

18 Sept

I N D E X
Of
WITNESSES

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I N D E X
Of
EXHIBITS
(none)

1 Wednesday, 18 September, 1946

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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.

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12
13 Appearances:

14 For the Tribunal, same as before.

15 For the Prosecution Section, same as before.

16 For the Defense Section, same as before.

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20 (English to Japanese and Japanese
21 to English interpretation was made by the
22 Language Section, IMTFE.)
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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now in session.

3 THE PRESIDENT: Mr. Blewett.

4
5 C Y R I L H E W D A R Y M P L E W I L D,
6 called as a witness on behalf of the prosecution,
7 resumed the stand and testified as follows:

8 CROSS-EXAMINATION (Continued)

9 BY MR. BLEWETT:

10 Q Colonel Wild, yesterday during the examination
11 I made reference to General Percival's wife. The
12 information as to the basis of that question was given
13 to me by Japanese co-counsel. We now find that it was
14 the wife of another staff officer, but in as much as
15 you told us yesterday that, through your intercession,
16 certain courtesies were extended to the officers and
17 men as to visiting their wives at Changi, we will go
18 on from that point.

19 While you were perhaps young during the last
20 war, Colonel, did you at any time hear of the famous
21 cars used in France for the transportation of troops
22 called "40 or 8"?

23 A Yes, I did.

24 Q. Now, how many persons were carried in each
25 one of these cars from Singapore to Banpong?

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1 A Twenty-seven was the usual number.

2 Q Do you know whether or not there were any
3 toilet facilities provided in these famous "40 or 8"
4 cars we are referring to?

5 A I do not know.

6 Q What other conditions existed for the trans-
7 portation of large bodies of men to the point referred
8 to under the existing conditions?

9 A The open country beside the railway lines.
10 I should have thought that the obvious measure would
11 have been to allow the troops to march, under escort,
12 fifty yards from the tracks where it would have taken
13 a few minutes only to dig shallow latrines with tools
14 which we had with us. Any army --

15 Q Just a moment, Colonel. What I have in mind
16 in my question was whether or not there were any other
17 modes of transportation aside from these cars.

18 A There was the whole of the captured rolling
19 stock of the Federated States Railways and of the
20 Siamese Railway system.

21 Q Was not that the customary mode of carrying
22 troops?

23 A I agree I saw Japanese troops traveling
24 in rice box cars. I never saw them congested as we
25 were.

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1 Q Did you suggest any other mode of transporta-
2 tion?

3 A I remember taking pleasure in pointing out
4 to the Japanese, as we passed one of the passenger
5 trains of the FMS Railways with Japanese officers in
6 it, I remember pointing out that more civilized enemies,
7 such as the Germans and Italians, customarily carried
8 their officer prisoners of war in the same way. That
9 conversation, if I remember rightly, was at Seremban
10 in Johor on the way down.

11 Q I believe you testified, Colonel, that there
12 was a certain benefit in the manner of placing the
13 officers with the men which you described.

14 A There was, indeed. It was a privilege for
15 the officers and a benefit for the men, and neither
16 regretted it, but none of us ever doubted, from the
17 manner in which the Japanese behaved to British officers
18 otherwise, that it was done not for our benefit but to
19 save themselves trouble.

20 Q That is a general observation, Colonel. I
21 shall ask you, was it unnatural for this force to
22 carry with it necessary baggage and equipment?

23 A No, indeed. It would have been our salvation
24 in the jungle and would have saved many hundreds of
25 lives. My complaint was that, owing to the folly of

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1 our captors, we were forced to abandon nine-tenths
2 of it at railheads. Might I say one thing? At the
3 beginning---

4 Q Just a moment, sir. My question was specifical-
5 ly related to the first leg of your journey.

6 A My answer to that is that so long as the
7 heavy baggage was packed in the train it was obviously
8 of no benefit to us whatever.

9 Q But it was usual and expeditious, was it not,
10 for the baggage to be carried along with the men on
11 the same train?

12 A Yes, indeed. In my train the number of troops
13 was reduced by fifty to enable us to carry extra
14 heavy baggage in the trucks thus made available.

15 Q Then, on the second leg of your journey, it
16 was not possible to transport this baggage by truck
17 through the jungle so, therefore, was it not natural
18 for the Japanese to store the baggage awaiting adequate
19 shipment?

20 A Yes, but it should have been under guard.

21 Q After you left, of course, you don't know
22 whether it was placed under guard or not?

23 A I do know that it was put ultimately in a
24 locked godown because we recovered it when we came
25 out of the jungle seven months later, but by that

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1 time, as I have already stated, most of the valuables
2 had been looted, including practically all the private
3 possessions of the officers.

4 Q You did so testify. Now, what is the average
5 distance troops are able to do in one day?

6 A It depends mainly on two things: their
7 state of fitness and the kind of road they have to
8 march over. On a good road I have marched with my
9 battalion, when I was **adjutant** of it. fifty-five miles
10 in twenty-two hours.

11 Q Was two hundred miles in fifteen days
12 an extraordinary effort for troops trained in that
13 area?

14 A It was an astonishing effort of endurance
15 and courage considering the condition they were in and
16 the conditions in which the march was made. I suggest
17 anyone who doubts that should try moving 2,000 men
18 marked as non-walking sick that distance at night,
19 on jungle tracks, through the monsoon rains.

20 Q I understand, Colonel, that you made that
21 trip by lorry, which is quite proper, and no doubt
22 were under orders.

23 A I was, as I said, under orders of my captors,
24 and for once the orders were sensible as I was the only
25 person there who could speak their language.

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1 Q I only said, Colonel, we appreciate the
2 necessity of your going by lorry. There is no attempt
3 to criticize or belittle you. It is a prelude simply
4 for another question.

5 Now, what I want to ask, sir, is from whom
6 and in what manner did you derive your information
7 as to the conditions under which these troops marched?

8 A A great advantage of my traveling by lorry
9 with the commander of F Force was that during the
10 month in which that march was taking place we contacted
11 again and again each of the thirteen marching parties
12 in various stages of the march. If I had marched, my
13 personal knowledge would have related to only one of
14 the thirteen marching parties and my evidence would
15 have been suspect as hearsay in regard to twelve-
16 thirteenths of the men who marched.

17 Q Do you mean your observation that during the
18 last six nights of the journey the men actually were
19 knee-deep in mud?

20 A I, myself, marched the last four stages of
21 the journey and found the conditions so.
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1 Q Was it physically possible to make any progress
2 whatsoever under those conditions?

3 A I do not suggest that the mud was knee-deep
4 the whole of the way. The ordinary surface was cor-
5 duroy; that is to say, tree trunks under a covering a
6 few inches deep of extremely slippery mud. And then
7 there were soft patches where the mud and water were
8 literally knee-deep.

9 Q As I recall, Colonel, that month was April,
10 was it not, in '43?

11 A No. The going was good except for its extreme
12 roughness and the fact that it was done at night until
13 the rains broke at the end of the first week in May.
14 I have already said the first six train parties, the
15 Australians, reached their labor camps practically before
16 the rains broke. Within a few days of the rains'
17 breaking, the road completely disappeared over very
18 long stretches, so completely that it had not been
19 reopened when I left Siam seven months later. It was
20 after stretches of it had disappeared, after it had
21 become totally impossible to wheel transport that the
22 last of our parties marched along it.

23 Q What was your mode of travel from Tasoia to
24 Konquita?

25 A I travelled by lorry as far as Konquita.

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1 Q What do you mean by "staging" camp?

2 A Camp is a misnomer. It is a clearing in the
3 jungle with accommodation for the Japanese guards.

4 Q How long were you at Konquita?

5 A I spent a day there.

6 Q Where were the cholera cases you described?

7 A At Konquita.

8 Q How did you arrive at the figure 1500 cases?

9 A Because I was in the headquarters of F Force,
10 and the figures were officially reported by the medical
11 officers of the various camps to the senior medical
12 officer in that headquarters.

13 Q How many camps had cases of cholera?

14 A Six.

15 Q Did you visit all these camps?

16 A All except one, the northernmost and smallest.

17 Q When was it you reached Niki-Niki?

18 A About -- I forget the exact date. I should
19 say between the 10th and 15th of May. Probably the 10th.

20 Q What was the source of your detailed statement
21 concerning working conditions at the numerous camps,
22 excluding the one in which you were stationed?

23 A I saw them for myself at five out of the six
24 camps. I was stationed for considerable periods in
25 three of them. Also, Colonel Harris, as commander of

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1 the force, and myself as his staff officer, got frequent
2 written reports from the commanders of those camps, all
3 of which are still on file if required. I have a num-
4 ber of them here in Tokyo if you wish to consult them,
5 or anyone else.

6 Q Then, the details covering the working condi-
7 tions of the camps as testified to you include five
8 camps out of fifty; is that right?

9 A As regards H Force, I lived with H Force in
10 Siam for three weeks at Kanburi. I lived with the
11 officers and men of H Force in Singapore for the rest
12 of the war. Also, as regards a considerable number of
13 those camps you mentioned, I saw them for permittedly
14 short periods. I saw them for permittedly short periods
15 both on my way up to the Three Pagodas Pass and again
16 on my way down. As regards those working in Burma, A
17 Force, I mentioned that I shared a camp with them in
18 September 1943 for some time.

19 Q As I say, Colonel, we are interested more par-
20 ticularly in what you observed; and I was asking you
21 if it would be a fair assumption that you knew working
22 conditions in five camps out of fifty, specifically?

23 A Certainly I had the working conditions in
24 five camps under my close observation for eight months.

25 Q Thank you. What were the facilities for

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1 furnishing the camps with food and supplies, including
2 building materials?

3 A That is very difficult to say. We were more
4 interested in whether the stuff arrived or not. The
5 Japanese had had eight months of dry weather in which
6 to roof those camps before we got there.

7 Q I take it that camps must be supplied with
8 food and other equipment day by day. What were the
9 facilities at the point where you were located for so
10 doing?

11 A The main water supply route of that part of
12 Siam is the river which comes up from Banpong to Niki.
13 Until May, the area where we were located was accessible
14 from north and south by dry weather roads. From May
15 until the time I left that area it was fully accessible
16 by water. In fact, Niki, itself, became in the wet
17 season an inland port. Large quantities of rice were
18 brought up that river from May onwards, and the barges
19 were unloaded by parties of our men going out from Niki
20 Camp. There were large godowns at Niki in which this
21 food was stored. Our men used to store it there. These
22 godowns were immediately next door to the prisoners of
23 war camp at Niki and were under the control of the
24 regiment of railway engineers for whom we were working.

25 Q Did you ever call attention of the Japanese

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1 officers to the fact that if the men had been better
2 fed and better cared for they would have been able to
3 accomplish more work?

4 A I will tell you what Colonel Dillon, my
5 senior officer at the time, said to the Japanese on
6 that subject on more than one occasion, if you don't
7 mind my quoting his words as mine.

8 Q I asked you if you had done so, Colonel. I
9 would like to get on a little faster, and if you will
10 answer the questions, of course we will give you all
11 the time in the world to explain them.

12 A Very well. We told the Japanese that the way
13 they were treating their labor, both Asiatic and mili-
14 tary, was, from a soldier's point of view, worse than
15 a crime; it was a blunder. We told them, and I con-
16 sider now, that if they had treated their labor pro-
17 perly and fed it and housed it and given it reasonable
18 working hours, they would have finished that railway
19 by the time they wanted to. We told them then, and I
20 consider now, that as a result of the way they treated
21 their labor they were months later than they intended
22 in finishing that railway, and in consequence lost a
23 campaign which it was intended to supply in Burma.

24 Q Whom did you tell that to in responsibility
25 at Niki Niki?

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1 A Colonel Dillion said it there to the acting
2 adjutant of -- said it first there to the acting adju-
3 tant of Colonel BANNO. I said it myself quoting him
4 later to the Japanese officer at Songkrai.

5 Q Was there any attempt made to accede to your
6 suggestions?

7 A In what respect?

8 Q In the obtaining of more food, medical supplies,
9 and equipment.

10 A I know that applications for more food were
11 made by Lieutenant Colonel BANNO to the Japanese
12 engineers. As regards medicine, I think I have already
13 covered that point.

14 Q I believe you have, sir. Where did you live
15 when you were moved to Songkrai, is it?

16 A I lived in one of the typical huts there, next
17 door to the hut occupied by the Japanese.

18 Q What was the reason for your transfer?

19 A Because of the frequent protests that Lieu-
20 tenant Colonel Harris, Lieutenant Colonel Dillion and I
21 were putting up to Lieutenant Colonel BANNO. That was
22 the only reason that we could ever think of.

23 Q I assume you personally observed the working
24 conditions which you described there?

25 A Both at Niki and at Songkrai frequently; in

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1 fact, I might say almost daily.

2 Q And did you get a response from your com-
3 plaints about conditions?

4 A I think Lieutenant Colonel BANNO did make
5 certain futile and usually totally ineffective efforts
6 to ameliorate them, in the sense that I believe in the
7 early stages, at any rate, he passed on some of our
8 protests about the flogging of men at work to the
9 Japanese engineers.

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1 Q Did you see any of the eight hundred British
2 officers about fifty miles south of Songkrai under
3 actual working conditions?

4 A No. I only spoke to the adjutant of one
5 of their battalions -- one of their companies, and
6 to about six others of them on the way up, and then
7 had frequent conversations with members of those
8 parties again at Kanburi. As to the conditions under
9 which they worked for three years, there is, of
10 course, an enormous mass of evidence available, par-
11 ticularly in affidavit form.

12 Q You mentioned Lieutenant Colonel BANNO, and
13 you may have covered it; but, how were you treated
14 in general by him?

15 A I, personally, was always treated by him
16 with civility. I shall say what I can in his favor
17 when he comes up for trial in Singapore very shortly.

18 Q I assume he indicated a desire to cooperate
19 with you in the work that you were doing and accom-
20 plishing.

21 A I can't say that I ever got that impression,
22 but he was not hostile to me in any way and, in some
23 ways, quite friendly.

24 Q You referred, Colonel, to two thousand sick
25 men being conveyed to a hospital camp in Burma north

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1 of Songkrai. What other means of transportation was
2 available other than lorries?

3 A The other means of transportation was the
4 river from Niki to the south, water transport being
5 the best way in the world of conveying sick men.

6 Q Why was not this method used if it was sug-
7 gested by you?

8 A I have never been able to understand it.
9 The Japanese refusal was a piece of folly which cost,
10 in my opinion, five hundred British lives.

11 Q Did you have any concise knowledge of the
12 shipping available at that time for that purpose?

13 A In reference to the amount of shipping
14 available, it was in that report from Japanese
15 sources which was read by Mr. Comyns Carr. I, my-
16 self, saw highly suitable rice barges going down-
17 empty from Niki.

18 Q By "down," do you mean north or south?

19 A South, down to the Siam plains where the
20 food was. Such means were, in fact, used for moving
21 most of the sick and the working parties south of us.

22 Q Am I right in my recollection that these
23 wounded men were moved from Songkrai?

24 A From Songkrai and, certainly, two other
25 camps.

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1 Q I have in my notes, Colonel, that this camp
2 is north of Songkrai. Am I wrong?

3 A No, you are correct. The camp selected for
4 our sick was sixty miles north of Songkrai across
5 Three Pagodas Pass.

6 Q So then, to move men to this particular
7 camp north of Songkrai, lorries would be the proper
8 method of conveyance, would it not?

9 A Once the original mistake had been made by
10 the Japanese, lorries were the only method.

11 Q Thank you. I believe you left Songkrai
12 Camp and returned to Singapore some time in December,
13 '43, is that right?

14 A I left Songkrai in mid-November and reached
15 Singapore on the 24th of December.

16 Q I think you mentioned a moment ago that you
17 had been at the scene -- along the line of the Siam-
18 Burma railroad recently.

19 A I did not say so.

20 Q Well, have you seen it since 1943?

21 A No, but I am fairly well informed regarding
22 it.

23 Q Under whose management is the railroad?

24 A It is being superintended by the British
25 and partly managed by the Siamese.

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1 Q What is its condition?

2 THE PRESIDENT: What is the point of these
3 two questions?

4 MR. BLEWETT: The fact, your Honor, it
5 seemed to me that the questions are in order inas-
6 much as the testimony was to the effect that the rail-
7 road was built specifically for military purposes.

8 THE PRESIDENT: The management now and the
9 condition now have no bearing on that.

10 MR. BLEWETT: I see your point, sir.

11 THE PRESIDENT: We will recess now for
12 fifteen minutes.

13 (Whereupon, at 1045, a recess was
14 taken until 1100, after which the proceed-
15 ings were resumed as follows:)

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

18 THE PRESIDENT: Mr. Blewett.

19 MR. BLEWETT: Thank you, sir.

20 BY MR. BLEWETT: (Continued)

21 Q When was it you completed your report on F
22 force for the Kempeitai?

23 A On about the 18th of December, 1943.

24 Q Do you know specifically if it ever reached
25 Tokyo?

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1 A I have already stated that I know no more than
2 what I was told by the member of the Kempeitai at
3 Kanburi.

4 Q In one place in your testimony, Colonel
5 Wild, you say that the Japanese has special facilities
6 for jungle hazards and hardships. What were these?

7 A I stated that they had facilities purely in
8 comparison with us. They were clothing, boots, suffi-
9 cient food, medicines and shelter.

10 Q If that is what you had in mind, we have
11 already covered that subject, sir. I shall refer
12 you to document 1509-A, exhibit 457 -- 475. During
13 your long confinement as a prisoner of war were you
14 at any time transported in a vessel at sea?

15 A I was not, but I was in daily association
16 over long periods with a very large number of men
17 who had been.

18 Q As a result of investigation by you in
19 Tokyo, during your present stay, 26 documents have
20 been located dealing, as you say, with prisoners of war

21 A Yes.

22 Q Just a moment, sir. One has been produced,
23 document 2647. Where are the other 25?

24 A Undergoing translation and processing at the
25 present time.

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1 Q Well then, you mean in the office of the
2 prosecution, is that correct?

3 THE PRESIDENT: He is only a witness, not
4 a prosecutor.

5 MR. BLEWETT: I have the answer, if your
6 Honor please.

7 Q Now where was document 2647 obtained? Do
8 you have the document, Colonel?

9 A No.

10 (Whereupon, the above referred to
11 document was handed to the witness)

12 A (Continuing) It was obtained at my suggestion,
13 I believe, from the Office of the Demobilization Bureau.

14 Q On what date was it obtained?

15 A I think on Wednesday last week. It certainly
16 reached me on Thursday.

17 Q Now, when this document was handed to you did it
18 consist of 39 pages with a sketch attached?

19 A There was a sketch attached. I did not count
20 the number of pages. What I did do was screen it rapidly
21 with the assistance of an expert and from my notes I can
22 state positively that document No. 2647 is complete and
23 as I received it with the sole exception that the cover
24 which was on the original was not in the translation.
25 I translated it myself before the Tribunal, if you

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1 remember.

2 Q We understand. Does not the document consist
3 of three distinct parts?

4 A Quoting from memory I should say at least that.

5 Q And was it your opinion that the cover
6 purports to be the personal signatures guaranteeing
7 the authorship of the three documents?

8 A The seals on the cover merely confirm what
9 Colonel SUGITA told me about a week before the
10 document was discovered. He told me that members of
11 the committee were Colonel OISHI and Colonel -- I think
12 it was -- KUNITAKE, and that when the report was finished
13 by his committee he himself had personally presented it to
14 Lieutenant General WAKAMATSU. He did not tell me
15 that the document was still in existence. I guessed
16 that. It was therefore merely confirmation when I
17 found his signature and that of two officers of his
18 sub-committee on the document. The third signature
19 I mentioned, I forget now, it was either HASHIZUME
20 or KUNITAKE. He told me that both were on his sub-
21 committee.

22 Q Was it your impression that Colonel SUGITA
23 included the three portions of the document?

24 A I take it you are referring particularly to the
25 attachments from the diaries. It was no surprise to

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1 find them there. It was Colonel SUGITA who particularly
2 told me that Lieutenant General KAWAMURA had given
3 evidence before the sub-committee, and what Colonel
4 SUGITA told me referred particularly to two conferences
5 between KAWAMURA and General YAMASHITA, to which
6 reference is made in the diaries. However, as the
7 result of additional investigations which I have
8 done in the intervals of appearing as a witness in
9 this Court, I have every hope to produce much more
10 conclusive evidence later.

11 Q There really are four parts to this, Colonel.
12 I was mistaken, really two: one purporting to be
13 extracts from a diary of Major General KAWAMURA, and
14 the other excerpts from the diary with no name given.
15 Now, is it also your impression that Colonel SUGITA
16 meant to include the "Process Verbal", as it is called,
17 dated October 23, 1945, also a portion of this document?

18 A Considering that Colonel SUGITA and the four
19 officers of the sub-committee were especially selected
20 by Lieutenant General WAKAMATSU on account of their
21 personal knowledge of the Malayan Campaign, I take it
22 that this "Process Verbal" is the findings of SUGITA's
23 sub-committee. Lieutenant General WAKAMATSU himself
24 told me that that had been the basis of the selection
25 of the sub-committee and that one of the reasons was

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1 that most official war office documents had been
2 destroyed at the conclusion of the war. In fact, I
3 see it is headed by the Fourth Unit, a point queried
4 by Doctor KIYOSE, and that is explained by the cover
5 of the document which bears the Japanese words "Dai
6 Shihan," meaning the Fourth Unit or Section, against
7 the names of these three officers.

8 Q We desire your reasoning on that point, Colonel,
9 and I expected to ask you later about it, but I assume
10 from your reasoning that Colonel SUGITA did not
11 specifically tell you that this particular part was a
12 part of the document?

13 A No, indeed, because he had left already for
14 Singapore before the document came into my hands.

15 Q I was under the impression this conversation
16 took place in Tokyo. Where did it take place and when?

17 A It took place in Sugamo Prison during three
18 days about a fortnight ago.

19 Q Oh, I see. I think you did explain that.
20 This conversation took place before you located this docu-
21 ment?

22 A Certainly, it was only as the result of a little
23 detective work on studying my notes of my conversation
24 with Colonel SUGITA that I guessed there might be
25 such a document and its twenty-five companions.

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1 Q Then, of course, Colonel SUGITA did at no
2 time see these papers as put together under document
3 2647?

4 A I imagine he put them together so himself when
5 he handed them to General WAKAMATSU.

6 Q That is an assumption, of course, as you
7 indicate.

8 A But a reasonable one, I hope.

9 Q Now, Colonel, directing your attention to
10 the cover that you state was found in the pages
11 themselves and not on the top do you --

12 MR. BLEWETT: Perhaps I -- (to the interpreters
13 section) Go ahead with that.

14 A I did say that it was found inside and not
15 on top when the papers were handed to me here.

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1 MR. BLEWETT: Just a moment, please. If the
2 Tribunal please, I think it would be of help to the
3 witness if he had the original document, particularly
4 the cover referred to.

5 THE WITNESS: May I explain that point,
6 please?

7 MR. BLEWETT: Just a moment. Well, I think
8 that is quite clear about your locating the cover.

9 THE WITNESS: I don't think it is quite.

10 MR. BLEWETT: There is no intimation, Colonel,
11 that there is anything erroneous about that. That
12 question was merely put as the start of another
13 sentence -- a prelude to another sentence; but, of
14 course, you may explain as far as you like.

15 THE WITNESS: I have already explained to
16 the Tribunal that when the documents first reached me,
17 the cover was on top.

18 BY MR. BLEWETT (Continuing):

19 Q Now, directing your attention to the cover
20 specifically, I shall ask you to read to whom it is
21 directed.

22 A I don't see an address on it myself, but
23 since my dictionary was confiscated in the early
24 stages of my captivity, I am not so good at reading
25 Japanese as I was before the war. In fact, if there

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1 is going to be any question of my trying to read, it
2 would save a lot of time if I had an expert with me.

3 Q You seemed to read it quite readily the
4 other day, and I was basing my question on that ability,
5 which I understood you had. Maybe I can assist you
6 in some way here.

7 Now can you tell me if these words are on
8 that cover: "To Central Investigating Committee of
9 POW," and under that, "Investigating Office Concern-
10 ing POW"?

11 A I can make shift, as I did here the other
12 day, to see that both of those addresses are on it,
13 but I don't see any sign of "to" or "from."

14 Q Can you make out --

15 MR. COMYNS CARR: Might I ask, it would
16 save time if the Language Officer would look at it,
17 and tell us what really is on it.

18 THE PRESIDENT: We direct him to do so.

19 (Whereupon, the document above re-
20 ferred to was submitted to the Language
21 Arbiter, Major Moore, for examination.)

22 THE PRESIDENT: You may continue with
23 your cross-examination on other matters.

24 Q Do you know the full name of Colonel SUGITA?

25 A SUGITA, Ichiji.

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1 Q Is his signature on the cover in his full
2 name?

3 A As I stated, the three officers' names are
4 written merely name and rank in the same hand in ink.
5 The three seals are affixed below each name.

6 Q Well, what do you consider the personal
7 signature of Colonel SUGITA, the stamp?

8 A I only know that when I lived in Kyoto,
9 they would not accept my written signature at all
10 there, and I had to sign all documents with a chop to
11 my name; but I am quite willing to believe that a
12 fuller signature would be to write it in Japanese
13 and seal it. I don't know.

14 Q What is the customary manner in which a
15 Japanese signs his name?

16 A With the brush, I should say, or pen, and
17 strengthened in an official document by a seal. I
18 have been out of this country for nearly seven years.
19 I am rather out of date,

20 Q Now there are three names signed, as you
21 say, with the same penmanship?

22 A I didn't say they were signed. I said they
23 were written.

24 Q I accept your correction. You are quite right.
25 Now these three are designated as Colonel

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1 SUGITA, Colonel O-I-S-H-I, I think it is --

2 THE WITNESS: OISHI.

3 Q (Continuing) -- OISHI, and Colonel HASHI-
4 ZUME. Then there is a stamp at the end of each name.
5 Is that what you mean by the personal signature,
6 Colonel?

7 A Exactly; the personal seal, I said, of each
8 officer has been affixed below his name, but I never
9 suggested that either of those officers had written
10 the name above it. He well may have, but it needs
11 no expert in calligraphy to see that if he did, he
12 wrote all three.

13 Q Could you state that these personal stamps
14 or seals were made by the individuals themselves?

15 A I do recall that there are the most serious
16 penalties in the penal code of Japan for the use of
17 a personal seal except by the owner or by somebody
18 with the express permission of the owner.

19 Q Not being familiar with it, I may be hazy,
20 Colonel, but you cannot say that these three indi-
21 viduals made these particular stamps on this document?

22 A No, but I think that any of your Japanese
23 colleagues will tell you how strong the presumption
24 is that either they or their authorized agents did so.
25 It is most improbable that the illegal use of senior

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1 officers' personal seals was permitted in the Japanese
2 War Office.

3 Q Have you received the English translation of
4 the cover?

5 A Not of the cover.

6 THE PRESIDENT: Major Moore.

7 LANGUAGE ARBITER (Major Moore): If the
8 Tribunal please, the signatures and seals and so
9 forth to which the witness is making reference have
10 not been translated. We request that, if possible,
11 we be allowed time to translate the whole of the
12 cover, indicating which is mimeographed, which is
13 written in ink, and which is written in Japanese
14 black ink, and which is written in ordinary ink.
15 I feel, sir, that it will clear up this point.

16 THE PRESIDENT: Well, that may be desirable,
17 but a short point was referred to you, if I do not
18 misapprehend the position, namely, whether the words,
19 "to" and "from" appear there before the names of the
20 committees.

21 LANGUAGE ARBITER (Major Moore): That part,
22 sir, is on the cover in ink.

23 MR. BLEWETT: If your Honor please, the main
24 substance of my final cross-examination is based upon
25 this cover.

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1 THE PRESIDENT: You will have to defer
2 your cross-examination until we get that full trans-
3 lation. You may do so, but haven't you something
4 else to cross-examine about?

5 MR. BLEWETT: That is the final stage of my
6 examination, sir.

7 I may be able to inquire concerning the
8 document aside from the cover for the remaining
9 period, sir.

10 THE PRESIDENT: Now the papers before the
11 witness appeared to be altogether before they were
12 handed to him, and they also appear to have been
13 separated into two parts by Dr. KIYOSE and Captain
14 Brooks. That may be a misapprehension on the part
15 of myself and one of my colleagues. I would like
16 that cleared up.

17 MR. BROOKS: If the Tribunal please, that
18 is what I was calling to counsel's attention, that
19 the document the Court has is numbered consecutively
20 from 1 to 39, I believe it is, but that the documents
21 there are separate. They are separate in their
22 original form and could not bear such consecutive
23 numbering. The excerpts from the diary -- I don't
24 believe there is any number on them at all, as I
25 recall from my brief examination -- and the one

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1 document bears the numbers from 1 to 9; and then
2 there is another document from 1 to another number
3 which -- I don't recall what the last figure is --
4 but they are separated there and loosely bound to-
5 gether; but we are not pulling them apart. Dr. KIYOSE
6 says he thinks the other number was from 1 to 16, and
7 that I think -- believe is what Mr. Blewett was going
8 to question the witness on -- whether this was done
9 by the prosecution -- the number of this -- the
10 exhibit number before the Court from 1 to 39 -- I
11 believe it is important because I don't believe the
12 cover was over all of these.

13 THE PRESIDENT: I think this is a convenient
14 break. We will adjourn now until half past one.

15 (Whereupon, at 1154, a recess was
16 taken.)

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AFTERNOON SESSION

The Tribunal met, pursuant to recess, at 1330.

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

- - -

CYRIL HEW DALRYMPLE WILD,
called as a witness on behalf of the prosecution, resumed the stand and testified as follows:

THE PRESIDENT: Major Moore.

LANGUAGE ARBITER (Major Moore): If the Tribunal please, referring to prosecution's document No. 2647, it is in five parts. Page 1 of the document, the Japanese, and I refer to the English pages, since the document has in its five parts, is not numbered - the pages are not numbered consecutively.

MR. BLEWETT: If the Tribunal please, it was my recollection that Major Moore was asked to translate the first page, the cover.

LANGUAGE ARBITER (Major Moore): As I remember, if the Tribunal please, the last problem before the Tribunal was whether there were several documents or whether it was one document.

THE PRESIDENT: We will hear you first on

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1 the translation of the first page, Major Moore.

2 LANGUAGE ARBITER (Major Moore): If the
3 Tribunal please, the reference is made to page 1, I
4 presume, and if there is no objection, I take it to
5 mean page 21 of the English document, which cor-
6 responds to page 1 of the report, of the outline of
7 the report.

8 THE PRESIDENT: I don't know what number it
9 is, but it is the page purporting to bear the sig-
10 natures, or the names and the seals, of three
11 lieutenant colonels, I think it is.

12 LANGUAGE ARBITER (Major Moore): Yes, sir.
13 The page in question reads as follows: "Original.
14 Top Secret," and then in ink, "To" - addressed to -
15 "POW Affairs Investigative Department, POW Central
16 Investigative Committee," and then stenciled, "Out-
17 line of the Investigation Concerning Inhumane Acts
18 (principally against the Chinese) during the Malay
19 (Singapore) operation." Again stenciled, "22
20 November, 1945," and taking the prosecution's trans-
21 lation, group No. 4. In ink, "Department Chief,"
22 with the inked initial SUBO." In ink, "Officer in
23 Charge, the seal HIRANUMA." "Members of Department."
24 Pencil initial illegible, the pencil initial WAKA
25 and ink TAKETOMI. In ink, with the three names of

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1 officers in the same handwriting. Fourth Group
 2 Colonel SUGITA, Colonel OISHI, Lieutenant Colonel
 3 HASHIZUME, each bearing underneath the name a seal.

4 That completes that page, sir.

5 MR. COMYNS CARR: I would like to ask
 6 Major Moore a question, please.

7 MR. BLEWETT: It seems to me, sir that the
 8 redirect should come following the cross-examination.

9 MR. COMYNS CARR: It is Major Moore, not
 10 Colonel Wild. On page 21 of the English translation
 11 there appears at the top the words "Section 3".
 12 Ought that to be there, or is it on the original or
 13 is it a mistake that those words have got on there?

14 LANGUAGE ARBITER (Major Moore): If the
 15 Tribunal please, sir, they are not a part of the
 16 original document and it is presumed that they are
 17 an inadvertence on the part of the translators.

18 THE PRESIDENT: Before you go, Major Moore,
 19 you might clear up that matter you mentioned first.

20 LANGUAGE ARBITER: (Major Moore) If the
 21 Tribunal please, it seems to be that the document
 22 which is numbered 2647 by the prosecution is really
 23 five documents. There are three initials, or two
 24 initials and one seal on the first page, which cor-
 25 respond to seals on what would be in English the

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1 21st page, or the first page of the report.

2 THE PRESIDENT: Are there five documents
3 within the compass of 21 pages?

4 LANGUAGE ARBITER (Major Moore): We checked
5 hurriedly, sir, through the original, comparing it
6 with the English. The English has 39 pages and
7 we would say that the translation is of the five
8 documents. Page 21, sir, is the first page of the
9 so-called report, outline of report.

10 THE PRESIDENT: Thank you. Mr. Blewett.

11 MR. BLEWETT: Major Moore, would you hand
12 the witness the original document, please?

13 THE PRESIDENT: Major Moore.

14 LANGUAGE ARBITER (Major Moore): If the
15 Tribunal please, sir, my colleagues have called my
16 attention to the fact that there is on the back of
17 the cover page a list of the officers of the 25th
18 Army which have not been translated.

19 (Whereupon, Major Moore handed a
20 document to the witness).

21 CROSS-EXAMINATION (Continued)

22 BY MR. BLEWETT:

23 Q I shall ask you, Colonel, if you will
24 kindly look at the original document 2647 and verify
25 the statement of Major Moore, at least to assure

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1 yourself that there are five distinct portions.

2 A There appear to be, sir.

3 Q Now, do those five separate portions con-
4 sist of first, the excerpt from the diary?

5 A There again, if I am going to do this
6 quickly, I must ask for a little expert assistance.
7 I can do it, but it would waste the Tribunal's time.

8 Q Well, I was assuming that you are familiar
9 with the English translation.

10 A I have indeed read the English translation,
11 but out of these documents it would take me a
12 little time to recognize accurately the corresponding
13 Japanese. As I say, I can do it, but it will waste
14 the Tribunal's time. It is as the Tribunal pleases.

15 Q I shall ask you if that original document
16 is what purports to be prosecution's document No.
17 2647?

18 A At a quick glance, yes. Certainly the
19 documents look identical with those which I saw,
20 except that there were some duplicates of the type-
21 written part attached when I got it.

22 Q Is that document in five portions numbered
23 consecutively from 1 to 39? I refer to the original,
24 Colonel Wild.

25 A I do not see it on the original.

WILD

CROSS

1 Q Can you tell us how the original pages are
2 numbered?

3 A The one I am looking at is not numbered
4 at all.

5 Q Can you tell us, Colonel, how many pages
6 there are in Japanese on the first portion?

7 A One, two, three four, of the diary.

8 Q Now, is that a portion of the diary which
9 you discussed with General KAWAMURA?

10 A I showed him the photostated part of that
11 as I received it with the English translation here.
12 That is to say, I took the first, I think it is
13 seven pages of the photostated edition, checked the
14 dates on them with the English version, so that I
15 had the two sections, handed them to him and said,
16 "Is this your diary, or from your diary"?

17 Q Is there a second portion there headed,
18 "Extracts from the diary of Major General KAWAMURA"?

19 A I see this is headed "The Diary." I am not
20 familiar with the characters that follow the charac-
21 ters of "Diary." It may well mean excerpts. I can
22 see that the first entry is February 18th. There
23 are four characters, the first pair of which mean
24 diary, and the second pair may or may not mean ex-
25 cerpts. I am unable to say.

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1 Q I take it that the photostat you refer to
2 cover the first seven pages of the exhibit as trans-
3 lated.

4 A That is correct.

5 Q You may have transposed the two excerpts,
6 inasmuch as the one marked page 1 of the translation
7 is dated February 18th and the other, which has the
8 heading, is dated February 16th.

9 A That is not correct, in so far as my in-
10 terview with General KAWAMURA was concerned. What
11 I did with him was, I took the photostated copy of
12 the exhibit and the English copy of the exhibit. I
13 then checked the fact that one of the photostated
14 copies bears the word "Diary," with which I am
15 familiar. I then checked off the dates, so that I had
16 February 18th to March 18th on one. The next photo-
17 stated pages were February 16th to February 18th,
18 which I recognized from the dates. That amounted to
19 seven pages, while the eight, as it started with
20 February 7th and was therefore identifiable with
21 page 8 of the English exhibit, I did not give to him.
22 I then said, "Is this your diary," and he said,
23 "Yes, it is," and used it for purposes of which he
24 was writing for about one hour.

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1 Q Is there any significance to you, Colonel,
2 in your knowledge of Japanese that in both portions
3 of the diary referred to the same dates are used quite
4 often but the wording on the same facts are different,
5 and at times in a different person? What is your
6 explanation?

7 A I have no definite explanation. I can only
8 conjecture at the present stage. But when I have
9 Major General KAWAMURA's complete diary in my hands
10 in a few days' time, I shall probably be able to
11 answer. It hasn't reached me yet from southern Japan,
12 but it is in our hands, I have every reason to believe.

13 Q Have you any hesitation in asserting that
14 both these documents were not written by the General?

15 A I am inclined to think that one represents
16 verbal extracts from his diary -- verbatim extracts,
17 I should say.

18 Q What kind?

19 A Verbatim. And the other represents remarks
20 which he made to Colonel SUGITA's committee on his
21 diary with the benefit of having it before him. This
22 conjecture is supported by the fact that that is the
23 sort of homework that he was doing for me in Sugamo
24 Prison recently, the only difference being that on this
25 later occasion he had the benefit of having not only

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1 the extracts from the diary, but also the excerpt
2 from the diary before him in the pages of the photo-
3 stated exhibit.

4 Q Who prepared these documents, Colonel, the
5 two we are speaking about?

6 A You mean the photostated copies?

7 Q Who made those originals?

8 A I can't tell you.

9 Q Is there any identification mark whatsoever
10 on either one of the diaries?

11 A I must repeat that at no time while I have
12 been before this Tribunal have I pretended to be a
13 professional reader of Japanese documents. I can
14 makeshift to do so with assistance of dictionaries,
15 or with somebody helping me.

16 Q We appreciate your help, Colonel. We will go
17 on as best we can. Now, can you tell me whether or
18 not -- I will withdraw that question. You referred to
19 a document on which the first date is February 7 which
20 you did not show the General.

21 A I was not quite correct. I showed him the
22 heading only but did not leave it with him to read.

23 Q My question was simply for the purpose of
24 identification. Is there a third document there called
25 "Abstracts" on which the first date inserted is

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1 February 7?

2 A In the Japanese, you mean?

3 Q It purports to be page 8 of the translation.

4 A That is correct. It comes on the second page
5 of the document in question; the date comes there.

6 Q Pardon me, did I hear you say that is No. 2
7 in that document, the original -- page 2, I should say?

8 A That is so. The first page contains the
9 heading as given on page 8, and also the first para-
10 graph.

11 Q What is the last date referred to in that
12 portion?

13 A April 16.

14 Q Can you help us, Colonel, by giving us some
15 idea as to who prepared that original document?

16 A I don't see anything written on it, but that
17 may be my fault.

18 Q I note that portion of the document has num-
19 bered pages whereas the diary does not.

20 A These pages are not numbered.

21 Q I heard you say page 2, Colonel. I thought
22 from that remark that the pages were numbered, but
23 maybe you meant the second page, perhaps?

24 A I meant the second page by my counting. I see
25 instead the documents are numbered, but that is by

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1 translator, I think, in pencil.

2 Q What is the number?

3 A The first number is 3.

4 Q Now, will you be so good as to find the
5 original of what is called a "Processed Verbal" dated
6 October 23, 1945?

7 A I have it.

8 Q Are you able to tell us the number of pages
9 in that particular portion of the document?

10 A There appears to be 18 and a map.

11 Q You may be looking at the paper dated Novem-
12 ber 22 which, I think, has a map.

13 A Well, the cover is right because I can read
14 most of that. The date is certainly 23 October. The
15 title, of which I can read the majority, is correct.

16 Q Did I understand you to say that you will
17 give us the title?

18 A I beg your pardon?

19 Q I thought I understood you to say that you
20 would read the title.

21 A I can makeshift to translate.

22 Q I am not asking you for it. You volunteered.
23 I thought I heard you say that. I am sorry.

24 Now, are those pages numbered in any way?

25 A No, they are not. The paragraphs are numbered.

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1 Q Well, did you tell me there was a map attached?

2 A At the end of the section, yes.

3 Q Well, now, I hope we are not mixed up, because
4 there is a map on the fifth document.

5 I have the situation cleared up, Colonel.
6 There was a map on the original which is not in the
7 **translation.**

8 A I was right, then?

9 Q Yes, indeed. Very good work. Now I shall
10 direct your attention to the fifth and final portion
11 of this document, and also call your attention to the
12 cover, so-called, and which has been translated by
13 **Major Moore.** Can you tell us what that purports to be
14 from the original?

15 A Which portion?

16 Q The fifth portion, the last one.

17 A I appear to have mislaid it.

18 Q Beg pardon?

19 A I appear to have mislaid it.

20 Q Can you identify that?

21 A Not at the moment, no.

22 Q I did not quite get your answer, sir.

23 A I said I appear to have mislaid it. I can't
24 see it at the moment.

25 Q Oh, I see.

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1 MR. COMYNS CARR: It is over there by your
2 right hand.

3 THE WITNESS: Here we've got the top.

4 Q Now, that may be it.

5 A What does the fifth purport to be in the
6 English?

7 Q It has the same title that the cover page
8 has, identical.

9 A Page?

10 Q Page 21 I understand that cover was to be.
11 Do you have the cover, Colonel?

12 A Sorry, I can't hit on it.

13 Q Page 21?

14 A I have the English version in front of me,
15 but I can't find the other.

16 Q Will you please look at the English version.
17 Now, is there any significance, Colonel, in the fact
18 that the cover, so-called, bears the same lettering,
19 writing, as page 21 of the English translation?

20 THE PRESIDENT: Mr. Comyns Carr.

21 MR. COMYNS CARR: I think my friend's ques-
22 tion is based on a misapprehension. I did not under-
23 stand Major Moore to say that the words at the top
24 of page 21 appear again on this part of the document.
25 As I understood what he told us, they are a part of

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1 the cover which our translators somewhat erroneously
2 have put on page 21. I did not understand that there
3 was a repetition of it. Perhaps Major Moore can
4 clear it up.

5 THE PRESIDENT: Major Moore.

6 LANGUAGE ARBITER (Major Moore): Page 21 of
7 the English down through "POW Affairs Central Inves-
8 tigative Committee," plus the additions which were
9 read, are the words found on the cover page of the
10 report.

11 Turning the page, there are a list of Army
12 officers of the 25th Army, and the text begins with
13 what would ordinarily be page 1 of the document.

14 THE WITNESS: I have the document for which
15 I was looking.

16 Q Beg your pardon?

17 A I have now in my hands the document for
18 which I was looking; it was the one which Mr. Comyns
19 Carr suggested, on my right. I must point out, when
20 you refer to fifth or sixth parts, they are not ar-
21 ranged in that order, and they are not numbered so.

22 Q I understand.

23 A Therefore, without the English version to
24 check the Japanese with, until you told me the page
25 on the English version, it was quite impossible for

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1 me to identify it or, I think, for anybody qualified
2 to read Japanese.

3 Q Now, page 21 of the document 2647 is attached
4 to this particular paper and is the cover, is it not?
5 I will qualify that by stating that only that portion
6 down to number 1 is part of that cover and part of
7 the top page which you have in your hands, is that
8 correct?

9 A The passage on page 21 between the words
10 "Section III" and Roman figure I, represent the cover
11 with the exception that the amendments read out to us
12 are not included.

13 Q Right. Colonel, I am going to ask you how
14 the names which are inscribed upon that page can in
15 any way be attributed to the document dated October
16 23, 1945.

17 A I may have misunderstood you, but the cover
18 surely bears a later date, namely the 22nd of November,
19 1945.

20 Q Right.

21 A The names appear immediately above that date.

22 Q Do you see any connection whatsoever with
23 the cover, so-called, on that document and the one
24 which is included in the prosecution's document and
25 beginning on page 12?

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1 A I can't see the difficulty. As the document
2 beginning page 12 was compiled by the Fourth Unit on
3 the 23rd of October, 1945, surely there is no reason
4 why it should not be included under the cover also
5 marked the Fourth Unit with a later date.

6 Q Does it not seem more tenable, Colonel,
7 that the cover pertains only to this report named
8 "Section III" to which it is attached, and no other
9 paper?

10 A Well, that I rather cannot say because, as
11 I see it, these documents were documents on which the
12 Fourth Committee or sub-committee was working. They
13 have not, I agree, been finalized, apparently, by
14 the Central Committee, so-called, but they were
15 found all together in the Demobilization Bureau, I
16 believe, as the fruits of the work of that sub-
17 committee. Something, perhaps the final demobiliza-
18 tion of the Japanese Army, prevented them being put
19 into that neat and final form which Dr. KIYOSE said
20 they should be in. No one else except Colonel
21 SUGITA's sub-committee was interested in this mater-
22 ial. It was all found together with this cover on
23 top (indicating); and, rightly or wrongly, I thought
24 the material valuable as it bears the official mark
25 "Top Secret."

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1 THE PRESIDENT: We will recess now for
2 fifteen minutes.

3 (Whereupon, at 1445, a recess was
4 taken until 1500, after which the proceed-
5 ings were resumed as follows:)

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

8 THE PRESIDENT: Mr. Blewett.

9 MR. BLEWETT: What was the last question or
10 answer?

11 (Whereupon, the last question and
12 answer were read by the official court reporter.)

13 BY MR. BLEWETT: (Continued)

14 Q What proof, Colonel, is there on the intro-
15 duction which we classify as page 21 to connect that
16 up with the document dated October 23, 1945?

17 A I am sorry, I shall have to have that question
18 read again. I am dealing with English and Japanese
19 documents and with two separate languages.

20 (Whereupon, the last question was
21 read by the official court reporter.)

22 THE WITNESS: Can you give me the English page
23 of the October 23d document?

24 MR. BLEWETT: Twenty-one, page 21 -- wait a
25 minute, page 12.

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1 A Both were compiled by the Fourth Section.

2 Q Is that all?

3 A They deal with the same matter.

4 MR. COMYNS CARR: May it please the Tribunal,
5 in my submission, it is not a matter of argument and
6 is not a question to ask the witness.

7 THE PRESIDENT: Well, it is really argument.
8 He is giving his deductions from the documents but
9 I am inclined to let him do so subject to what my
10 colleagues think. I do think we are wasting a lot
11 of time about this matter; nevertheless, we might as
12 well have it threshed out now. The witness may be
13 able to assist the Tribunal on this particular phase.

14 MR. BLEWETT: If your Honor please, the
15 defense is not objecting so much to the introduction
16 of the papers provided they are introduced at the
17 proper time and with satisfactory evidence.

18 THE PRESIDENT: This is the proper time and
19 what is satisfactory evidence is a matter to be
20 determined later, of course. However, let us hear
21 the witness on this point.

22 Q Your answer, Colonel, was that it was --

23 THE PRESIDENT: You were proceeding to
24 explain your views of that collection of documents.

25 THE WITNESS: It would appear to me that

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1 the "Process Verbal," page 12 of the English version,
2 dated 23d of October, is a collection of evidence
3 by SUGITA's committee. In the report of written
4 records which General WAKAMATSU told me had been
5 destroyed, they had pooled their own information and
6 that of witnesses, such as General KAWAMURA. They
7 buried a few protests already received from the
8 Allies.

9 THE PRESIDENT: Do those documents, Colonel,
10 represent a build-up? Do those documents represent
11 a build-up from a number of reports to a final report
12 which is put under this much-debated cover?

13 THE WITNESS: It seems to me, your Honor,
14 that the "Process Verbal" includes the information
15 they got and the stage they reached towards the end
16 of October. During the succeeding months they com-
17 piled the report starting on page 21, which was their
18 report to the Central Committee. Both documents bear
19 the heading, "Fourth Section," which I am informed
20 was Colonel SUGITA's, and he himself told me that
21 that section was in session under his chairmanship
22 from the end -- from September until November.

23 THE PRESIDENT: Is any other Section
24 referred to in the file?

25 THE WITNESS: Subject to correction, I think

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1 not.

2 THE PRESIDENT: Yes.

3 BY MR. BLEWETT: (Continued)

4 Q Do you have the same explanation, Colonel,
5 for the other three portions of the exhibit, including
6 the diary and the abstracts?

7 A Yes. We know General KAWAMURA appeared
8 before the committee as a witness, both from him and
9 from Colonel SUGITA. The notes represent extracts
10 taken by the committee from his diary, notes of what
11 he said about it, and extracts taken from the "Top
12 Secret Diary." Those three formed material for
13 Colonel SUGITA's committee's report. They were all
14 left together, possibly in support of the report
15 itself; possibly by oversight.

16 Q Then are we to understand that you attribute
17 to Colonel SUGITA and his committee the entire author-
18 ship for document 2647?

19 A Not necessarily the authorship but the
20 compilation of these documents, yes.

21 Q Just one thing, Colonel. I believe you
22 promised to look up for me the number of troops
23 stationed on Singapore Island at the time of the
24 surrender of the English?

25 A I don't recall making such a promise and I

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1 am afraid I haven't done so.

2 Q We shall not hold you to it then, sir.

3 In the course of your experience as a prisoner of
4 war you came into contact with many Japanese officers
5 and men who you stated were considerate and who co-
6 operated with you in trying to better the lot of
7 yourself and your men.

8 A I did not say there were many of them. I
9 said there were some.

10 Q Would you agree then, Colonel, that the
11 treatment the prisoners received depended to a great
12 extent on the individual Japanese officers and the
13 men under them?

14 A A good Japanese officer -- and I recall two
15 in particular who were an honor to their army and
16 country -- could make a considerable difference to
17 the prisoners in their particular camp. Unfortunately
18 they were both junior officers and I did not encounter
19 similar compassion and humanity in the higher ranks
20 of the Japanese Army. It could have made a far greater
21 difference.

22 MR. BLEWETT: If your Honor please, I believe
23 there is some other counsel who wish to take part
24 in the cross-examination.

25 MR. SHIOHARA: I am SHIOHARA.

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1 THE PRESIDENT: Counsel for whom?

2 MR. SHIOHARA: For the accused KIMURA.

3 CROSS-EXAMINATION (Continued)

4 BY MR. SHIOHARA:

5 Q Is the document which Counsel Blewett asked
6 you about a while ago, Mr. Witness, the same as
7 exhibit No. 475, and did you get complete possession
8 of it at the same time? In other words, that is the
9 document relating to an outline of an investigation
10 on the ill treatment of prisoners of war during the
11 Malayan operations?

12 A No. That document, No. 475, has been in
13 translation for several months. I was informed,
14 however, by General WAKAMATSU that a document of that
15 name emanated also from the Central POW Investigation
16 Committee.

17 Q With respect to the document referred to and
18 asked about by Counsel Blewett, did you go to the
19 Mobilization Bureau yourself to obtain it -- to the
20 First Mobilization Ministry?

21 A No, it was an American officer, I understand.

22 Q Now I understand. Mr. Witness, do you know
23 of the Geneva Convention concerning treatment of
24 prisoners of war, dated July 27, 1929?

25 A I have read it sometime ago.

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1 Is Japan bound by the terms of this Con-
2 vention?

3 MR. COMYNS CARR: That is not a question
4 for the witness.

5 THE PRESIDENT: No, the witness will not
6 answer. Objection upheld.

7 MR. SHIOHARA: I should like to remark to
8 you, Mr. President, that this witness is testifying
9 along the lines that Japan had violated the terms
10 of this Convention and that his line of testimony is
11 on the basis of such a violation.

12 THE PRESIDENT: He is testifying as a
13 soldier. He is an expert in military matters, but
14 not in matters of international law. His testimony
15 may be based on the assumption that the Geneva Con-
16 vention and other conventions apply to Japan, but
17 the application or non-application of that or any
18 other convention is not a matter for him.

19 BY MR. SHIOHARA (Continuing):
20

21 Then I shall ask questions along another line.

22 Q Mr. Witness, you have testified to the
23 effect that many civilians in general, including
24 women and children, were confined in Changi Prison.
25 Now were these civilians confined elsewhere at first,
 and then transferred to Changi Prison later?

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1 A I believe for a very short period, a
2 matter of a week or so, they were at the Sea View
3 Hotel or somewhere near it.

4 Q We have heard, Mr. Witness, that at that
5 time there were among the civilians a number of
6 prostitutes mixed in the group, and that many of
7 the British ladies of the higher class had protested
8 the idea of mixing -- being mixed with them, and that
9 it was accordingly that they asked the Japanese
10 authorities to transfer them to Changi Prison which
11 would be perfectly all right with them. We have
12 heard that, have you, and what do you think of it?

13 A Well, I could only say that most of these
14 white women had been living quite happily, peace-
15 fully in Malaya for many years among the peace-loving
16 people of Malaya. If immediately the Japanese took
17 control of Malaya, these ladies found it necessary to
18 be shut up in the narrow confines of Changi Gaol
19 for their own protection, I can only see one explan-
20 ation. As for any friction among the ladies them-
21 selves, I never heard of it.

22 Q Is it so that the Changi Internment Camp
23 is located within the Changi fortified zone, and,
24 therefore, within the same zone as Changi Prison,
25 and constitutes one of the buildings of the prison?

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1 A We didn't go in for the same arrangement as
2 regards fortified zone as regards the Japanese.
3 The only fortified zone of Changi was within a few
4 yards of each of the guns, but it is true that the
5 place where the prisoners of war were confined was
6 about two miles away from Changi Gaol where the
7 civilians were confined.

8 Q With respect to allocation of rooms within
9 the prison itself, were not these matters entrusted
10 to a committee of the internees who were more or
11 less self-autonomous with respect to such matters?

12 A Yes, but when you have to fit three thousand,
13 five hundred prisoners into a prison built for seven
14 hundred, it doesn't leave the autonomous committee
15 much choice. They can't be blamed for putting three
16 or four men or women in a one-man cell when there are,
17 say, eighty of them for twenty cells.

18 Q Mr. Witness, you testified that you heard
19 the address by Foreign Secretary Eden in January,
20 1944. Where was it -- where did you hear this speech?

21 A I didn't hear it. I said that I read the
22 full transcript of it. That was in Changi Camp.

23 Q At Changi Prison, as well as at other
24 prisoner of war camps, were there not nests of con-
25 spirators, so-called, by reason of the fact that the

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1 prisoners had secret radio-receiving sets and
2 other information-gathering setups, and other
3 organizations to obstruct the activities of the
4 Indian National Army?

5 THE PRESIDENT: The witness need not answer
6 that. That also is a question of law.

7 Q Isn't it proper to say that Indian troops
8 had been freed on oath, and after that joined the
9 Indian National Army?

10 A I don't understand the expression "freed
11 on oath."

12 Q Paroled on oath.

13 A Not that I heard of; but I did say that a
14 few went over after that meeting in Farrar Park,
15 but only a very few. Whether they were on parole,
16 I don't know.

17 Q It seems, if my impression is not mistaken,
18 that you, Mr. Witness, criticized the arrangement
19 of separating Indian troops from their British
20 officers. As I see it, it was a matter of convenience
21 to the Japanese Army and not a matter of criticism.
22 Do you still hold on to your view?

23 THE PRESIDENT: There is no need to answer it.

24 A I criticized it because of the abominable
25 way in which some of the Indian troops were treated

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1 when removed from the protection of their officers;
2 and it was because we foresaw that treatment that
3 British officers wanted to stay with the Indian
4 troops and protect them from it.

5 Q Are you aware of the fact, Mr. Witness,
6 that in the Geneva Convention of 1929 that I refer
7 to, it has been stipulated that it would be better
8 to separate different nationalities in the same
9 camp?

10 A This reminds me, if I may say so, of many
11 arguments in captivity when the Geneva Convention
12 was always quoted against us, and we were always
13 told, on the other hand, that it wasn't binding on
14 the Japanese.

15 THE PRESIDENT: Obviously, it has no
16 application to soldiers in the same army.

17 Q I understand from what you told in response
18 to a question by Mr. Blewett yesterday that you
19 heard that reports with respect to prisoners of war
20 camps were sent to the central Army authorities in
21 Tokyo from your friend Underwood. However, you did
22 not know, did you, that these reports were not sent
23 to the central Army authorities in Tokyo, but to
24 the Southern Supreme Army from which it did not go
25 any further?

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1 A That is against -- in contradiction of
2 what I have heard myself. The fact that reports
3 were being made to Tokyo was quoted to me again and
4 again by Japanese officers in captivity. I was also
5 told recently by Lieutenant Colonel NAGATOMO, the
6 Commander of A Force on the Burma-Siam Railway,
7 which I have mentioned, that all reports for Siam
8 were collected by General SASA's headquarters at
9 Taso, he being the G. O. C. Prisoners of War, Siam,
10 and were forwarded, one to the Southern Army, and
11 one to the headquarters of the POW Administration
12 in Tokyo.

13 Q Is this person one who assisted the
14 Japanese in making out the report?

15 A Which prisoner, I don't understand?

16 Q The person who told you that one report was
17 sent to the Southern Army, and the other to the POW
18 Administration in Tokyo.

19 A No, he is at present in Singapore. He also
20 gave me a full account of the first meeting of the
21 prisoners of war chiefs which took place in June, 1942.
22 He is well informed on prisoner of war information.

23 Q Where is Lieutenant Colonel NAGATOMO at the
24 present?

25 A I have said that he was in Singapore, but

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1 whether he is still alive or not, I am not certain.

2 Q Was there any Communists among the Chinese
3 in Malaya?

4 A Yes, why not?

5 Q I am not asking "why not" or other reasons.
6 I am asking whether there were any.

7 Did Major O'Neill and Captain Marriott
8 have anything to do with Chinese Communists and
9 Chinese anti-Communist elements attempting to disturb --

10 THE MONITOR: Anti-Japanese Communists --

11 Q (Continuing): -- anti-Japanese Communists
12 in cutting Japanese lines of communications and so
13 forth?

14 A No, I never heard so. I am sure if they
15 had, they would have told me. The proof that they
16 had not is that they were so well treated by the
17 Japanese battalion that captured them. I know that
18 they were fed during their withdrawal in the jungle
19 by Asiatics wherever possible. I am sure they would
20 have been fed by Communist Asiatics just as much as
21 by non-Communist ones, and would not have troubled to
22 find out particular political affiliations of those
23 who fed them.

24 Q With respect to Chinese Communists and other
25 anti-Japanese elements which the Japanese and SUGITA

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1 called "bad men", how were these elements directed by
2 your Army?

3 A They were not directed in any way, unless
4 they were members of the British Armed Forces. In
5 any case, I think it is a wrong assumption that the
6 people who were shot on the beach were necessarily
7 such people. There is no evidence to show it. In
8 fact, there is now ample evidence to show that many
9 hundreds of those, if not thousands, who were shot by
10 the Japanese in Singapore had committed no offense
11 whatever except being young men and Chinese.

12 THE PRESIDENT: We will adjourn now until
13 half-past nine tomorrow morning.

14 (Whereupon, at 1558, an adjournment
15 was taken until Thursday, 19 September 1946,
16 at 0930.)

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