitted on the usual terms.

19 CLERK OF THE COURT: Prosecution's document
20 No. 2720 will receive exhibit No. 1372.

21 (Whereupon, the document above re-
22 ferred to was marked prosecution's exhibit
23 No. 1273 and received in evidence.)
24

25 MR. HORWITZ: We read from that document at
page 21, 6th question and answer, paragraph 2, sentence

1 2 - 4, inclusive:

2 "About 500 of us, together with a few men, were
3 taken to a school house. Out of this 500 people, 15
4 families grouping about 200 people were selected and
5 placed in a different place. I was left behind with
6 the remaining 300 people."

7 Page 22, paragraph 2, sentences 1 - 8, in-
8 clusive:

9 "At the bank of the river the Japanese tried to
10 wrench my two children from me, for I was holding them
11 firmly. I was pregnant six months at that time. Fi-
12 nally they succeeded in taking them away from me. Ludi-
13 gario, age 10, was the first to fall down as soon as he
14 had been bayoneted ib his right side. Maria, age 6,
15 was taken hold of in one arm and was plunged wildly into
16 the air by one Japanese while two Japanese soldiers
17 thrust her back with their bayonets as soon as she landed
18 on the ground. While watching the scene I called for
19 help from God and my face was looking up into the sky
20 when five Japanese soldiers came and bayoneted me at
21 the back. I got five bayonet wounds- one on the upper
22 part of my right arm, another on the upper right of my
23 chest passing through my breast, another on my waist
24 region passing through my right side, and another on my
25 left shoulder. Because of the force of the bayonets

1 that passed through my body I automatically fell on the
2 side of the river, on top of many dead bodies.

3 We offer in evidence IPS document No. 2839,
4 which is a summary of evidence of JAG Report No. 106
5 on the massacre of 194 Filipino civilians at Santo Tomas,
6 Batangas and the burning of the town in February 1945.

7 THE PRESIDENT: Admitted on the usual terms.

8 CLERK OF THE COURT: Prosecution's document
9 No. 2839 will receive exhibit No. 1373.

10 (Whereupon, the document above re-
11 ferred to was marked prosecution's exhibit
12 No. 1373 and received in evidence.)

13 MR. HORWITZ: From that document we read page
14 1, paragraph 2 - All but the last sentence:

15 "At 0500 hours on 11 February 1945 Japanese
16 came to Santo Tomas and proceeded from place to place
17 where civilians had gathered, taking their jewelry, money,
18 and other valuables, then killed many of the inhabitants,
19 poured gasoline on the bodies of the wounded and dead and
20 set them afire. Men, women and children and babies were
21 murdered. There is evidence that three of the victims
22 were probably subjected to attempted or actual rape.
23 Approximately one hundred and ninety-four residents of
24 Santo Tomas were murdered on this date."
25

Page 1, paragraph 3, sentences 1 - 3, inclusive:

1 "At one home between sixty-five and
2 seventy men, women and children had congregated.
3 About twenty-five were ordered out of the house and
4 taken to a cemetery. Three men of this group were
5 taken to a pit that had been used as a latrine by
6 the Japanese soldiers, were bayoneted and fell
7 into the pit."

8 Page 1, paragraph 4:

9 "Another group of approximately fifty
10 were taken from their place of hiding, all were
11 bayoneted and stabbed, thrown into a pile, saturated
12 with gasoline, and then set afire. The only
13 survivor of this group described how she was
14 bayoneted four times in the back and three times
15 in the front; one of the thrusts killing her five-
16 months old son that she was holding."

17
18 Page 2, paragraph 1 - All but the last
19 sentence:

20 "Another group of fifty were tied and
21 led to a field where they saw the bodies of twenty
22 men, women and children who had been stabbed
23 to death. This group was stabbed and other groups
24 were led to the same spot and also stabbed.
25 Afterwards gasoline was poured on the bodies and
set afire."

Page 2, paragraph 2:

"The Japanese bayoneted the fifteen-year old daughter of one woman, who, while holding her one-year old daughter, received six bayonet wounds herself. The Japanese were chattering and laughing as the pile of bodies on top of her were burning."

1 We submit in evidence IPS document No. 2790,
2 which is a summary of evidence of JAG Report No. 69 on
3 the massacre of civilians at Bauan, Batangas, in Feb-
4 ruary 1945.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: Prosecution document
7 No. 2790 will receive exhibit No. 1374.

8 (Whereupon, the document above re-
9 ferred to was marked prosecution exhibit
10 No. 1374 and received in evidence.)

11 MR. HORWITZ: We read the entire summary:

12 "On the morning of 28 February 1945 members of
13 the Japanese Army stationed at Bauan, Batangas Province,
14 notified all residents of the town there would be a mass
15 meeting at the Bauan Roman Catholic Church, and that
16 everyone should assemble there forthwith. In order to
17 prevent escape guards were placed on all roads leading
18 from the town. By 1000 on the morning in question
19 practically everyone in the village had congregated at
20 the church, at which time the women and children were
21 separated from the men and taken to the Bauan Elementary
22 School building. The men, forced to remain in the church,
23 were then searched by the Japanese, and everything of
24 value appropriated; they were then told to sit in the
25 pews, eight men to a bench, and a quick count disclosed

1 a total of 328 men present. No further action was taken
2 until approximately 1300, at which time the men were
3 marched in groups of 100 into the basement of the house
4 of Serveróno BAUTISTA, about 100 yards Northeast of the
5 church. The doors of the basement were closed and a
6 short time thereafter Japanese soldiers were heard moving
7 around on the floor above. A hissing sound was then heard,
8 followed by the sound of Japanese soldiers running away.
9 Immediately thereafter there was a deafening explosion
10 which either killed or wounded most of those in the base-
11 ment. Most of those not killed by the explosion were
12 shot or bayoneted as they attempted to escape from the
13 building, but a few managed to slip away."

14 We offer in evidence IPS document No. 2796,
15 which is a summary of evidence of JAG Report No. 90 on
16 the massacre of 320 Filipino civilians in Taal, Batangas,
17 in February 1945.

18 THE PRESIDENT: Admitted on the usual terms.

19 CLERK OF THE COURT: Prosecution document
20 No. 2796 will receive exhibit No. 1375.

21 (Whereupon, the document above re-
22 ferred to was marked prosecution exhibit
23 No. 1375 and received in evidence.)

24 MR. HORWITZ: From page 1 of that document we
25 read paragraphs 4 and 5:

1 "By 1000 hours, 16 February 1945, the Japanese
2 had started to burn all the barrios in the vicinity of
3 Taal. Approximately sixty Filipino inhabitants of Taal
4 hastened to take refuge from the Japanese in a ravine.
5 At about 1400 six or seven Japanese threw hand grenades
6 into the ravine. Ten or fifteen persons were killed
7 by the hand grenades, and of the survivors, thirty-five
8 to forty persons were machine-gunned by the Japanese
9 and many others bayoneted. Their bodies were stacked
10 in piles of ten or more. Milagros BARRION, a member of
11 this group, received seventeen wounds in her body. Women
12 and children were blown to pieces by grenades."

13
14
15
16
17
18
19
20
21
22
23
24
25

1 MR. HORWITZ: We submit in evidence IPS
2 document No. 2797, which is a summary of evidence
3 of JAG Report No. 96 on the massacre of 300 civilians
4 at Cuenca, Batangas, in February and March 1945.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: Prosecution's docu-
7 ment No. 2797 will receive exhibit No. 1376.

8 (Whereupon, the document above re-
9 ferred to was marked prosecution's exhibit
10 No. 1376 and received in evidence.)

11 MR. HORWITZ: We read from that document,
12 page 1, paragraph 3, sentences 1 and 2:

13 "On 6 February 1945, approximately one hundred
14 and seventy-five civilian Filipino men, women and
15 children were assembled in the house of Graciano
16 CASTILLO in the barrio of Mambug. The Japanese
17 took the men out in groups of five and none of them
18 were seen again."

19 Page 1, paragraph 4, sentences 1, 5-7 inclusive:

20 "On 13 February 1945, approximately fifty-two
21 civilian Filipinos including two women were crowded
22 under a house in the sitio of San Juan by the Japan-
23 ese.

24 "Each victim was held by one Japanese while
25 three others bayoneted him. The victims were then

1 thrown into the well. Only two escaped out of
2 this group and one of them was wounded."

3 Page 2, paragraph 3.

4 "On 11 March 1945, nineteen civilian Filipino
5 men, women and children were taken by the Japanese
6 from a shelter in the barrio of Sablay and impris-
7 oned in a tunnel for about a week. On 19 March
8 the tunnel was opened and the civilians were order-
9 ed out in small groups. As they left the tunnel
10 the Japanese bayoneted and shot them. Only about
11 six of the victims escaped. One little girl about
12 five years old was bayoneted through the neck
13 as she ran from the tunnel and was lifted from the
14 ground while impaled on the bayonet."

15 We tender in evidence IPS document No.
16 2834, which is a summary of evidence of JAG Report
17 No. 101 on the massacre of at least 107 Filipino
18 civilians at San Jose, Batangas, during January,
19 February and March 1945.

20 THE PRESIDENT: Admitted on the usual terms.

21 CLERK OF THE COURT: Prosecution's document
22 No. 2834 will receive exhibit No. 1377.

23 (Whereupon, the document above re-
24 ferred to was marked prosecution's exhibit
25 No. 1377 and received in evidence.)

1 MR. HORWITZ: We read from that document,
2 paragraph 2:

3 "From that time on through March 1945, the
4 Japanese carried on a program of burning and
5 killing throughout the barrios of San Jose. At
6 least one hundred and seven Filipinos including
7 women and children were slain by the Japanese.
8 Many were tied, led away and bayoneted. Some of
9 the bodies were mutilated; the hands and feet of
10 one victim were cut off, and the right hand of
11 another was severed. The burned and beheaded body
12 of one man was found tied to a post."

13 We offer in evidence IPS document No. 2810,
14 which is a summary of evidence of JAG Report
15 No. 74 on the murder of 39 civilians at Lucero,
16 Batangas, in March 1945.

17 THE PRESIDENT: Admitted on the usual terms.

18 CLERK OF THE COURT: Prosecution's docu-
19 ment No. 2810 will receive exhibit No. 1378.

20 (Whereupon, the document above re-
21 ferred to was marked prosecution's exhibit
22 No. 1378 and received in evidence.)

23 MR. HORWITZ: We read from that document
24 the summary of evidence:

25 "Between seven and eight o'clock on the morning

1 of 13 March 1945, approximately 15 Japanese soldiers
2 appeared in the Town of Rosario, Batangas, P.I.,
3 and apparently without reason commenced shooting
4 and bayonetting all of the people who could be
5 found. No effort was made to distinguish between
6 men, women, and children, and due to the fact that
7 many of the men were able to run away, most of
8 the victims were women and children."

9 We tender in evidence IPS document No. 2793,
10 which is a summary of evidence of JAG Report No.
11 126 on the massacre of more than one hundred
12 Filipino civilians at Tapal, Gonzaga, Cagayan, in
13 July 1945.

14 THE PRESIDENT: Admitted on the usual terms.

15 CLERK OF THE COURT: Prosecution's docu-
16 ment No. 2793 will receive exhibit No. 1379.

17 (Whereupon, the document above re-
18 ferred to was marked prosecution's exhibit
19 No. 1379 and received in evidence.)

20 MR. HORWITZ: From that document we read
21 the first sentence of the fourth paragraph:

22 "The Japanese surrounded the nipa huts scattered
23 along the beach, and when the Filipino civilians
24 began to run, they machine gunned and bayonetted
25 them."

1 We introduce in evidence IPS Document No. 2800,
2 which is a summary of evidence of JAG Report No. 197
3 on the murders, looting and burning of the town of
4 Calauang, Laguna, in February 1945.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: Prosecution's docu-
7 ment No. 2800 will receive exhibit No. 1380.

8 (Whereupon, the document above re-
9 ferred to was marked prosecution's exhibit
10 No. 1380 and received in evidence.)

11 MR. HORWITZ: From that document we read
12 the first five sentences of paragraph 2:

13 "While the Japanese were in Calauang, the
14 following are examples of the atrocities committed.
15 People taken from their homes or who were found in
16 the vicinity were bayoneted to death or killed with
17 sabers. One man was shot and killed as he was running
18 away. A man, his wife and their one-day old twins
19 took refuge in a shelter they had built. They
20 were discovered and the man was struck with a saber
21 and killed and then the baby he had been holding
22 was killed."

23 We offer in evidence IPS Document No. 2884,
24 which is a transcript of the testimony of Jose Habana
25 in the trial of YAMASHITA regarding massacre at

Calamba, Laguna Province during February 1945.

THE PRESIDENT: Admitted on the usual terms.

CLERK OF THE COURT: Prosecution's document No. 2884 will receive exhibit No. 1381.

(Whereupon, the document above referred to was marked prosecution's exhibit No. 1381 and received in evidence.)

THE PRESIDENT: Rest assured we are not going to be satisfied with what appears in the transcript. We still have to look at the exhibit itself to understand what it is all about. Here is an alleged massacre of two thousand people. You have a few sentences, and you have to guess what it is all about.

MR. LOPEZ: If your Honor please, could I be permitted to explain to the Tribunal our position about the matter?

THE PRESIDENT: No need to explain. We want a rectification, not an explanation. These things should be put properly, or not at all. It may be that a lot of them should not be put in because of their bulk and their similarity.

MR. HORWITZ: In that event, I shall read the entire document of the testimony of the affidavit of Jose Habana.

1 THE PRESIDENT: No need to read it all, but
2 you ought to read it enough to let us see what it
3 is about.

4 MR. HORWITZ: Beginning with the fifth
5 question --

6 THE PRESIDENT: Oh, you had better let it
7 pass, and we will look up the exhibit when we come
8 to it. It is very hard to correct it now without
9 our wasting a lot of time.

10 MR. HORWITZ: On page 1, 6th question and
11 answer:

12 "Q Do you recall going to the Catholic Church
13 in Calamba on 12 February 1945?

14 "A Yes, sir."

15 On page 2, fourth question and answer:

16 "Q And during the time that you were there
17 at the church, can you give the Commission an estimate
18 of how many people were gathered there?

19 "A Well, to my estimation, sir, around 2,000."

20 On page 5, first answer and second question
21 and answer, fourth question and answer:

22 "A When I removed my hands and the cloth that
23 had blindfolded me, I saw five feet, around five
24 feet of bodies. Some were still alive.

25 "Q You mean bodies stacked five feet high in

the room?

"A Five feet high in the room.

"Q Can you give the Commission an estimate of about how many bodies you think were in that room?

"A Well, to my estimate it is around 500, because of the heaps of the bodies that are there."

Page 6, third and fourth questions and answers:

"Q Now, of those 2,000 people, or about 2,000 people that you saw there in the church, were they civilians?

"A Yes.

"Q Were they armed in any way?

"A Not even a single bolo."

We offer in evidence IPS Document No. 2806, which is a summary of evidence of JAG Report on the burning of the Barrio of Nanipil, Mountain Province, and the murder of civilians on Titig Mountain in April 1945.

THE PRESIDENT: Admitted on the usual terms.

CLERK OF THE COURT: Prosecution's document No. 2806 will receive exhibit No. 1382.

(Whereupon, the document above referred to was marked prosecution's exhibit No. 1382 and received in evidence.)

(Reading): "Early in the morning of 15 April

1 1945, six male civilian Filipinos and one woman were
2 captured while en route from Paceda to Nanipil,
3 Mountain Province, Luzon, P.I., by approximately
4 one thousand (1000) Japanese soldiers who were members
5 of the 'Tiger Unit', commanded by a Major SAITO.
6 After being questioned concerning location of
7 guerrilla forces in the area, the seven civilians
8 were forced to accompany the Japanese to Cabali Moun-
9 tain, where they spent the night. Early in the
10 morning of 16 April 1945, the Japanese troops
11 entered the barrio of Nanipil and burned the village,
12 destroying about thirty buildings. Three dead
13 Filipino civilians were discovered in the barrio
14 about a week later. One of these bodies was identi-
15 fied as that of Alico PABLONOT. All three had been
16 shot. After burning Nanipil, the Japanese took the
17 seven civilian prisoners to Titig Mountain, forced
18 the men to remove their clothing, and then made
19 all seven kneel at the edge of a precipice with
20 their hands tied behind their backs. While in this
21 helpless position, two Japanese attempted to behead
22 them, one of the soldiers striking the victims
23 across the neck with a saber while the other pushed
24 the decapitated bodies over the cliff. Apparently
25

1 all of this group were killed except two. The
2 bodies of four were later identified. One man
3 survived the attempted beheading and one man is
4 believed to have escaped before he was struck but
5 has never been found. There is no definite proof
6 that the woman in this group was killed but the
7 survivor Juanito ALIMES, heard her scream with pain.
8 Though her body was not found with those of the
9 four identified male victims, she has not been
10 heard of since and must be presumed to have been
11 killed."

12 We tender in evidence IPS Document No.
13 2823, which is a summary of evidence of JAG Report
14 No. 267 on the execution of 21 Filipino prisoners
15 at Barrio Angad, Bangued, Abra in November 1944.

16 THE PRESIDENT: Admitted on the usual terms.

17 CLERK OF THE COURT: Prosecution's docu-
18 ment No. 2883 will be given exhibit No. --

19 MR. HORWITZ: 2823.

20 THE MONITOR: Mr. Horwitz, if you decide
21 to read the whole document instead of the excerpts
22 as you have given us, will you please mention the
23 fact because we do not have the document in our
24 booth and we will have to get it as soon as you
25 mention that.

MR. HORWITZ: All right.

THE MONITOR: Thank you.

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 MR. HORWITZ: Has there been a ruling on
2 this, your Honor?

3 THE PRESIDENT: Yes. It is admitted on
4 the usual terms.

5 CLERK OF THE COURT: Prosecution's document
6 No. 2823 will receive exhibit No. 1383.

7 (Whereupon, the document above re-
8 ferred to was marked prosecution's exhibit
9 No. 1383 and received in evidence.)
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

W
o
l
f
&
Y
e
l
d
e
n

1 MR. HORWITZ: We read the whole summary:

2 "A number of Filipino paroled prisoners -
3 of-war were summoned to a meeting at the municipal
4 building where the names of twenty-seven prisoners-
5 of-war were read from a roster. These men were
6 then grouped and marched to the Japanese garrison
7 where they were questioned, after which six of
8 them were released. The remaining twenty-one were
9 tied, placed on a truck, and taken to a nearby
10 barrio. Within a short time, machine-gun fire and
11 screams were heard, and later flames and smoke were
12 seen. Charred bodies were later seen by some
13 civilians inside a burned house at the same barrio."

14 We offer in evidence IPS document No. 2883
15 which is a transcript of the testimony of Mariano
16 Bayaras, Mayor of Basco, Batanes Island, in the
17 **YAMASHITA** trial regarding atrocities in Basco,
18 Batanes in May-September, 1945.

19 THE PRESIDENT: Admitted on the usual terms.

20 CLERK OF THE COURT: Prosecution's document
21 No. 2883 will receive exhibit No. 1384.

22 (Whereupon, the document above
23 referred to was marked prosecution's exhibit
24 No. 1384 and received in evidence.)

25 MR. HORWITZ: We read from that document

1 on page 1, the fifth, seventh and tenth questions
2 and answers:

3 "Q Are you the Mayor of Basco, Bataan Island?

4 "A Yes, sir.

5 "Q Were you given a list by the Japanese of
6 persons killed by them at Basco?

7 "A Yes, sir.

8 "Q How many were killed?

9 "A Seventy-four."

10 Page 2, from the fourth question and
11 answer through to and including the sixth:

12 "Q Did you see any of them mistreated?

13 "A I did not see whether they were mistreated,
14 but I saw they were suffering from bad treatment.

15 "Q What makes you think that?

16 "A Because I saw them with their hands tied
17 behind, eating their food on the floor without using
18 their hands because they could not use their hands.
19 Some of them had broken hands, with bruises on their
20 faces and some of them, one of them, had no more eye.

21 "Q Was his eye out?

22 "A Yes, sir."

23 We introduce in evidence IPS document No.
24 2827 which is a summary of evidence of JAG Report No.
25 304 on the execution of Charles Putnam, Thomas

1 Daggett, Captain Vicente Pinon and six other un-
2 armed Filipinos in March 1944 at Alaminos, Pangasinan.

3 THE PRESIDENT: Admitted on the usual terms.

4 CLERK OF THE COURT: Prosecution's document
5 No. 2827 will receive exhibit No. 1385.

6 (Whereupon, the document above
7 referred to was marked prosecution's exhibit
8 No. 1385 and received in evidence.)

9 MR. HORWITZ: We read from that document
10 the whole summary:

11 "On 19 March 1944, two Americans and
12 some Filipinos were taken from the Japanese
13 garrison at Dagupan, Pangasinan, to the garrison
14 at Alaminos, Pangasinan. The following morning,
15 the town chief of police saw the bodies of the
16 two Americans and seven Filipinos in a grave within
17 the garrison premises. The Americans had been be-
18 headed and the Filipinos had been bayonnetted."

19 We submit in evidence IPS document No.
20 2807 which is a summary of evidence of JAG Report
21 No. 1 on the massacre of approximately 500 Filipino
22 civilians at Dapdap, Penson Island, Camotes Islands,
23 Cebu Province, in December 1944.

24 THE PRESIDENT: Admitted on the usual terms.

25 CLERK OF THE COURT: Prosecution's document

1 No. 2807 will receive exhibit No. 1386.

2 (Whereupon, the document above
3 referred to was marked prosecution's exhibit
4 No. 1386 and received in evidence.)

5 MR. HORWITZ: From that document we read
6 page 1, paragraph 2, first sentence:

7 "At approximately 9:00 o'clock December
8 29, 1944, a patrol of about 50 Japanese soldiers,
9 including two officers, entered the barrio of
10 Dapdap, Penson Island, Camotes Islands, Philippine
11 Islands."

12 Page 1, paragraph 3, sentences 1-3
13 inclusive:

14 "Shortly after arriving at the plaza,
15 the people, numbering about four or five hundred,
16 were ordered to group themselves in families and
17 congregate in the church so they would be unobserved
18 from a plane which was heard in the vicinity. The
19 excuse given was that they might be strafed. The
20 people followed out the instructions without delay."

21 Page 3, paragraph 6:

22 "When the church was about half emptied
23 the remaining people became apprehensive of their
24 lives. Some saw blood running out of a nearby shack,
25 a few noticed the soldiers washing their bloody

1 bayonets at the artesian well nearby, and others
2 observed that as soon as the families were taken
3 outside they were shackled with ropes. Eutiquio
4 Lucenas then urged those remaining to fight for
5 their lives and attempt an escape, whereupon he
6 picked up a rock, hurled it at the door guard,
7 hitting him on the head, and knocking him to the
8 ground. He also rushed another guard but was
9 killed in his bid for freedom. Many then made a
10 break for the door and were machine-gunned in-
11 discriminately or stabbed with bayonets. Several
12 pleaded and begged for mercy, but to no avail.
13 The church resounded with the wails and cries of
14 the wounded and those who feared death was imminent.
15 Some escaped and were killed by rifle and machine-
16 gun fire while running toward the beach. A very
17 small number escaped unscathed and found safety in
18 the sea and swamps. Most of the victims showed
19 numerous stab wounds, some babies in their mothers'
20 arms were run through and the blades passed into the
21 bodies of the mothers. One woman was found who had
22 given premature birth to a baby and its dead body
23 was beside her."

24
25 Page 4, paragraph 5:

"On 16 January 1945, Captain Gonzalo R.

1 Sievert, Executive Officer of the 94th Regiment,
2 92d Division, P.A., accompanied by Major Pete W.
3 Scott, PCAU No. 15 Detachment, Captain Henry L.
4 Guire, 5th Air Force, and a Sergeant William Young,
5 photographer of the 7th Infantry Division, were
6 ordered by a task force commander, Colonel Walker,
7 182d Infantry, 7th Division, U.S. Army, to proceed
8 to Dapdap, make an investigation, and dispose of
9 the dead bodies. Before arriving at the town they
10 met three survivors of the debacle, all of whom
11 gave evidence of numerous wounds. Approaching
12 the town the foul odor of dead bodies filled the
13 air. They looked in two huts and saw approximately
14 30 to 50 and 15 to 20 bodies respectively in a bad
15 state of decomposition. Dogs and other animals had
16 eaten away large portions of the bodies making it
17 difficult to ascertain whether they were men,
18 women or children; however, the presence of long
19 hair and small skulls indicated that there were
20 some of the latter in the groups. Proceeding
21 further into town they inspected huts en route and
22 found similar conditions existing. Arriving at the
23 church they saw about 100 bodies scattered on the
24 ground in and around the building, about half of
25 which were inside, and visible from the doorway."

1 "Here too, the dogs, pigs and other animals had
2 devoured parts of the bodies. About 500 yards
3 north of the church they observed approximately
4 50 to 60 dead bodies under an acacia tree, all in
5 an advanced state of decomposition. Several dogs
6 and pigs were eating the remains, and chickens
7 were picking the bones. They counted 230 dead
8 and estimated there were 500 bodies in and around
9 the barrio. The photographer took various pictures,
10 one of a shack where dead could be seen in the
11 doorway, others showing the conditions inside and
12 outside the church, one of numerous dead bodies in
13 a lane a short distance away, and one of a decom-
14 posed body tied to the trunk of a tree and identified
15 as Quentin Morelos."

16 THE PRESIDENT: Here again the Court will
17 have to read the whole exhibit to get a fair idea of
18 what happened.

19 MR. HORWITZ: We offer in evidence IPS
20 document No. 2835 which is a summary of evidence
21 of JAG Report No. 137 on the murder of five civilians
22 in Cervantes, Ilocos Sur, in August 1945, and the
23 eating by six Japanese soldiers of the flesh from
24 some of the bodies of their victims.

25 THE PRESIDENT: Admitted on the usual terms.

1 CLERK OF THE COURT: Prosecution's document
2 No. 2835 will receive exhibit No. 1387.

3 (Whereupon, the document above
4 referred to was marked prosecution's exhibit
5 No. 1387 and received in evidence.)

6 MR. HORWITZ: We read from that document
7 all but the last sentence of the first paragraph:

8 "In the early part of August 1945 six
9 Japanese soldiers were seen going to the home of
10 PITLUNGAY in sitio Lilong. Two men fled and hid
11 nearby as the Japanese approached but the Japanese
12 bayonetted to death all five occupants of the house,
13 one of whom was a three-year old girl. The six
14 Japanese ate the flesh from some of the bodies of
15 their victims during the two-day period that they
16 stayed at the house. The first evening, the flesh
17 of the little girl was cut into small pieces, put
18 on the ends of sticks and roasted over an open
19 fire. The next morning, the flesh of another
20 victim was roasted or boiled with native vegetables.
21 The flesh of three of the victims was consumed in
22 this manner. The body of one of the victims was
23 later thrown into the river that ran in front of
24 the house. The bodies of the two other victims were
25 not touched. After the Japanese left, the two

1 observers went into the house and saw a piece of
2 human flesh inside of a bag left by one of the
3 Japanese and also inside of one of the kettles
4 that had been used by the Japanese."

5 We submit in evidence IPS document No.
6 2725 which is the affidavit of Isidro Cabusas
7 regarding torture and murder at Cordova, Cebu,
8 in August 1944.

9 THE PRESIDENT: Admitted on the usual
10 terms.

11 CLERK OF THE COURT: Prosecution's document
12 No. 2725 will receive exhibit No. 1388.

13 (Whereupon, the document above
14 referred to was marked prosecution's exhibit
15 No. 1388 and received in evidence.)

16 MR. HORWITZ: We read from page 2 of that
17 document the first answer:

18 "A. At about nine o'clock in the evening
19 of August 19, 1944, we left Cebu for Mactan Island.
20 When we arrived there, we landed at Opon and from
21 there, we went by truck to Cordova. As soon as we
22 arrived at Cordova, the Japanese soldiers began to
23 gather all of the civilians and brought them to the
24 central school house. There they took the clothes
25 of all the women naked and made them stand all night."

1 "They severely beat many of the men with clubs,
2 baseball bats and rifle butts. The Japanese took
3 all of the money, jewelry and valuables from the
4 civilians. The next morning, I saw three men tied
5 and beaten and then taken about three kilometers
6 in the southwestern part of Cordova and there be-
7 headed by three Japanese soldiers."
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 We tender in evidence IP# document No. 2833
2 which is a summary of evidence of JAG Report No. 253
3 on the murder, torture and rape of civilians at Bogo,
4 Cebu during August, September, October and November
5 1944.

6 THE PRESIDENT: Admitted on the usual terms.

7 CLERK OF THE COURT: Prosecution document
8 No. 2833 will receive exhibit No. 1389.

9 (Whereupon, the document above re-
10 ferred to was marked prosecution's exhibit
11 No. 1389 and received in evidence.)

12 MR. HORWITZ: From that document we read
13 paragraphs 1, 4, and 5:

14 "During August, September, October and Nov-
15 ember 1944 Japanese military forces maintained the
16 garrison at the Medellin Sugar Central near Bogo,
17 Cebu, P.I. In these four months civilians in this
18 vicinity were beaten, shot, bayoneted and raped.

19 "On 12 October 1944 two women were bayoneted
20 to death in their home and a third was severely beaten.
21 Two other Filipino girls were raped, one of them by
22 several Japanese soldiers. One of the victims then was
23 forced to live with a Japanese corporal as his mistress
24 for three weeks.

25 "On 17 October 1944 Japanese soldiers burned

1 houses and a warehouse. The same day twenty-five persons
2 were bayoneted to death, apparently in revenge for
3 sabotage and guerrilla activities."

4 We offer in evidence IPS document No. 2816
5 which is a summary of evidence of JAG Report No. 180
6 on torture and murder of civilians at Dumanjug, Cebu
7 in August 1944.

8 THE PRESIDENT: Admitted on the usual terms.

9 CLERK OF THE COURT: Prosecution document
10 No. 2818 will receive exhibit No. 1390.

11 (Whereupon, the document above re-
12 ferred to was marked prosecution's exhibit
13 No. 1390 and received in evidence.)

14 MR. HORWITZ: From that document we read the
15 fifth sentence:

16 "Here, the Japanese bayoneted two women and
17 threw a year and a half old child into the sea."

18 We introduce in evidence IPS document No.
19 2791 which is a summary of evidence of JAG Report
20 No. 174 on executions of Filipino civilians at Calbayog,
21 Samar, in July 1943.

22 THE PRESIDENT: Admitted on the usual terms.

23 CLERK OF THE COURT: Prosecution document
24 No. 2791 will receive exhibit No. 1391.

25 (Whereupon, the document above

1 referred to was marked prosecution's
2 exhibit No. 1391 and received in evidence.)

3 MR. HORWITZ: We read from that document the
4 first two sentences of the first paragraph:

5 "During the summer of 1943, twenty to forty
6 Filipino men were arrested as suspected spies and
7 investigated by the commanding officer of the garrison
8 at Calbayog, Samar, P.I. Two or three weeks later five
9 of the men were singled out for execution by the
10 Commanding Officer, who stated that this action was
11 by order of his Commander stationed at Catbalogan."

12 We offer in evidence IP# document No. 2859
13 which is a summary of evidence of JAG Report No. 298
14 on the massacre of 37 civilians in Pilar, Camotes
15 Islands, Cebu, in December 1944.

16 THE PRESIDENT: Admitted on the usual terms.

17 CLERK OF THE COURT: Prosecution document
18 No. 2859 will receive exhibit No. 1392.

19 (Whereupon, the document above re-
20 ferred to was marked prosecution's exhibit
21 No. 1392 and received in evidence.)

22 MR. HORWITZ: From that document we read the
23 last sentence of paragraph 1:

24 "Thirty-seven of the victims were killed while
25 the rest survived despite severe bayonet wounds."

1 We offer in evidence IPS document No. 2816
2 which is a summary of evidence of JAG Report No.
3 142 on the murder of 11 American Baptist teachers of
4 the faculty of the Central Philippine College and the
5 murder of 6 other Americans at Camp Hopevale near Tapaz,
6 Capiz in December 1943.

7 THE PRESIDENT: Admitted on the usual terms.

8 CLERK OF THE COURT: Prosecution's document
9 No. 2816 will receive exhibit No. 1393.

10 (Whereupon, the document above re-
11 referred to was marked prosecution's exhibit
12 No. 1393 and received in evidence.)

13 MR. HORWITZ: From that document we read the
14 first nine sentences, and the last sentence:

15 "Japanese officers and enlisted men under the
16 command of a Captain WATANABE, engaged in one of the
17 several punitive expeditions in Panay Island, left the
18 township of Libacao, Capiz Province, on 18 December
19 1943 for Iloilo City. The next morning, they reached
20 Camp Hopevale near Tapaz, Capiz Province, which was first
21 surrounded, and then Captain WATANABE and his soldiers
22 entered the Camp proper. Sixteen Americans along with
23 three others who had been captured previously, were
24 placed under guard without food or water. In the
25 afternoon of 20 December 1943, one of the American women
was seen kneeling with her hands tied behind her back

1 and begging Captain WATANABE for mercy. Captain
2 WATANABE ignored her pleas and drew his samurai sword.
3 An hour later, inside a house that was already in
4 flames, were discovered twelve bodies and there was a
5 strong odor of burning flesh. Some of the victims
6 had been bayoneted and some had been beheaded. Three
7 weeks later, another witness who was familiar with the
8 names of most of the Americans visited the scene and
9 was able to identify the remains of the victims from
10 teeth, bits of burned clothing, hair, identification
11 tags, and a truss. The remains were taken from two
12 burned dwellings and buried in the church at Katipunan.
13 On the day of the execution, one Filipino who was in
14 hiding reported that he had seen blood on the trousers
15 of one of the Japanese guards and that one of the
16 Japanese told Filipinos that the Americans whom they
17 had feared were now gone and that the Filipinos should
18 obey the Japanese. Another witness verified that she
19 saw smoke coming from the Hopevale area on the date
20 of the massacre and that her brother and a cousin saw
21 the bodies in three burned houses. Some of the remains
22 of the Americans were identified. Two of the bodies
23 were not burned and were found outside. All of the
24 victims except Mrs. Rounds, her son, Douglas, the
25 Clardy family and Albert King were members of the

1 faculty of the Central Philippine College at Iloilo
2 City, Panay."

3 We offer in evidence IPS document No.
4 2836 which is a summary of evidence of JAG Report No.
5 140 on punitive expeditions on Panay Island by Japanese
6 forces against civilians in September and October
7 1943 where hundreds of civilians were massacred,
8 and buildings burned.

9 THE PRESIDENT: Admitted on the usual terms.

10 CLERK OF THE COURT: Prosecution document
11 No. 2836 will receive exhibit No. 1394.

12 (Whereupon, the document above re-
13 ferred to was marked prosecution's exhibit
14 No. 1394 and received in evidence.)

15 MR. HORWITZ: We read from that document
16 page 1, paragraph 1, sentences 1, 7-9, 15-19.

17 "Under the command of Colonel WATANABE a group
18 of Japanese were stationed at Iloilo City, Panay, and
19 from time to time smaller groups, commanded by him-
20 self or other officers, would be formed to go on punitive
21 expeditions throughout the island.

22 "In Barrio Lungao, Passi, many Filipino civilian
23 men, women and children were questioned by the Japanese
24 then killed and their bodies thrown into a fire. The
25 whole barrio was burned. Many other civilians were killed

in other barrios.

1 "From the remaining civilians a woman and her
2 six children, aged one to twelve, were questioned and
3 denied being related to a certain man who had previously
4 attempted to escape. Her youngest child was torn from
5 her arms by Captain WATANABE and its body smashed against
6 the road, the blood splattering onto the clothes of the
7 witnesses. Other soldiers seized the other children
8 by the feet and used them as clubs to beat the man and
9 the woman. Then all of them were dragged into a fire,
10 though the mother was still alive at that time. At
11 another place two girls, one of whom was pregnant, were
12 caught by the Japanese and made to dance naked until
13 they were exhausted."

14 Page 2, paragraph 2, sentences 1-3, 8, 14-15,
15 and 18:

16 "On 17 October 1943 another punitive expedition
17 of Japanese started from Iloilo City by motor launch
18 and arrived at the town of Bataan on the north coast
19 of Panay Island on 18 October 1943. All the civilians
20 in the town were investigated by the light of a bonfire
21 and during the investigation were beaten with clubs and
22 made to walk through the fire. About three o'clock
23 in the morning the Japanese received orders to proceed
24 and approximately one hundred and forty civilians includ-
25 ing two priests were beheaded by OTSUKA, KUWANO and other

1 Japanese soldiers.

2 "While in the town of Altavas, KUWANO and
3 OTSUKA killed between thirty and forty old men, women,
4 and children, and in Balete thirty men were killed by
5 these two men.

6 "A blind woman, who had been unable to flee
7 from the Japanese, was discovered the next day, taken
8 from her house, and her clothes were stripped from her
9 body. Some of the Japanese manhandled her private
10 parts.

11 "Another group of Japanese that started out
12 on the same expedition executed hundreds of people
13 in Bataan Altavas, Balete, Libacao and other places
14 and returned to Iloilo City by boat from New Washington."

15 THE PRESIDENT: We will adjourn now until
16 half-past nine tomorrow morning.

17 (Whereupon, at 1600, an adjournment
18 was taken until Wednesday 11 December 1946
19 until 0930.)

20 - - - -
21
22
23
24
25

