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11 Dec 46

Minutes

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EXHIBITS

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2829	1395		Summary of evidence of JAG Report No. 303 on the Murder of 30 or more Filipinos at San Charles in August 1943 and February 1944		12481
2828	1396		Summary of evidence of JAG Report No. 300 on Murder of 35 Filipinos at Malaiba, Vallehermose, in February 1944		12482
2821	1397		Summary of evidence of JAG Report No. 263 of the Murder of 90 Filipino civilians on the shores of the Tagburos River, Palawan Island March 1945		12483
2832	1398		Summary of evidence of JAG Report No. 291 re Murder and Rape near Jagna, Bohol from April to October 1945		12484

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2843	1399		Summary of evidence of JAG Report No. 290 on the Murder, Rape and Torture of civilians in the vicinity of Tagbilaran, Bohol, June to September 1942 and July 1944		12485
2719	1400		Affidavit of Jose C. Tupaz on the Murder of 24 men and three women at Tigbuan, Iloilo Province in August 1943		12486
2727	1401		Affidavit of Nonito Tubungbanwa re the Massacre of civilians at the Barrio of Lungao, Iloilo, in September 1943		12487
2724	1402		Affidavit of Cayetano Nerra re the Crucifixion of a Filipino in the Barrio Progreso, Ajuy, Iloilo, in September 1943		12488
2721	1403		Affidavit of Lorenzo Polito re Atrocities committed in Inopencan and Canangay, Leyte, in March 1944		12489
2729	1404		Affidavit of Radimoda (More on Atrocities committed at Barrio Rayah, Municipal District of Wato, Lanao Province in August 1942)		12490

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<u>Doc. No.</u>	<u>Pros. No.</u>	<u>Def. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
2841	1405		Summary of evidence of JAG Report No. 233 re condi- tions existing in the prisoner-of-war camp at Davao Penal Colony and the Davao City Civilian Intern- ment Camp from 1942 to 1944		12491
2803	1406		Summary of evidence of JAG Report No. 166 on the Murder of approximately 89 Filipinos at Tugbak, Davao, in May 1945		12493
2728	1407		Affidavit of Miguel Estimada re the Rape of two women at Bacaca, Davao City, in May 1945		12494
2856	1408		Summary of evidence of JAG Report No. 282 on the Atrocities at Barrio San Roque and Sitio Bitute, Zamboanga City, Mindanao, in March 1945		12496
2822	1409		Summary of evidence of JAG Report No. 265 on Murder of 5 Filipinos in the hospital area at the Barrio of Umagos, Mandampog, Balingasag, Orient- al Misamis, in October 1944		12498
2824	1410		Summary of evidence of JAG Report No. 272 on Murder of 2 Filipinos at Butuan, Agusan, Mindanao, during the early part of March 1945		12499

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<u>Doc. No.</u>	<u>Pros. No.</u>	<u>Def. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
2825	1411		Summary of evidence of JAG Report No. 281 re the Murder of 29 civilians at Ranao-Pilayan, Cotabato, Mindanao, in June 1944		12500
2857	1412		Summary of evidence in JAG Report No. 302 on Murder, Torture and Lootings in and around Vigan, Ilocos Sur from December 1941 to April 1945		12500
2817	1413		Summary of evidence of JAG Report No. 109 on Tortures and Murders at Fort Santiago, from January 1942 to February 1945		12502
2877	1414		Transcript of the testimony of Justina Manlisik in the YAMASHITA trial describing Atrocities in Tanauan, Batangas, in February 1945		12507
2820	1415		Summary of evidence of JAG Report No. 262 on Mistreatment and Torture of civilians by Japanese Kempei-Tai at Dumaguete, during June 1944 to March 1945		12507
2804	1416		Summary of evidence of JAG Report No. 161 on Torture and Murder of Japanese Kempei-Tai at Bacolod, Negros Occidental, in February and March 1945		12508

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<u>Doc. No.</u>	<u>Pros. No.</u>	<u>Def. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
2723	1417		Affidavit of Leonora Palacio Villas re the Torture received by her brothers Fidel and Florentino and herself in Palo, Leyte, in February 1942		12510
2726	1418		Affidavit of Tayambong Chagse re the Torture he received at Kabayo, Atok, Mountain Province, in March 1943		12513
2865	1419		Summary of evidence of JAG Report No. 55 re Torture and Starvation of Dr. Gilbert Isham Cullen, an American citizen in the Provincial Prison of Iloilo City in May 1942		12517
2735	1420		Transcript of the testimony of Henry Keys, War Correspondent of the London Daily Express in the YAMASHITA trial describing the Atrocities at Intramures in February 1945 particularly about Rufina Mercade	12520	
2844	1421		Summary of evidence of JAG Report No. 61 on Mass Rape at the Bay View Hotel, Miramar Apartments, Boulevard Apartments and Alhambra Apartments in February 1945		12520

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<u>Doc. No.</u>	<u>Pros. No.</u>	<u>Def. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
2709	1422		Affidavit of Easter Garcia Moras re mass rape by Japanese soldiers and officers at the Bay View Hotel in February 1945		12529
2886	1423		Transcript of testimony of Nena Alban in the trial of HOMMA, Masaharu		12536
2847	1424		Transcript of the testimony of Apolinaria Due Tuazon in the HOMMA, Masaharu trial		12539
2872	1425		Transcript of the testimony re Raping of Calestina de la Rosa in the HOMMA trial in January 1942 at Bansic, Hermosa, Bataan		12541
2848	1426		Transcript of the testimony of Amadeo Cabe in the HOMMA trial on the Rape of two American women in Manila in January 1942		12543
2876	1427		Transcript of the testimony of Juan Etuijera in the YAMASHITA trial re Rape at Obando, Katangalan, in February 1945		12545
2858	1428		Summary of evidence of JAG Report No. 287 on Arson, Rape and Robbery at Bali-lihan and Sikatuna, Bohol, in September 1945		12546

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(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>
2862	1429		Transcript of the testimony of Francisca Bernardo de Luna re how she was raped at Sampaloc, Talavera, Nueva Ecija, in January 1942		12547
2868	1430		Transcript of testimony of Vicente Arias in the YAMASHITA trial re the burning of certain buildings in Manila in February 1945		12549
2811	1431		Summary of evidence of JAG Report No. 71 on the Bombing of Manila in December 1941 (then declared an open city)		12551
2866	1432		Transcript of testimony in the YAMASHITA trial of Dominador Santos, Deputy Chief of the Detective Bureau, Manila Police Department, re the dynamiting and burning of the Singer Building in Manila in February 1945		12553
2867	1433		Transcript of the testimony of Amendo Alvarez in the YAMASHITA trial re how the Japanese set fire to the Bank of the Philippine Islands Building in Manila in February 1945		12554

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<u>Doc. No.</u>	<u>Pros. No.</u>	<u>Def. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
2861	1434		Transcript of the testimony of Rosa Calalong in the YAMA-SHITA trial re Rape in the Manila Cathedral and the Burning of the Cathedral in February 1945		12556
2881	1435		Transcript of testimony of Juan P. Juan in the YAMA-SHITA trial re the burning of the Philippine Red Cross Building by Japanese soldiers in February 1945		12559
2880	1436		Summary Report dated 27 September 1946 of the physical destruction and other losses suffered in the Philippines caused by Japanese aggression during December 8 1941 to July 4 1945		12561
2815	1437		Summary of evidence of JAG Report No. 151 on the Murder of civilians and the wanton destruction of property in Malvor and Batangas Provinces in January and February 1945		12564
2707	1438		Allied Translators Interpreter Service Research Report No. 72	12566	

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<u>Doc. No.</u>	<u>Pros. No.</u>	<u>Def. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
2707D	1438-A		Mimeographed and handwritten file of the Manila Navy Defense Force and South-western Area Fleet Operation Orders dated 23 December 1944 to 14 February 1945		12566
2707K	1438-B		English translation of extracts from a Diary dated 24 October 1944 to 31 December 1944 of Warrant Officer YAMAGUCHI, Yoshimi		12567
415	1439		English translation of extracts from a captured diary of Private 1st class MATSUOKA, Itoji dated 19 December, presumably 1944, to 27 March 1945		12569
426	1440		English translation of an extract from the captured diary kept by a Japanese soldier dated 24 April 1944 to 23 January 1945		12570
2776	1441		English translation of extracts from a captured notebook diary belonging to a member of Akatsuki 16709 Force dated from 31 July 1944 to 21 February 1945		12571
428	1442		English translation of an excerpt taken from a loose handwritten sheet containing battle report dated 13 April, presumably 1945, issued by commanding officer of Ijichi unit		12572

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<u>Doc. No.</u>	<u>Pros. No.</u>	<u>Def. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
2749	1443		English translation of an extract from a bound, printed and mimeographed file containing censored matters entitled "Police Affairs B No. 2 (Incoming Reports on Public Order)" dated 1 July 1943 to 12 January 1944		12573
2777	1444		English translation of an excerpt from the bound handwritten notebook diary dated 14 November 1943 to 17 April 1945 belonging to a member of the FUJITA Unit 3330 Force		12574
425	1445		English translation of extract from a captured bound diary notebook dated July 1944 -- 22 May 1945 (owner and unit not stated)		12575
2707H	1446		English translation of a captured Japanese "Memorandum concerning the training of all officers and men for the prevention" dated 18 November 1944, which makes admission and confirmation of the practice of cannibalism		12576
2850	1447		Extract from statement made by prisoner-of-war YANAGIZAWA, Eiji, captured by Australian troops at Marasupe		12577

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(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>
2713	1448		Affidavit of Major-General Edward P. King, Commanding-General of the American-Filipino Forces that surrendered on Bataan in April 1942		12592
2879	1449		Transcript of the testimony in the HOMMA trial of Basilio Hernandez, Chief of Casualty Division of the Filipino Army on the number of Filipino troops on Bataan		12596
2809	1450		Summary of evidence of JAG Report No. 75 on deaths, mistreatment of and living conditions at Camp O'Donnell between the period of April 1942 to December 1942 where more than 1500 American prisoners-of-war and approximately 26000 Filipino prisoners died		12597
2831	1451		Summary of evidence of the Report on Atrocities at Bataan General Hospitals No. 1 and 2 in April 1945		12601
2799	1452		Summary of evidence of JAG Report No. 189 on mistreatment and improper conditions of American and Filipino prisoners-of-war in Corregidor in the summer of 1942		12604
2870	1453		Affidavit of James E. Strawhorn re tortures, etc., at the Prisoners-of-War Camp at Nicholes Field and Pasay		12606

1 Wednesday, 11 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.)

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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: Major Moore.

4 LANGUAGE ARBITER (Major Moore): Mr.
5 President, with the Tribunal's permission we pre-
6 sent the following language corrections:

7 Exhibit 1198, record page 10,468, line 13,
8 delete from "he wished" to the end of the paragraph
9 and substitute "they wished to avoid a Japanese-
10 American war. But really how is it?

11 "I replied that His Majesty's decision is
12 of such gravity that, once decided, it could not
13 later be retracted. Hence it is felt that if there
14 is the least uncertainty every possible precaution
15 should be taken to do that to which His Majesty can
16 give assent. Accordingly I requested that the Navy
17 Minister and the Chief of the Naval General Staff
18 be called at once and the true intention of the Navy
19 be ascertained, and that the matter be conveyed
20 frankly to the Premier also.

21 "At 6:35 P M I was summoned in audience
22 and was ordered as follows: The Navy Minister and
23 the Chief of the Naval General Staff have answered
24 my question about the previous matter with con-
25 siderable confidence, so instruct the Premier to

1 proceed as planned."

2 THE PRESIDENT: Mr. Lopez.

3 MR. LOPEZ: We introduce in evidence IPS
4 document No. 2829, which is a summary of evidence
5 of JAG report No. 303 on the murder of 30 or more
6 Filipinos at San Carlos, Negros Occidental, in
7 August 1943 and February 1944.

8 THE PRESIDENT: Admitted on the usual terms.

9 CLERK OF THE COURT: Prosecution's docu-
10 ment No. 2829 will receive exhibit No. 1395.

11 (Whereupon, the document above re-
12 referred to was marked prosecution's
13 exhibit No. 1395 and received in evidence.)

14 MR. LOPEZ: We read from that document the
15 last three sentences of paragraph 2:

16 "Twenty-six prisoners, some of whom were
17 volunteer guards, were taken at Malaiba, questioned,
18 beaten up, tortured and then brought into the woods
19 where they were bayoneted. Four survived from
20 bayonet wounds inflicted upon them. The next day,
21 twenty-two bodies were identified and buried by the
22 families and friends of the victims."

23 We offer in evidence IPS document No. 2828,
24 which is a summary of evidence of JAG report No.
25 300 on murder of thirty-five Filipinos at Malaiba,

1 Vallehermoso, Negros Oriental, in February 1944.

2 THE PRESIDENT: Admitted on the usual
3 terms.

4 CLERK OF THE COURT: Prosecution's docu-
5 ment No. 2828 will receive exhibit No. 1396.

6 (Whereupon, the document above re-
7 referred to was marked prosecution's
8 exhibit No. 1396 and received in evidence.)

9 MR. LOPEZ: From that document we read:
10 Paragraph 1, last two sentences: "The men were
11 questioned, beaten up and then taken to a corn
12 field where they were bayoneted. Only four of those
13 men survived."

14 Paragraph 2, last sentence: "Early the
15 next morning, fourteen identified dead bodies of
16 Filipino civilians were found with bayonet wounds."

17 We offer in evidence IPS document No. 2821,
18 which is a summary of evidence of JAG report No.
19 263 on the murder of approximately ninety Filipino
20 civilians on the shores of Tagbuos River, Palawan
21 Island, in March 1945.

22 THE PRESIDENT: Admitted on the usual
23 terms.

24 CLERK OF THE COURT: Prosecution's docu-
25 ment No. 2821 will receive exhibit No. 1397.

1 (Whereupon, the document above
2 referred to was marked prosecution's ex-
3 bit No. 1397 and received in evidence.)

4 MR. LOPEZ: We read from that document the
5 first two paragraphs:

6 "a. On or about 1 March 1945, Luis Saban
7 and a companion were taken by a group of sixty
8 Japanese soldiers to the bank of the Tagbueros River
9 where they joined approximately thirty-five Filipino
10 prisoners, among whom were women and children.
11 These prisoners were divided into three groups,
12 SABAN being in a group of twenty. He was struck with
13 a saber, bayoneted and fell unconscious for fifteen
14 minutes. When he regained consciousness, the
15 Japanese had gone and he saw the dead bodies of the
16 other prisoners in his group scattered around him.
17 All had wounds on their bodies."

18 "b. On or about 1 March 1945, about one
19 hundred Japanese soldiers were seen with approximate-
20 ly seventy Filipino civilians, including women and
21 children, near the Tagbueros River. The victims
22 were tied, lined up along the river and all were
23 bayoneted to death by the Japanese."
24

25 We tender in evidence IPS document No.
2832, which is a summary of evidence of JAG report

1 No. 291 on the murder and rape near Jagna, Bohol,
2 from April to October 1945.

3 THE PRESIDENT: Admitted on the usual
4 terms.

5 CLERK OF THE COURT: Prosecution's docu-
6 ment No. 2832 will receive exhibit No. 1398.

7 (Whereupon, the document above
8 referred to was marked prosecution's ex-
9 hibit No. 1398 and received in evidence.)

10 MR. LOPEZ: We read from that document the
11 last paragraph:

12 "In October 1945, Japanese raided a home
13 in Jagna, wounded the owner and carried away two
14 Filipino women. The older woman succeeded in escap-
15 ing from the Japanese camp the same evening, but the
16 other was kept there until shortly before their sur-
17 render in February 1946. She declares that during
18 this period she was raped by nineteen different
19 Japanese all of whom she has identified from among
20 those in custody, according to the investigator's
21 report."
22

23 We introduce in evidence IPS document No.
24 2843, which is a summary of evidence of JAG report
25 No. 290 on the murder, rape and torture of civil-
ians in the vicinity of Tagbilaran, Bohol, June to

1 September 1942 and July 1944.

2 THE PRESIDENT: Admitted on the usual
3 terms.

4 CLERK OF THE COURT: Prosecution's docu-
5 ment No. 2843 will receive exhibit No. 1399.

6 (Whereupon, the document above
7 referred to was marked prosecution's ex-
8 hibit No. 1399 and received in evidence.)

9 MR. LOPEZ: We read from that document
10 paragraph three:

11 "About the middle of June 1942, a young
12 woman of Baclayon, Bohol was ordered by the puppet
13 governor to go to the home of Col. MINI in Tagbila-
14 ran. When she refused, the governor and a Japanese
15 captain who had accompanied him, threatened to
16 kill her family and burn her home. Then they forced
17 her into a car and drove her to Col. MINI's head-
18 quarters. The colonel told her to sit beside him
19 and when she refused he beat her and slapped her
20 and then he tore off her clothes and threatened her
21 with his samurai sword. When she refused to submit
22 to him, he tied her hands, fastened the rope to the
23 head of the bed and then raped her. The following
24 night she jumped out of the window and succeeded in
25 escaping to a nearby island."

1 We offer in evidence IPS document No.
2 2719, which is the affidavit of Jose G. Tupaz on
3 the murder of twenty-four men and three women who
4 were tied like cattle and beheaded at Tigbuan,
5 Iloilo Province in August 1943.

6 THE PRESIDENT: Admitted on the usual
7 terms.

8 CLERK OF THE COURT: Prosecution's docu-
9 ment No. 2719 will receive exhibit No. 1400.

10 (Whereupon, the document above
11 referred to was marked prosecution's ex-
12 hibit No. 1400 and received in evidence.)

13 MR. LOPEZ: We read from page 9 of that
14 document, the first two sentences of the last para-
15 graph:

16 "After the investigation, which lasted
17 for about an hour, the twenty-four males and three
18 women were all tied with hands behind their backs,
19 and later on they were retied on a piece of strong
20 rope, like cattle, and were pulled to a thicket
21 about 25 meters away from the concentration camp
22 where they were beheaded. A baby, three months old,
23 the 28th member of the group, was thrown into the
24 air by the Japanese and impaled upon a bayonet."
25

1 We tender in evidence IPS Document No. 2727,
2 which is the affidavit of Nonito Tubungbanwa regarding
3 the massacre of civilians at the Barrio of Lungao,
4 Iloilo in September 1943.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: Prosecution's document
7 No. 2727 will receive exhibit No. 1401.

8 (Whereupon, the document above
9 referred to was marked prosecution's exhibit
10 No. 1401, and was received in evidence.)

11 MR. LOPEZ: From that document we read the
12 following:

13 Page 1, fourth answer, the last three
14 sentences:

15 "These Chinese, were later on separated and
16 killed. At the next barrio, Salngan, the first group
17 of Japanese soldiers had already caught a large
18 number of civilians. When we left, they killed all
19 the civilians, after getting information from them."

20 Page 2, fourth answer, sixth and seventh
21 sentences:

22 "After killing the civilians, they threw
23 the bodies to the fire. They burned the whole barrio."

24 We offer in evidence IPS Document No. 2724,
25 which is an affidavit of Cayetano Narra regarding the

1 crucifixion of a Filipino in the Barrio Progreso, Ajuy,
2 Iloilo, in September 1943.

3 THE PRESIDENT: Admitted on the usual terms.

4 CLERK OF THE COURT: Prosecution's document
5 No. 2724 will receive exhibit No. 1402.

6 (Whereupon, the document above
7 referred to was marked prosecution's exhibit
8 No. 1402, and was received in evidence.)

9 MR. LOPEZ: We read from page 2 of that
10 document, the second question and answer:

11 "Q Did you personally witness any other
12 atrocity after the one you just mentioned?

13 "A Yes. On this same day, and in the same
14 barrio, I saw the other Filipino civilians killed by
15 the same group of Japanese soldiers. They were
16 Aurelio Artacho, 38 years old, and Lucas Doctolero, 40.
17 The former was chopped in the neck with a sword and
18 thrown into a house which later on was set afire by
19 the Japanese. The latter was crucified to the ground
20 with three six-inch nails; one on each wrist, and the
21 third driven thru the base of his skull. I was stand-
22 ing only two meters from where this occurred."

23 We submit in evidence IPS Document No. 2721,
24 which is the affidavit of Lorenzo Polito regarding
25 atrocities committed in Inopacan and Canangay, Leyte,

1 in March 1944.

2 THE PRESIDENT: Admitted on the usual terms.

3 CLERK OF THE COURT: Prosecution's document
4 No. 2721 will receive exhibit No. 1403.

5 (Whereupon, the document above
6 referred to was marked prosecution's exhibit
7 No. 1403, and was received in evidence.)

8 MR. LOPEZ: We read from that document the
9 following: Page 1, second answer, sentences 11 to 19,
10 inclusive:

11 "The second day of the patrol, we reached
12 Canangay, at about two o'clock in the afternoon. A
13 young woman, Eufresina Payot, about 24 years old, was
14 caught hiding in the grass. The officer in charge of
15 the entire patrol tore off her clothes, while two
16 soldiers held her. He then had her taken to a small
17 nipa hut, without walls, about fifteen feet away from
18 where she was caught and there the officer in charge
19 of the patrol used his sabre to cut her breasts and
20 womb. Soldiers held her while the officer did this.
21 At first, the girl was screaming. She finally lay
22 still and silent. The Japanese then set fire to the
23 nipa hut. When the girl was caught and her clothes
24 were torn off by the officer, I was about a hundred
25 meters away."

1 We offer in evidence IPS Document No. 2729,
2 which is an affidavit of Radimoda (Moro) on atrocities
3 committed at Barrio Rayah, Municipal District of Wato,
4 Lanao Province in August 1942.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: Prosecution's document
7 No. 2729 will receive exhibit No. 1404.

8 (Whereupon, the document above
9 referred to was marked prosecution's exhibit
10 No. 1404, and was received in evidence.)

11 MR. LOPEZ: From that document we read the
12 first eight sentences of the last answer on page 1:

13 "It was one early dawn in August 1942 when
14 some Japanese soldiers from the garrison stationed at
15 Dansalan City, Lanao, about hundred of them and under
16 the command of four Japanese officers, one of whom
17 was Captain NAKAMURA (FNU) raided our barrio (Rayah).
18 Our barrio had a population of about 2,500. We were
19 taken by surprise. When the Japanese arrived they
20 immediately began bayoneting the people including those
21 whom they found fishing in the lake. After a while
22 they burned the barrio, completely razing down to the
23 ground about eight houses. It was only when the houses
24 were set on fire that the population came to know just
25 what was happening. In the commotion that ensued

1 some four Japanese soldiers were killed. The Japanese
2 kept on firing and bayoneting the people and they had
3 completely gained control of the barrio, they took me
4 and three others as prisoners."

5 We offer in evidence IPS Document No. 2841,
6 which is a summary of evidence of JAG Report No. 233
7 on conditions existing in the prisoner-of-war camp
8 at Davao Penal Colony and the Davao City Civilian In-
9 ternment camp from 1942 to 1944.

10 THE PRESIDENT: Admitted on the usual terms.

11 CLERK OF THE COURT: Prosecution's document
12 No. 2841 will receive exhibit No. 1405.

13 (Whereupon, the document above
14 referred to was marked prosecution's exhibit
15 No. 1405, and was received in evidence.)

16 MR. LOPEZ: From that document we read the
17 following:

18 Page 1, paragraph 1, sentences 6 to 8, inclu-
19 sive:

20 "Between October 1942 and June 1944, there were
21 from two thousand to two thousand two hundred American
22 prisoners-of-war in the camp. This number gradually
23 decreased due to deaths, escapes and transfers. On
24 14 March 1944, over five hundred guerrilla prisoners
25 were also brought to the Davao Penal Colony."

1 Page 2, paragraph 5:

2 "Prisoners were forced, over their protests,
3 to construct airfields."

4 Page 2, paragraphs 8 and 9:

5 "There were innumerable beatings by fists,
6 rifles, bayonets, revolvers, sabers, bamboo poles,
7 sticks, clubs, rubber shoes, shovels, kicking, and
8 slapping.

9 "Aside from beatings, prisoners were tortured
10 in several different inhuman ways: kept in a kneeling
11 position for periods extending to three days; forced
12 to kneel--"

13 Page 3, paragraphs 1 to 4, inclusive:

14 "--on cinders and rocks, with arms extended,
15 and to carry boards and bricks with the body leading
16 backwards so that the entire weight would fall to
17 the rear; compelled to stand or kneel in water or warm
18 tea while live electric wires were applied to the body;
19 tied to a barbed-wire fence with arms outstretched
20 while burning boards or sticks were applied to his body
21 or face. Prisoners were forced to hit each other
22 until they bled.

23 "American prisoners-of-war were used as
24 targets in bayonet practice resulting in death or
25 serious injury to many."

1 "During bombing raids, prisoners were not
2 allowed to seek shelter, thus exposing them to bombings
3 and gunfire.

4 "Prisoners were forced to work from ten to
5 fourteen hours a day."

6 We offer in evidence IPS Document No. 2803,
7 which is a summary of evidence of JAG Report No. 166
8 on the murder of approximately 89 Filipinos at Tugbek,
9 Davao, in May 1945.

10 THE PRESIDENT: Admitted on the usual terms.

11 CLERK OF THE COURT: Prosecution's document
12 No. 2803 will receive exhibit No. 1406.

13 (Whereupon, the document above
14 referred to was marked prosecution's exhibit
15 No. 1406, and was received in evidence.)

16 MR. LOPEZ: From paragraph 1 of that document
17 we read the seventh and the last two sentences:
18

19 "The following afternoon, three of those
20 who escaped returned to the scene of the massacre and
21 counted the bodies of eighty-nine people.

22 "It is not known why these people were killed.
23 They were not given a trial."

24 We introduce in evidence IPS Document
25 No. 2728, which is the affidavit of Miguel Estimada
regarding the rape of two women at Bacaca, Davao City,

1 in May 1945.

2 THE PRESIDENT: Admitted on the usual terms.

3 CLERK OF THE COURT: Prosecution's document
4 No. 2728 will receive exhibit No. 1407.

5 (Whereupon, the document above
6 referred to was marked prosecution's exhibit
7 No. 1407, and was received in evidence.)

8 MR. LOPEZ: From that document we read the
9 following:

10 Page 1, first sentence of paragraph 7:

11 "I saw here thirty-four people in all which was
12 made up of twenty-two men and twelve women."

13 Page 1, paragraphs 8 to 12, inclusive:

14 "I remember that MOSUKAWA came into the air-
15 raid shelter and dragged out Encarnacion Lines, about
16 17 years of age, and the Japanese soldiers held her
17 outside on the front of the air raid shelter.

18 "MOSUKAWA came back again and pulled out a
19 girl named Pilar, I do not remember her last name.
20 She was about 21 years of age. She was taken up the
21 ladder of the air-raid shelter and forced her to go
22 somewhere from the air-raid shelter with some Japanese
23 soldiers. I do not know where they took her.

24 "MOSUKAWA then came back to the platform in
25 front of the air-raid shelter and grabbed Encarnacion

1 Lines from the soldiers who were holding her and tore
2 off her dress and all the clothes that she wore until
3 she was completely naked. Encarnacion was shouting
4 and crying and tried to fight but the other three
5 soldiers grabbed her and held her down on the ground.
6 They placed her down on her back and two soldiers held
7 her feet and another soldier held her arms. The names
8 of those soldiers were Private MORI, Private HIROSHI
9 and Private OIDE.

10 "I then saw MOSUKAWA removed his pants and
11 laid on top of Encarnacion Lines. He remained there
12 about five minutes. I saw his body moving up and down
13 doing 'pompom'(sexual intercourse). When he was
14 finished he put on his pants and walked away.

15 "Next, Private HIROSHI took off his pants and
16 did the same thing while the other two soldiers held
17 the feet of Encarnacion and the other soldier, her arms.
18 After that the Japanese soldiers, MORI and OIDE, did
19 the same thing. People in the air-raid shelter were
20 crying because of how they saw these soldiers raped
21 Encarnacion Lines.

22 "MOSUKAWA later returned, a short time after
23 the soldiers had raped Encarnacion Lines, and carried
24 her completely naked into the air raid shelter. My
25 brother, Donato had a towel around his neck which he

1 gave to Encarnacion to cover her body. A few
2 minutes later, Pilar was brought back into the shelter.
3 I saw that her dress was also torn off. She was cry-
4 ing and told her mother that the three Japanese who
5 took her away had abused her and raped her. MOSUKAWA
6 then gave some water and biscuits to the two girls who
7 were raped."

8 We submit in evidence IPS Document No. 2856,
9 which is a summary of evidence of JAG Report No. 282
10 on the atrocities at Barrio San Roque and Sitio
11 Bitute, Zamboanga City, Mindanao, in March 1945.

12 THE PRESIDENT: Admitted on the usual terms.

13 CLERK OF THE COURT: Prosecution's document
14 No. 2856 will receive exhibit No. 1408.

15 (Whereupon, the document above
16 referred to was marked prosecution's exhibit
17 No. 1408, and was received in evidence.)

18 MR. LOPEZ: We read from that document the
19 last paragraph:

20 "On or about 23 March 1945, Japanese military
21 personnel rounded up civilians at Sitio Bitute, Barrio
22 Pasenanca, Zamboanga City, and confiscated all bolos.
23 The prisoners were then tied and some of them taken
24 individually to a nearby stream where Japanese slashed
25 them on the head and back with sabers, bolos, and

1 picks. Another victim who attempted to escape was
2 bayoneted while a Philippine woman states that she was
3 raped by a Japanese."
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1 MR. LOPEZ: We tender in evidence IPS Docu-
2 ment No. 2822 which is a summary of evidence of JAG
3 Report No. 265 on murder of five Filipinos in the
4 hospital area at the Barrio of Umagos, Mandampog,
5 Balingasag, Oriental Misamis, in October 1944.

6 THE PRESIDENT: Admitted on the usual terms.

7 CLERK OF THE COURT: Prosecution's document
8 No. 2822 will receive exhibit No. 1409.

9 (Whereupon, the document above referred
10 to was marked prosecution's exhibit No. 1409 and
11 received in evidence.)

12 MR. LPEZ: We read from that document the sum-
13 mary of evidence:

14 "On or about 1 October 1944 a patrol of
15 approximately fifty Japanese soldiers entered the
16 hospital area at Barrio Umagos and bayoneted two
17 Filipino guerrilla guards and one civilian. Another
18 civilian was also bayoneted but survived. The
19 Japanese then bayoneted to death two bedridden patients
20 whom they had found in an evacuation place. After
21 three days, the Japanese burned the hospital buildings
22 and about thirty-two hours, then left the place.
23 The bodies of the victims were found, identified and
24 later buried."

25 We offer in evidence IPS document No. 2824

1 which is a summary of evidence of JAG Report No. 272
2 on murder of two Filipinos at Butuan, Agusan, Mindanao,
3 during the early part of March 1945.

4 THE PRESIDENT: Admitted on the usual terms.

5 CLERK OF THE COURT: Prosecution's document
6 No. 2824 will receive exhibit No. 1410.

7 (Whereupon, the document above referred
8 to was marked prosecution's exhibit No. 1410 and
9 received in evidence.)

10 MR. LOPEZ: We read the entire document:

11 "Sometime during the latter part of February
12 1945, an aged couple and their son were harvesting rice
13 when they saw four Japanese soldiers coming towards
14 them. The couple were tied and taken away by the
15 Japanese while the son hid in a banana grove. After
16 several days the bayoneted and beheaded bodies of
17 these victims, and another Filipino civilian, were
18 found nearby."

19 We offer in evidence IPS document No. 2825
20 which is a summary of evidence of JAG Report No. 281
21 on murder of 29 civilians at Ranao-Pilayan, Cotabato,
22 Mindanao, in June 1944.

23 THE PRESIDENT: Admitted on the usual terms.

24 CLERK OF THE COURT: Prosecution's document
25 No. 2825 will receive exhibit No. 1411.

1 (Whereupon, the document above referred
2 to was marked prosecution's exhibit No. 1411 and
3 received in evidence.)

4 MR. LOPEZ: We read the whole summary except
5 the last sentence:

6 "On 6 June 1944 about three hundred Japanese
7 soldiers accompanied by Philippine Constabulary and
8 Moro troops entered Ranao-Pilayan, gathered the
9 civilians and placed them in a poultry house for the
10 night. On 7 June 1944, twenty of the prisoners were
11 placed in one house while the rest in another house.
12 The Japanese then bayoneted the victims and set the
13 houses on fire. Screams were heard from the victims."

14 We introduce in evidence IPS document No. 2857
15 which is a summary of evidence of JAG Report No. 302
16 on murder, torture and lootings in and around Vigan,
17 Ilocos Sur, from December 1941 to April 1945.

18 THE PRESIDENT: Admitted on the usual terms.

19 CLERK OF THE COURT: Prosecution's document
20 No. 2857 will receive exhibit No. 1412.

21 (Whereupon, the document above referred
22 to was marked prosecution's exhibit No. 1412 and
23 received in evidence.)

24 MR. LOPEZ: From that document we read para-
25 graphs 1, 4 and 5:

1 "During the period from 10 December 1941 to
2 3 April 1945, Japanese soldiers stationed at and around
3 Vigan, Ilocos Sur, P.I., following their usual pattern
4 of operation against innocent civilians, raided and
5 looted private homes, killed and mistreated a number
6 of persons.

7 "On 10 April 1944, six Japanese dragged a woman
8 into a house in San Vicente. The woman tried to get
9 away from the Japanese by jumping out of the window,
10 but she was overtaken and found dead with bayonet
11 wounds a few moments afterwards.

12 "On 27 August 1944, Japanese soldiers fired
13 upon people then congregated in the cockpit in Santa
14 Catalina, wounding one and probably killing several
15 persons. On 20 October 1944, thirty persons were
16 arrested and brought to the Bantay garrison where the
17 prisoners were tortured. One of the prisoners was never
18 released. On 15 November 1944, three prisoners were
19 beheaded in Vigan. On 27 December 1944, several
20 persons were rounded up in Barrios San Julian and
21 Capangpangan, Vigan, after their houses were looted.
22 The prisoners were tortured, and on 7 January 1945,
23 nine of the prisoners were beheaded."

24 We tender in evidence IPS document No. 2817
25 which is a summary of evidence of JAG Report No. 109

1 on tortures and murders at Fort Santiago from January
2 1942 to February 1945.

3 THE PRESIDENT: Admitted on the usual terms.

4 CLERK OF THE COURT: Prosecution's document
5 No. 2817 will receive exhibit No. 1413.

6 (Whereupon, the document above referred
7 to was marked prosecution's exhibit No. 1413 and
8 received in evidence.)

9 MR. LOPEZ: We read the entire document:

10 "The record in this case, consisting of four
11 hundred and sixty-one pages, contains innumerable
12 instances of the brutal and barbaric treatment of
13 many persons taken to Fort Santiago for questioning.
14 The practice of inhuman treatment prevailed from the
15 time of the Japanese Occupation in January 1942 to
16 February 1945. When the Japanese realized that Manila
17 was lost they engaged in a final orgy of mass murder
18 by shooting, bayonetting and burning alive of all
19 prisoners remaining inside the fort. It is impractical
20 to detail the treatment received by each individual,
21 but in general the forms of torture summarized below
22 were imposed in whole or in part upon the prisoners,
23 Some of the victims were American prisoners-of-war and
24 American nationals. The treatment given specific
25 individuals may be learned by referring to the record

1 citation opposite their names in the list of victims
2 herein.

3 "Upon arrival at Fort Santiago for 'investi-
4 gation', a person was placed in a cell approximately
5 sixteen feet long and thirteen and one half feet wide
6 in which had been placed many other people so that there
7 was not sufficient room for all of them to lie down.
8 Talking was prohibited. The diet was entirely inade-
9 quate and consisted of a small amount of rice, and
10 occasionally some native vegetables or greens. Prac-
11 tically all of the witnesses suffered a loss of weight
12 ranging from twenty-five to seventy-five pounds during
13 the time they were held. One person was incarcerated
14 for thirty-three days and lost thirty-two pounds.
15 Sanitary conditions were almost unbearable, the only
16 toilet facility being an opening in the floor at one
17 end of the cell which was never cleaned more than
18 once a day, and the receptacles were entirely inadequate.
19 There was not sufficient water provided, though
20 apparently in each cell was a faucet from which a few
21 drops of water was obtainable. The prisoners were not
22 issued soap. Generally bathing was infrequent and
23 sometimes less than once a week. Usually all in a
24 cell, sometimes numbering eighteen or twenty, were
25 allowed five or ten minutes for the entire group to

1 bathe. Men were forced to be in view of women
2 prisoners. The only ventilation in the cells were small
3 windows high at one end, and the stench of human waste
4 and dirty bodies was over-powering. The cells were
5 infested with lice and vermin. Persons who had been
6 tortured and returned to the cell in a wounded con-
7 dition, some were helpless, and some died in the cell.
8 There is only one instance of rape.

9 "Of the various forms of torture administered
10 by the personnel at Fort Santiago the following are
11 typical:

12 "Some prisoners were kicked and slapped
13 across the face, beaten with the flat of a sheathed
14 sword across the back, shoulders and kidneys. Others
15 were beaten with iron rods or with baseball bats, clubs,
16 poles, ropes, and telephone wires, and some were thrown
17 by Jiu Jitsu methods. The water cure was frequently
18 employed. This consisted of tying the victim to a
19 bench, putting a cloth over the face and inserting a
20 water hose in the mouth or nostrils. Water was forced
21 into his stomach until he became unconscious, and then
22 the Japanese pressed and jumped on his stomach to force
23 the water out. Prisoners had their arms tied behind
24 their backs, a pole inserted through the arms at the
25 elbows, and then were raised and suspended from the
floor. Others were hung for hours by the arms. Some

1 had sticks inserted in the opening of the penis or
2 vagina, and others were burned about the body with
3 lighted cigarettes or cigars. Ammunition would be
4 placed between the fingers and then the fingers were
5 squeezed until the bones would break. Small bamboo
6 slits, or other instruments were placed under toe nails
7 and finger nails and finger and toe nails were pulled
8 out with pliers. Electricity was used to shock or burn
9 the victims. A piece of skin was sliced from the back
10 of one man's hand and he was forced to eat it. The
11 skin on his face and arm was twisted with a pair of
12 wooden pliers and he was hit in the testicles. The
13 Japanese guards ground the prisoner's toes under their
14 hobnailed boots. Three American pilots who had been
15 shot down during the bombing of Manila received a
16 sword thrust through the shoulder or were burned by
17 lighted cigarettes. Holes were made in their fingers,
18 wire inserted through them, and the prisoners were then
19 suspended by the wires. One pilot's whole body was
20 burned, another was paralyzed and they were taken to
21 a hospital. American soldiers were shot. Many
22 prisoners from Fort Santiago were executed at the
23 Chinese Cemetery or buried there. As a form of in-
24 timidation prisoners were shown headless men and men
25 whose faces were so swollen and bloody as a result of

1 beatings they could not be recognized. Intestines of
2 some men were removed while they were still alive in
3 the presence of other prisoners. One Filipino prisoner
4 was forced to behead two other Filipinos. Dead bodies
5 with their hands tied behind their backs were thrown
6 into the Pasig River which flows at the rear of Fort
7 Santiago. Torture as described above was administered
8 not only to men but to women. Some of the women were
9 nuns. Some of the men were priests. Some victims
10 died after being released as a result of their treat-
11 ment at Fort Santiago. In February of 1945 the cells
12 in Fort Santiago were packed with people who resided
13 within the Walled City. Doors were barricaded, gasoline
14 was poured around, set afire and hundreds were burned
15 to death. Others were executed. Hundreds of bodies
16 were discovered by American troops when Fort Santiago
17 was taken. Many of the civilians were able to escape
18 the burning buildings only to be shot by Japanese guards
19 as they escaped or when attempting to swim across the
20 Pasig River. Some, however, survived and lived to relate
21 the horror to which they had been subjected."

22 THE PRESIDENT: The atrocities against the
23 American airmen may be the same as those given in
24 evidence yesterday, or may be similar only.

25 MR. LOPEZ: We offer in evidence IPS document

1 No. 2877 which is a transcript of the testimony of
2 Justina Manlisik in the YAMASHITA trial describing
3 atrocities in Tanauan, Batangas in February 1945.

4 THE PRESIDENT: Admitted on the usual terms.

5 CLERK OF THE COURT: Prosecution's document
6 No. 2877 will receive exhibit No. 1414.

7 (Whereupon, the document above referred
8 to was marked prosecution's exhibit No. 1414 and
9 received in evidence.)

10 MR. LOPEZ: From page 2 of that document we
11 read the last question and answer of the direct exam-
12 ination:

13 "Q What else did you see?

14 "A One of my sisters is pregnant and they slashed
15 her stomach open and when the baby come out they cut
16 its head off (Weeping)."

17 We introduce in evidence IPS document No. 2820
18 which is a summary of evidence of JAG Report 262 on
19 mistreatment and torture of civilians by Japanese Kempei-
20 Tai at Dumaguete.

21 THE PRESIDENT: Admitted on the usual terms.

22 CLERK OF THE COURT: Prosecution's document
23 No. 2820 will receive exhibit No. 1415.

24 (Whereupon, the document above referred
25 to was marked prosecution's exhibit No. 1415 and
received in evidence.)

MR. LOPEZ: We read the entire document:

1 "During the period June 1944 to March 1945,
2 several persons were apprehended by the Japanese
3 military police of Dumaguete and were tortured and
4 mistreated during their confinement in jail. While
5 being 'investigated' by the Japanese, these prisoners
6 were subjected to several forms of torture such as
7 beating, kicking, burning with cigarette butts,
8 'water cure,' choking, judoholds, and hanging by
9 the wrists. Food was inadequate, sanitary facilities
10 were hardly provided, and the prisoners were often
11 deprived of drinking water, for which salty water
12 was substituted. During air raids, the prisoners
13 were not allowed to take shelter."
14

15 "We offer in evidence IPS document No. 2804,
16 which is a summary of evidence of JAG Report No. 161
17 on torture and murder by Japanese Kempei-Tai at
18 Bacolod, Negros Occidental, in February and March,
19 1945.

20 THE PRESIDENT: Admitted on the usual terms.

21 CLERK OF THE COURT: Prosecution's document
22 No. 2804 will receive exhibit No. 1416.

23 (Whereupon, the document above re-
24 ferred to was marked prosecution's exhibit
25 No. 1416 and received in evidence.)

1 Mr. LOPEZ: We read from that document the
2 following: Page 2, paragraph 1, sentences 8-12, in-
3 clusive:

4 "They and others were tortured. One could
5 hardly stand or lie down as his entire body was
6 swollen. Another was mangled and black and blue.
7 Still another was beaten severely with a police club,
8 thrown across the floor and the next night was
9 forced to jump from a window eighteen or twenty
10 feet above asphalt pavement, which dislocated his
11 hip, causing him to lose his power of locomotion
12 for about four months. Another man was thrown from
13 a staircase about twelve feet high."

14 Page 2, paragraph 2:

15 "While confined by the Japanese, the following
16 method of torture was observed, though it is not
17 known who these victims were. It is possible they
18 were other members of the espionage ring. One man
19 was beaten until he was a mass of blood. Another
20 man was strapped to a table and his wrists burned
21 with an alcohol flame until the odor of burning
22 flesh filled the room. A third man had a bayonet
23 thrust through his arm at the wrist, and as he was
24 being questioned, the bayonet was gradually forced
25 down his arm."

1 We tender in evidence IPS document No. 2723,
2 which is an affidavit of Leonora Palacio Villas
3 regarding the torture received by her brothers
4 Fidel and Florentino and herself in Palo, Leyte,
5 in February, 1942.

6 THE PRESIDENT: Admitted on the usual terms.

7 CLERK OF THE COURT: Prosecution's document
8 No. 2723 will receive exhibit No. 1417.

9 (Whereupon, the document above re-
10 ferred to was marked prosecution's exhibit
11 No. 1417 and received in evidence.)

12 MR. LOPEZ: We read from that document
13 the following: Page 1, the 2nd question, and sen-
14 tences 1-10, 11-13 of the 2nd answer:

15 "Q In February 1942 did you or your brother
16 suffer any indignities or mistreatment at the hands
17 of the Japanese stationed in Palo?

18 "A On Sunday afternoon in the middle of Feb-
19 ruary, 1942, myself and my two brothers, Fidel and
20 Florentino and some other members of the family were
21 taken to the Municipal building in Palo. That after-
22 noon my brother's child had been baptized and at the
23 house there were a number of guerrillas and friends
24 of the family. One of the guerrillas was discovered
25 and the Japanese, believing that there were others

1 there, took myself, my brothers and other members
2 of the family to Palo municipal jail and concentrated
3 us. We were kept overnight in the municipal jail
4 and during this period we were never questioned
5 by the Japanese soldiers. My brother Fidel was taken
6 out, his hands were tied behind his back and another
7 rope was tied to his hands and thrown over a tree.
8 He hung there stark naked. As he hung there a
9 Japanese soldier beat him unmercifully, drawing
10 blood from his eyes and his nose and other parts of
11 his body. He was also whipped with a thorn branch
12 on the various parts of his body. He was continually
13 beaten for a period of three hours. While was was
14 hanging there the Japanese poured gasoline under
15 his arms and around his private parts and they set it
16 afire. As soon as Fidel was cut down my brother
17 Florentino was tied in a similar fashion and beaten
18 for a period of about three and a half hours, drawing
19 blood from his eyes, ears, nose and various parts
20 of his body. He was also beaten with a switch.
21 Gasoline was poured on the hair underneath his arms,
22 on the hair around his private parts and set afire."

23 Page 2, paragraph 1, sentences 3-6

24 inclusive:

25 "On Tuesday morning I was taken

by the Japanese soldiers to the municipal building. The
Japanese removed all my clothing and as I stood there naked

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1 the Japanese soldiers beat me with a switch. The
2 Japanese soldiers took my clothes and dressed me
3 and gave me a little water. I spent three days in
4 jail without any medical treatment and could hardly
5 move because my body was so stiff and sore from the
6 treatment I had received."

7 We submit in evidence IPS document No.
8 2726, which is an affidavit of Tayambong Chagse
9 regarding the torture he received at Kabayo, Atok,
10 Mountain Province, in March, 1943.

11 THE PRESIDENT: Admitted on the usual terms.

12 CLERK OF THE COURT: Prosecution's document
13 No. 2726 will receive exhibit No. 1418.

14 (Whereupon, the document above re-
15 ferred to was marked prosecution's exhibit
16 No. 1418 and received in evidence.)

17 MR. LOPEZ: We read from that document the
18 following: Page 7, the first four questions and
19 answers:
20

21 "Q What is your full name?

22 "A Tayambong Chagsa.

23 "Q How old are you?

24 "A I am not sure, maybe about 60.

25 "Q What is your nationality?

"A Filipino-Igorot.

1 "Q Where do you live?

2 "A Kabayo, Atok, Mountain Province, P.I."

3 Page 7, the tenth answer, and eleventh
4 question:

5 "A On the morning of March 13, 1943, a little
6 before noon the Japanese arrived in our sitio. They
7 asked us where the Americans and the Filipino sol-
8 diers and Major Dangwa were. When I answered them
9 that I have not seen any and I don't know the Jap-
10 anese tied me up in my house. They tied my hands
11 behind my back until about one o'clock in the after-
12 noon. Then they untied me and asked me again where
13 were the Americans and Major Dangwa. When I an-
14 swered I don't know they made me lie on the floor
15 and gave me much water. When I did not reveal any
16 to the Japanese, they tied me and burned my buttocks
17 and legs and hit my mouth and I lost two teeth. They
18 hit my mouth with a piece of wood, about as long and
19 about as big as a man's arm. I was hung up inside
20 my house and my hands were tied behind my back with
21 a rope and the rope was tied to the center of the
22 house and I was raised from the floor about four
23 feet. While I was hanging up the interpreter
24 KAWASIMA got a match and lighted the candle and
25 held the candle close to my G-string near my right hip."

1 "The G-string caught fire and kept burning until
2 about only two feet of it was left. When the last
3 two feet of my G-string was not burned, KAWASIMA
4 took it and put it around my head and burned it with
5 the candle until all of the piece of cloth was burned,
6 together with my hair. The Japanese untied me at
7 about one o'clock in the afternoon.

8 "Q Then what did they do?"

9 Page 8, the first answer and the succeeding
10 three questions and answers:

11 "A They laid me down on the floor and made
12 me drink a petroleum can of water. I don't know
13 how much water the can held but they made me drink
14 all I could. Then they asked the same questions
15 over again and they beat me with their fists and
16 hands and with the piece of wood. Four Japanese
17 soldiers held me. One, who was near my head twisted
18 my ears. He held my ears with his hands and twisted
19 them around. One stepped up and down on my breast
20 on top of me so the water that I drank would then
21 come out of my mouth. One of the soldiers was sit-
22 ting on my stomach, just sitting and holding me down.
23 One held the rope which was tied around my legs.
24 After a short while they all stood up and one of
25 them started to hit me all over my body with a piece

1 of wood, asking the same questions over again and
2 asking me to tell the truth about the American and
3 Filipino soldiers. After that they untied my legs
4 leaving the rope in my hands tied behind my back and
5 brought me to the forest. They took me about one
6 hundred meters away from my house to the forest, and
7 when we got there one of the Japanese picked up a
8 stone about the size of my fist and hit me and
9 then they tied me there. After dark my neighbors
10 went to look for me. They found me in the forest
11 and untied me. After being untied I went home.
12 The Japanese did not bother me again.

13 "Q Did this all occur on March 13, 1943?

14 "A Yes, it all happened on the same day.

15 "Q Do you have any scars as a result of the
16 burning and beating given you by the Japanese?
17

18 "A Yes, I have a scar on my right hip. I
19 have a very bad scar yet today.

20 "Q How many Japanese came to your home on
21 March 13, 1943?

22 "A About seventy, including two officers."

23 We tender in evidence IFS document No. 2865,
24 which is a summary of evidence of JAG report No. 55
25 on torture and starvation of Dr. Gilbert Isham
Cullen, an American citizen in the Provincial Prison

1 Dr. Cullen suffered a broken nose, several cracked
2 ribs, a broken right leg, loss of his great toe nail,
3 broken and dislocated fingers and an injury to his
4 jaw which impaired its function. The injuries were
5 inflicted upon Dr. Cullen in an effort to make him
6 reveal the names of local citizens who were sending
7 radio messages and to force him to reveal information
8 concerning various military subjects such as loca-
9 tion and number of American troops. The torture
10 lasted from morning until late in the afternoon and
11 Dr. Cullen still bears the marks of his torture, more
12 than three years after their infliction."
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MR. LOPEZ: If your Honor please, in our order of presentation document 2735 comes next; but we ask leave to skip it up for the time being pending the arrival of the witness Rufina Mercade who is expected momentarily here in Tokyo from Manila.

THE MONITOR: Mr. Prosecutor, what is the name of the witness you referred to? Mr. Lopez, what is the name you referred to -- the witness, that is?

MR. LOPEZ: No, I referred to document 2735.

THE MONITOR: Yes, and the name you referred to?

MR. LOPEZ: Rufina Mercade, the next order, order 70A, order No. 70A.

THE MONITOR: Thank you.

THE PRESIDENT: You do not need our leave, Mr. Lopez. We deal with the documents as you tender them.

MR. LOPEZ: At the suggestion of the Clerk of this Tribunal, instead of skipping it up now, we offer document No. 2735 merely for the purpose of identification.

CLERK OF THE COURT: Prosecution's document

1 No. 2735 will be given exhibit No. 1420 for identi-
2 fication only.

3 (Whereupon, the document above re-
4 ferred to was marked prosecution's exhibit
5 No. 1420 for identification.)

6 MR. LOPEZ: We introduce in evidence IPS
7 Document No. 2844, which is a summary of evidence
8 of JAG Report No. 61 on mass rape at the Bay View
9 Hotel, Miramar Apartments, Boulevard Apartments,
10 and Alhambra Apartments in February 1945.

11 THE PRESIDENT: Admitted on the usual terms.

12 CLERK OF THE COURT: Prosecution's document
13 No. 2844 will receive exhibit No. 1421.

14 (Whereupon, the document above re-
15 ferred to was marked prosecution's exhibit
16 No. 1421 and received in evidence.)

17 MR. LOPEZ: We read the entire document:

18 "Briefly summarized, the evidence adduced by the
19 Investigator-Examiners is to the effect that:

20 "On 9 February 1945, American troops were closing
21 in on Manila and the bombing and shelling were
22 continuous. Fires had broken out, water and food had
23 become extremely difficult to obtain, and safe shelter
24 was sought by countless numbers of refugees throughout
25 the city. During the afternoon of 9 February and into

1 the evening Japanese patrols scoured the Ermita
2 District, routing from their homes and places of
3 business everyone in that area and bringing them to
4 Plaza Ferguson. These people were told that because
5 of the bombs and shellfire it was the desire of the
6 Japanese to assemble them in protected areas and since
7 the statement seemed reasonable under the circum-
8 stances, most of the civilians went voluntarily.

9 "By approximately 1700 hours some 2,000 men,
10 women and children, all civilians and of mixed
11 nationalities, had been brought to the Plaza and
12 at that time a Japanese officer who appeared to be
13 in charge came and ordered that the men and elder
14 male children be separated from the women and children.
15 The men were taken to the Manila Hotel and the women
16 and children to the Bay View Hotel, with the exception
17 of a small group of approximately twenty girls who
18 were taken to a nearby restaurant called 'The Coffee
19 Pot', a lounge or club for Japanese officers and
20 enlisted men. These in this group were given food
21 and liquor and from there they went to the Bay View
22 Hotel where they were put on one of the upper floors.
23 The remainder of the captives appear to have been kept
24 on the lower floors of the hotel.

25 "Between the hours of 1800 and 0430 the following

1 morning the Japanese removed any doubt they might
2 have had as to the 'protection' which they were to
3 receive. In twos and threes, **enlisted men and**
4 officers came to the various rooms in which these
5 women had been **quartered**, selected those they wished
6 by the light of candles and flashlights, took them
7 to other rooms and raped them.

8 "Similar scenes were enacted at the nearby
9 Boulevard, Alhambra and Miramar Apartments where the
10 Filipino women in the group were taken during the
11 following day. Throughout the nights of confine-
12 ment in all three places young girls were forced,
13 some at bayonet point, to go with these Japanese
14 for their pleasure.

15 "The reason for this segregation was given early
16 in the afternoon of 10 February when one of the women
17 inquired of an officer as to the reason the Filipinos
18 were leaving the hotel. Believing her to be white,
19 he answered 'We hate white women.... There are orders
20 that we are to kill all of you, but we are waiting
21 because we may decide to use all of the white women
22 as our frontline to keep the Americans from coming
23 in on us.'

24 "Only seven of the victims would admit having
25 been raped, although the proof is clear that at least

1 forty were violated, the same being indicated by
2 their return to their rooms in nervous condition
3 with hair and dress disarranged and frequently with
4 blood showing upon their garments. Thirty-six
5 state that attempts were made to rape them and the
6 evidence indicates that, notwithstanding their
7 denial of the accomplishment of the act, these
8 attacks came suspiciously close to fruition.

9 "This treatment continued for varying periods,
10 the persons confined at the Bay View Hotel being
11 released or escaping on 12 February 1945 and those
12 at the Boulevard, Alhambra and Miramar Apartments
13 being released or escaping on 13 February, all of
14 which releases, with some exceptions to be commented
15 upon later, were necessitated by bombing and shelling
16 and resultant fire.

17 "During these three days, the following incidents
18 exemplify the terroristic debauchery that took place:

19 "In one night, a twenty-four year old Filipino
20 woman was raped between twelve and fifteen times.
21 Notwithstanding that she became so dazed and weak
22 after the first few attacks that she fell to the
23 floor half-conscious, Japanese continued until 0400
24 to enter the room and drag her away for further
25 ravishment."

1 "One Japanese, in a spirit of drunken braggadocio,
2 showed the sharpness of his bayonet by ripping a
3 girl's skirt open from its bottom to her hips with
4 a slash.

5 "Kicking girls as they lay prostrate on the
6 floor was a common occurrence and there were instances
7 where a girl was dragged away, her attacker grasping
8 her leg and pulling her along on her back."

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1 "A few were able to escape the common fate
2 by claiming they were menstruating, although demon-
3 strative proof was usually required and was sometimes
4 followed by a blow with a rifle butt.

5 "One girl accompanied a particular Japanese
6 quite willingly, saying that he was her sweetheart
7 and she 'had already promised him that' while some
8 others acquiesced without resistance solely because
9 of fear and their captors' promises of freedom if
10 they would submit quietly.

11 "A fourteen year old British girl was taken
12 with her sister, pushed and kicked along the corridor
13 to another room and raped at least four times, was al-
14 lowed finally to return to her own room, bleeding and
15 torn. Having a light complexion she was favored and,
16 in fact, the white girls were searched out and segre-
17 gated.

18 "A Turkish woman, forty years of age, success-
19 fully and resourcefully dissuaded a would-be attacker
20 by claiming she was too old and removing and showing
21 her false teeth to prove it. She then kept her daughter
22 safe by hiding her underneath her skirt.

23 "In the face of pointed weapons, the sheer
24 determination of an elderly friend protected a young
25 mother with a child in her arms from being taken."

1 "Three prostitutes told their fellow captives
2 that they would submit to the Japanese and thus at-
3 tempt to protect the younger girls and married women.
4 Some of the victims clearly felt grateful for the pro-
5 tection thus afforded.

6 "At the Miramar, an officer took a fifteen
7 year old Filipino girl to his room, asked her to go
8 to bed and when she refused he proposed that she
9 marry him. This she also refused, whereupon he told
10 her she was no good and sent her back to the Bay View
11 Hotel.

12 "No such incidents seem to have occurred
13 during the daytime, although thirst and hunger kept
14 these victims in acute discomfort. On the second day
15 one group were brought a pail of dirty water which was
16 partially spilled on the floor in their haste to drink.
17 Such spilled drops were eagerly licked off the floor.
18 The drinking water supply was also supplemented by
19 water from the toilets, and for food they received a
20 few biscuits (which were thrown on the floor), a small
21 can of fish and some vitamin pills. This was to serve
22 fifty people. Another group, twelve in number, re-
23 ceived a pail of water, a box of crackers, a kettle of
24 hot tea, some sugar and some vitamin pills. Also given
25 to them were some tennis shoes. Except for the moles-

1 tations, these women felt they had been comparatively
2 well treated, and apparently it was because one of the
3 Japanese had previously fallen in love with a girl in
4 that room. Old biscuits and salty water were the lot
5 of a less fortunate part of twenty.

6 "In the main dining room on the first floor
7 of the hotel two or three ladies of the Red Cross set
8 up an aid station for the sick and wounded on 10 Feb-
9 ruary and during the afternoon of that day from two
10 hundred to two hundred and fifty women and children
11 were brought there from the rooms upstairs. This re-
12 fuge was but temporary, however, and during the follow-
13 ing nights of captivity girls were not only taken from
14 the dining room but some were raped there among their
15 fellow captives.

16 "As if apace with the steadily mounting battle
17 outside, the attacks and terrorism in the hotel rose
18 to a crescendo during the third night and fourth
19 morning of captivity. A Japanese officer known as
20 TERAMOTO told one lady, early in the morning of 13
21 February, that he was going away to fight the Americans
22 and to die, and that before he left he wished to have
23 intercourse with her daughter as his last worldly
24 pleasure; others stated that they constituted a 'suicide
25 detail' and behaved even more brutally than before."

1 "Fire, which broke out in the Bay View Hotel
2 on the 12th and at the Miramar and Alhambra on the 13th
3 proved the salvation for those victims. Some were rather
4 unwillingly released and others escaped in the resulting
5 confusion.

6 "One girl is known to have contracted gonorrhoea
7 as a result of this experience and nearly all of them
8 obtained medical examinations when the Americans came.
9 No pregnancies and no deaths having a direct connection
10 with the atrocity appear to have followed it, although
11 at least two ladies had to be treated for shock and
12 generally weakened condition."

13 We offer in evidence IPC document No. 2709,
14 which is the affidavit of EASTER GARCIA MORAS regarding
15 mass rape by Japanese soldiers and officers at the Bay
16 View Hotel in February 1945.

17 THE PRESIDENT: Admitted on the usual terms.
18 That is a lengthy extract you are going to read, Mr.
19 Lopez. We will recess for fifteen minutes.

20 (Whereupon, at 1045 a recess was taken
21 until 1100, after which the proceedings
22 were resumed as follows):
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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Mr. Lopez.

4 CLERK OF THE COURT: Prosecution's document
5 No. 2709 will receive exhibit No. 1422.

6 (Whereupon, the document above re-
7 ferred to was marked prosecution's exhibit
8 No. 1422 and received in evidence.)

9 MR. LOPEZ: We read from that document the
10 following:

11 On page 3, the last 7 questions and answers,
12 through the 10th question and answer:

13 "Q Upon your arrival at the Bay View Hotel,
14 what happened?

15 "A We were marched up the stairs to the second
16 or third floor and taken to a room the number of which
17 I don't know, but it was on the side toward the bay and
18 it wasn't a corner room.

19 "Q Who else was in the room when you arrived?

20 "A Nobody.

21 "Q Did anyone come in the room besides your
22 group?

23 "A No. The Japs shut the door on us and we
24 could hear them on the other side of the door.

25 "Q Describe the room."

1 "A It was entirely unfurnished except for
2 a few camouflage nets and old mattresses lying on the
3 floor. There was a small bathroom but no water was
4 running in it. There was one window and the room
5 was about seven meters square.

6 "Q What did you do?

7 "A We tried to make ourselves comfortable,
8 but everybody was nervous and praying. There was hardly
9 room enough to lie down, and it was pitch dark.

10 "Q Then what happened?

11 "A In about 5 or 10 minutes in walked about
12 5 Japs with flashlights and candles, and commenced to
13 look around and peer into our faces. We pulled our hair
14 down over our eyes and turned our faces into the wall
15 and crouched into the corner attempting to avoid their
16 scrutiny.

17 "Q What did the Japanese do?

18 "A They completed their inspection and then
19 left the room in about five minutes, closing the door
20 upon us.

21 "Q Then what happened?

22 "A In about another five minutes, three Japs
23 came in and grabbed my two sisters Priscilla and
24 Evangeline by their arms and forcibly pulled them from
25 the room. Both of my sisters pulled back and resisted

1 strenuously and cried out in anguish to be left alone,
2 but they were taken anyway.

3 "Q Did you see your sisters again after that?

4 "A Yes, in about half an hour Evangeline
5 (Evan) came back to the room alone crying and shaking
6 all over and sobbing and fell in my arms. She was
7 crying like her heart would break. I tried to soothe
8 her and ask her what had happened? She said the Japs
9 were doing things to Priscilla. I then asked her what
10 happened to her. She said, 'Nothing happened to me
11 because I am menstruating.'

12 "Q Did you ask her for particulars?

13 "A No, there was so much turmoil in the
14 room with all the girls crying and praying and my
15 sister was so upset that I just held her close and we
16 waited.

17 "Q When did you see Priscilla again?

18 "A She came into the room about 20 minutes
19 after Evangeline had come back the first time.

20 "Q What was her appearance?

21 "A She was perspiring, her hair was awry,
22 and her dress was soiled and mussed.

23 "Q Did she say anything to you?

24 "A She said she wanted to die.

25 "Q Did you question her?"

1 "A No, I knew what had happened.

2 "Q Did she say anything further other than
3 that she wanted to die?

4 "A No.

5 "Q Before your sister Priscilla returned to
6 the room as you have just related, had the Japanese
7 come back and bother anyone?

8 "A Yes, about five minutes after my sister
9 Evangeline had returned, three Japs entered and took
10 hold of my sister Evangeline again and Fanny Gadol and
11 dragged them across the floor and out of the room All
12 the while, Evangeline and Fanny were struggling and
13 screaming.

14 "Q Did you say or do anything?

15 "A I tried to hold Evan back, but I was
16 not strong enough. Everyone in the room was crying and
17 trying to hide under mattresses and nets.

18 "Q Did Evangeline return to the room?

19 "A No, I did not see her again that night
20 until the next morning when she was with my mother.

21 "Q Did you see Fanny Gadol again that night?

22 "A No, I did not see her until the next
23 morning, downstairs.

24 "Q Did any more Japanese come in the room?

25 "A Yes, about ten minutes after Priscilla had

1 come back in the room, about four Japs, I think,
2 entered the room and took me and some of the other
3 girls who I was too distraught to observe.

4 "Q Did you resist?

5 "A Yes, I told them I was sick and that I
6 had a headache, but that made no difference to them.
7 They just pulled me by the shoulders and forced me out
8 of the room and pulled me down the hall to another
9 room.

10 "Q How many Japs actually took you to the
11 other room?

12 "A Three of them.

13 "Q Can you describe any of these three
14 Japanese or any of the Japanese who had entered the
15 room prior to your removal?

16 "A No.

17 "Q Do you know their rank?

18 "A No, they were just marines; no officers.

19 "Q What happened when you reached this room?

20 "A They made me lie down on the floor.

21 "Q Who was present?

22 "A Just I and the three marines.

23 "Q Did you notice how the room was furnished?

24 "A There was nothing in it. I was forced
25 to lie down on the bare floor. They lifted my dress

1 up to my waist and tore off my pants.

2 "Q How many of the Japs actually pulled up
3 your dress and tore your panties off?

4 "A One.

5 "Q What did the other two Japanese do at this
6 time?

7 "A Just standing there, looking and laughing.

8 "Q What were you doing?

9 "A I was struggling, kicking, and striking
10 out with my arms, but the one who was holding me down
11 slapped me all about my face with his bare hands.

12 "Q Did you lose consciousness?

13 "A No, but I became dazed from the slapping
14 and when I finally got exhausted, I lay on the floor
15 like a log."

16 Page 6, 15th question - the remainder of the
17 page.

18 THE PRESIDENT: Mr. Lopez, why do you stop
19 there? The next answer shows that rape was committed.
20 Do you want us to guess at rape and be uncertain about
21 it unless we look at the whole exhibit? If it appears
22 later it will be sufficient.

23 MR. LOPEZ: If your Honor please, in preparing
24 this evidence out of a mountainpile of evidence in our
25 possession we were confronted with the problem of how much

1 to use and how much not to use. All the time at the
2 back of our minds was an honest desire to expedite
3 this case in order to help the Court in its determina
4 ation to push the successful end of this Trial.

5 THE PRESIDENT: Proceed as you have outlined
6 your case.

7 MR. LOPEZ: Can I proceed with the reading?

8 THE PRESIDENT: Proceed as you intended.

9 MR. LOPEZ: Page 6, 15th question - the
10 remainder of the page:

11 "Q Then what happened?

12 "A I crawled on my hands and knees, struggled
13 to my feet, and somehow managed to get back to the room
14 where I had been taken from the other girls.

15 "Q About how long had you been gone from the
16 room and the girls?

17 "A About 20 minutes.

18 "Q About what time was it when you returned
19 to the room rejoining the girls?

20 "A It was nearly midnight.

21 "Q After your return to the room, what did
22 you observe?

23 "A I did not observe anything. I just fell
24 on the floor and sobbed."

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Page 8 from the first two questions and answers:

1 "Q What time did you get back to your room?

2 "A It was about 1 o'clock in the morning,
3 10 February 1945."

4 Page 134, the question and the first four
5 sentences of the last answer:

6 "Q Were you molested again that night?

7 "A Yes, I was raped between 12 and 15 times
8 during that night. I cannot remember exactly how many
9 times. I was so tired and horror stricken that it
10 became a living nightmare. The Japs would come
11 singly and in groups drag me from the room hardly before
12 I had fallen to the floor from a preceding raping,
13 and would again take me and do it to me over and over."

14 We offer in evidence IPS document No. 2886
15 which is a transcript of the testimony of Nena Alban
16 in the trial of Masaharu HONMA, describing the rape
17 of two women in broad daylight in the commercial
18 section of Manila.

19 THE PRESIDENT: Admitted on the usual terms.

20 CLERK OF THE COURT: Prosecution's document
21 No. 2886 will receive exhibit No. 1423.

22 (Whereupon, the document above
23 referred to was marked prosecution's exhibit
24 No. 1423 and received in evidence.)

25 MR. LOPEZ: From page 2 of this document

1 we read the sixth, seventh, eighth, and ninth
2 questions and answers:

3 "Q Go ahead, please.

4 "A I went to my destination by walking because
5 there was no transportation in these days. As soon
6 as I reached the Quezon Boulevard, after I passed
7 the corner of Azcarraga I saw three Japanese -- I
8 saw some naked ones near the corner of Espana and
9 Quezon Boulevard. That is the AFWESPAC Headquarters
10 now; the Far Eastern University.

11 "Q What were the Japanese doing?

12 "A While I was still far away I saw two
13 Japanese like rolling on the street. When I was
14 nearing -- when I was nearing I saw two Filipino
15 women pause by the Japanese right on the street.
16 The Japanese abused the women and the women were
17 trying to get away from them. When I was very near
18 I saw the Japanese take a hold of the women's legs
19 until the women cannot move any more. Then when I
20 saw that I tried to get away from that place because
21 I was afraid the Japanese could see me, so I pro-
22 ceeded a little bit farther, and I was about five
23 yards away and I turned back and the Japanese were
24 still doing the work.

25 "Q Doing what?

1 "A Were still doing such things.
2 "Q They were using the girl?
3 "A Yes, sir."
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1 We offer in evidence IPS document No. 2847
2 which is a transcript of the testimony of Apolinaria
3 Due Tuazon in the HOMMA trial describing the abuses
4 she and her husband received from the Japanese in
5 February 1942 at Santa Ana, Pampanga.

6 THE PRESIDENT: Admitted on the usual terms.

7 CLERK OF THE COURT: Prosecution's document
8 No. 2847 will receive exhibit No. 1424.

9 (Whereupon, the document above
10 referred to was marked prosecution's exhibit
11 No. 1424 and received in evidence.)

12 MR. LOPEZ: We read from that document the
13 following: Page 1, the 11th to the 13th answer
14 which is carried over to page 2:

15 "A. On February 2, 1942, at about 12:00 p.m.,
16 or midnight, eleven Japanese came to our house.

17 "Q What Japanese?

18 "A They were Japanese soldiers.

19 "Q Please proceed.

20 "A They were carrying with them guns, and they
21 fired shots around the house. I went into the
22 house and went directly into the room. As soon
23 as they went in the house a Japanese took hold of
24 my husband and held him by the neck, and then three
25 Japanese abused me. Three Japanese did all they

1 wanted to with me; they abused me."

2 Page 2, beginning with the third question
3 and ending with the statement made by Colonel Lim,
4 the interrogator.

5 "Q What happened after that?

6 "A Afterwards they stripped me naked; they
7 didn't leave any piece of clothing on my body. Then
8 they held me by the hair and they dragged me down-
9 stairs. When I arrived downstairs the other
10 Japanese were waiting, and they also abused me.

11 "Q How many Japanese abused you downstairs?

12 "A I cannot remember the exact number; maybe
13 it is around four or five, because there were times
14 when I was unconscious.

15 "Q Do you remember where your husband was all
16 this time?

17 "A They blindfolded him and they threw him
18 out of the window. They beat him. I don't know
19 where he was taken.

20 "Q Had you seen your husband while you were
21 downstairs?

22 "A We saw each other, yes. When we saw each
23 other I talked to him and one of the Japanese who
24 saw me got angry. He lifted the butt of his gun
25 and he was about to strike him on the nape of the

1 neck. When I saw this I lifted my body and I
2 thrust my body towards him to prevent the blow,
3 and the gun, or the butt of the gun, struck my
4 knee.

5 "Q Did you receive any wound by that action
6 of the Japanese?

7 "A Yes, here (indicating).

8 "Q Do you have any scar of that wound?

9 "A Yes, because this was operated on by the
10 doctor, because if the doctor did not operate on
11 this I will have my knee straight and I cannot bend
12 it."

13 We tender in evidence IPS document No. 2872
14 which is a transcript of the testimony of Celestina
15 de la Rosa in the FOITMA trial confessing that she
16 was raped in January 1942 at Bansic, Hermosa,
17 Bataan, and delivered a child.

18 THE PRESIDENT: Admitted on the usual terms.

19 CLERK OF THE COURT: Prosecution's document
20 No. 2847 will receive exhibit No. 1424. Correction:
21 prosecution's document No. 2872 will receive exhibit
22 No. 1425.

23 (Whereupon, the document above
24 referred to was marked prosecution's exhibit
25 No. 1425 and received in evidence.)

1 MR. LOPEZ: We read from that document
2 the following: Page 1, third answer, first four
3 lines:

4 "A I lived in a small house in Bansic.

5 "GENERAL DONOVAN: Whereabouts? Ask her
6 whereabouts? She didn't state the name.

7 "THE WITNESS: I lived in a little house
8 in Bansic, Hermosa, Bataan."

9 Page 2, third and fourth questions and
10 answers:

11 "Q What happened to you? Go ahead, please.

12 "A I tried to struggle. When I tried to
13 struggle he scared me with fixed bayonet. Because
14 I was trying to struggle he gave me a rough push.
15 He used me, and then I was weaken because of the
16 force, so I sat down and he left me. The other Jap
17 who came in did the same thing to me and I was down
18 on the floor. After using me he left the room and
19 I got out of the room.

20 "Q Go ahead.

21 "A After manhandling me he took the jewels
22 on me and he took the shirts of the men. After
23 taking my jewels he sent me out of the room and he
24 took one of the girls named Maria Roncal."

25 Page 3, second question, lines 4-6 inclusive:

1 "LIEUTENANT PELZ: I will stipulate that
2 the girl had a child as a result of this.

3 "COLONEL LIM: She became pregnant and
4 delivered her child."

5 We offer in evidence IPS document No. 2848
6 which is a transcript of the testimony of Amadeo
7 Cabe in the HOMMA trial, on the rape of two American
8 women in Manila in January 1942.

9 THE PRESIDENT: Admitted on the usual terms.

10 CLERK OF THE COURT: Prosecution's document
11 No. 2848 will receive exhibit No. 1426.

12 (Whereupon, the document above
13 referred to was marked prosecution's exhibit
14 No. 1426 and received in evidence.)

15 MR. LOPEZ: We read from that document
16 the following: Page 1, eighth question:

17 "Q In January 1942, as assistant chief of
18 police of Quezon City, did you personally know of
19 any cases of rape or atrocities?"

20 Page 1, tenth question and answer:

21 "Q (By Colonel Lim) Had you received any
22 complaints in connection with rape cases in January
23 of 1942?

24 "A Yes, sir."

25 Page 3, the third question and answer:

1 "Q (By Colonel Lim) What was the result of
2 the investigation made by the officer whom you sent
3 to investigate this matter?

4 "A The report submitted by this officer stated
5 two daughters of Mrs. Webb had been forced by the
6 Japanese who went to their house and beat them
7 with their bayonets if they would not accede to
8 their wishes; in which case Mrs. Webb had been also
9 threatened not to shout to the neighbors."

10 Page 3, the last question and all but the
11 last sentence of the answer thereto:

12 "Q (By Colonel Lim) Please proceed.

13 "A The report further stated that the girls
14 had been forced because they were threatened by
15 the soldiers and if they do not give them what
16 they wanted they would be killed. And in this
17 case the girls were brought in to the medical
18 officers of the Philippine General Hospital and
19 examined for the complaint. The result of the
20 examination of the doctor was that they were really
21 raped."

22 We offer in evidence IPS document No. 2876
23 which is a transcript of the testimony of Juan
24 Etuijera in the YAMASHITA trial regarding rape at
25 Obando, Katangalan in February 1945.

1 THE PRESIDENT: Admitted on the usual terms.

2 CLERK OF THE COURT: Prosecution's document
3 No. 2876 will receive exhibit No. 1427.

4 (Whereupon, the document above
5 referred to was marked prosecution's exhibit
6 No. 1427 and received in evidence.)

7 MR. LOPEZ: We read from page 3 of that
8 document the fourth question on through to the
9 seventh answer:

10 "Q And did you have a conversation with your
11 niece at that time?

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

15 "Q Did she say what had happened?

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

19 "Q Did she say anything about other people
20 who were with her?

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

23 "Q How many were there?

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

25 THE PRESIDENT: That woman also testified

1 that the victim was bayoneted in the abdomen and
2 her intestines came out. You have not included that.

3 MR. LOPEZ: We submit in evidence IPS
4 document No. 2858 which is a summary of evidence
5 of JAG Report No. 287 on arson, rape and robbery
6 at Balilihan and Sikatuna, Bohol in September 1945.

7 THE PRESIDENT: Admitted on the usual terms.

8 CLERK OF THE COURT: Prosecution's document
9 No. 2858 will receive exhibit No. 1428.

10 (Whereupon, the document above
11 referred to was marked prosecution's exhibit
12 No. 1428 and received in evidence.)

13 MR. LOPEZ: From the last paragraph of
14 that document we read the following:

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

24 We offer in evidence IPS document No. 2862
25 which is a transcript of the testimony of Francisca

1 Bernardo de Luna describing how she was raped at
2 Sampaloc, Talavera, Nueva Ecija in January 1942.

3 THE PRESIDENT: Admitted on the usual terms.

4 CLERK OF THE COURT: Prosecution's document
5 No. 2862 will receive exhibit No. 1429.

6 (Whereupon, the document above
7 referred to was marked prosecution's exhibit
8 No. 1429 and received in evidence.)

9 MR. LOPEZ: From that document we read
10 the direct examination:

11 "Q (By Colonel Lim) Please give your name?

12 "A Francisca Bernardo.

13 "Q What is your married name?

14 "A De Luna.

15 "Q What is your nationality?

16 "A Filipino.

17 "Q On 10 January 1942, do you remember having
18 seen some Japanese soldiers in the barrio of Sampaloc,
19 Municipality of Talavera, Nueva Ecija?

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

25 "COLONEL LIM: Incidentally, sir, this is

1 in connection with paragraph number 5.

2 "Q (By Colonel Lim) What happened next?

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

6 "Q Who raped you?

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

9 "Q A Japanese soldier?

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

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1 We offer in evidence IPS document No.
2 2868, which is a transcript of the testimony of
3 Vincente Arias in the Yamashita trial describing
4 the burning of certain buildings in Manila in
5 February 1945.

6 THE PRESIDENT: Admitted on the usual
7 terms.

8 CLERK OF THE COURT: Prosecution's docu-
9 ment No. 2868 will receive exhibit No. 1430.

10 (Whereupon, the document above re-
11 ferred to was marked prosecution's exhibit
12 No. 1430 and received in evidence.)

13 MR. LOPEZ: From that document we read the
14 following:

15 Page 1, the fifth question on through to
16 the eighth answer:

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

19 "A Yes.

20 "Q What was it?

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

24 "Q What Army did they belong to?

25 "A The Japanese Army. "

1 "Q Will you indicate on exhibit 193 where you
2 saw the Japanese setting fires?

3 "A The fire was set on the corner of Carriedo
4 Street and Escolta, thereafter at the corner of
5 Escolta and Rizal Street. From there they set fire
6 to the building occupied by the Romanach music firm.
7 The next building they set fire to was the one occu-
8 pied by the Music Association, at the corner of
9 Estoro Cegado and Carriedo. The next was the
10 Roces Building at the corner of Rizal Avenue and
11 Carriedo."

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1 We introduce in evidence IPS document
2 No. 2811, which is a summary of evidence of JAG
3 Report No. 71 on the bombing of Manila in December
4 1941, then declared an open city.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: Prosecution's document
7 No. 2811 will receive exhibit No. 1431.

8 (Whereupon, the document above re-
9 ferred to was marked prosecution's exhibit
10 No. 1431 and received in evidence.)

11 MR. LOPEZ: We read from the Summary of
12 Evidence, sentence 1-6, inclusive:

13 "On 26 December 1941, Manila was declared
14 an open and undefended city. The announcement was
15 published in the local press, broadcast over the
16 radio in English and Tagalog, and announced throughout
17 the streets of Manila by trucks with loudspeakers.
18 On the night of the 26th, all the lights of the
19 city were turned on. The text of the announcement
20 was cabled to the United States on the same day."
21

1 "On 27 December 1941, between 1200 and 1330 hours
2 approximately twenty-one Japanese bombers, copies of
3 the American Douglas DC-2 bomber, plainly marked
4 with the rising sun on their fuselages and wings,
5 flew low over Intramuros. Erik W. Friman, a pilot
6 in the First World War, and later a test pilot for
7 Douglas Aircraft and Lockheed Aircraft Companies,
8 estimated the altitude of the first three planes at
9 approximately twenty-eight hundred feet."

10 Sentences 11-13, inclusive:

11 "The bombs dropped on Intramuros were 100
12 and 300 pound bombs. The Santo Domingo Church,
13 Letran College, Santa Rosa College, Santa Catalina
14 College, the Intendencia Building and Santo Tomas
15 University were struck by Japanese bombs on 27 and
16 28 December 1941. Many other buildings, including
17 the DIHM Building (Herald Building), Intramuros
18 Elementary School Building, and a large block of
19 houses between Santa Catalina, Beaterio and Solano
20 Streets, were destroyed by fire as a result of the
21 bombings."

22 The last two sentences are as follows:

23 "The total estimated damage was
24 ₱1,077,538.00. This estimate does not include
25 private residences destroyed by fire."

1 We offer in evidence IPS document No.
2 2866, which is a transcript of the testimony in the
3 YAMASHITA trial of Dominador Santos, Deputy Chief of
4 the Detective Bureau, Manila Police Department,
5 regarding the dynamiting and burning of the Singer
6 Building in Manila, in February 1945.

7 THE PRESIDENT: Admitted on the usual terms.

8 CLERK OF THE COURT: Prosecution's document
9 No. 2866 will receive exhibit No. 1432.

10 (Whereupon, the document above re-
11 ferred to was marked prosecution's exhibit
12 No. 1432 and received in evidence.)

13 MR. LOPEZ: We read from that document the
14 following:

15 Page 1, the last question and answer:

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

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

20 Page 2, the first four questions and answers:

21 "Q Had the Japs left?

22 "A Before the explosion the Japanese left.

23 "Q What happened after the explosion?

24 "A There was a fire, sir.

25 "Q Did you return to that building after that? "

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

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

5 "A They were all burned."

6 We tender in evidence IPS document No.
7 2867, which is a transcript of the testimony of
8 Amando Alvarez in the YAMASHITA trial describing
9 how the Japanese set fire to the Bank of the
10 Philippine Islands building in Manila, in February
11 1945.

12 THE PRESIDENT: Admitted on the usual terms.

13 CLERK OF THE COURT: Prosecution's document
14 No. 2867 will receive exhibit No. 1433.

15 (Whereupon, the document above re-
16 ferred to was marked prosecution's exhibit
17 No. 1433 and received in evidence.)

18 MR. LOPEZ: We read from that document the
19 following:

20 Page 1, the 10th and 11th questions and
21 answers, and page 2, paragraphs 1, 2, and 3:

22 "Q What did the Japs do?

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

1 "Q The door of what building?

2 "A The door of the Bank of the Philippine Is-
3 lands.

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

6 "A They were trying to break down the door
7 again, but they could not because there is iron bar.
8 I heard a voice order, give command, and I saw a
9 soldier scurry away in the direction of Dasmarias.
10 He came back carrying rags. The soldier laid the
11 rags in front of two cans of gasoline. One soldier
12 pour gasoline on the rags, and with the help of the
13 other soldiers they began throwing the rags inside
14 the edifice. When they finished throwing the rags
15 inside the edifice, one soldier ran away carrying
16 a long pole. At the tip of the pole seemed to be
17 rags tied, and it smelled with gasoline. He went
18 directly to an edifice adjacent to the bank, which
19 is burning; he dipped the tip of the pole where is
20 the fire that was lit, and he came back to the
21 edifice of the Bank of the Philippine Islands and
22 threw that pole with the burning tip inside, and
23 suddenly fire spurted out as far as the door where
24 the Japanese stood, so the Japanese ran away. I
25 ran away to help quickly my wife, gather those

1 things we had left, went back to the place where
2 my two children were, took them, and we went away.

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

5 "A Yes, a white -- looks white. It is con-
6 sidered rags.

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

9 "A Yes, the whole down part was burning."

10 We offer in evidence IPS document No. 2861,
11 which is a transcript of the testimony of Rosa
12 Calalong, in the YAMASHITA trial, on rape in the
13 Manila Cathedral and the burning of the Cathedral
14 in February 1945.

15 THE PRESIDENT: Admitted on the usual terms.

16 CLERK OF THE COURT: Prosecution's document
17 No. 2861 will receive exhibit No. 1434.

18 (Whereupon, the document above re-
19 ferred to was marked prosecution's exhibit
20 No. 1434 and received in evidence.)

21 MR. LOPEZ: From that document we read the
22 following:

23 Page 1, the 15th and 16th questions and
24 answers:

25 "Q Can you state to the Commission the

1 approximate number of persons that you saw there
2 in the cathedral?

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

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

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

9 Page 1, the last question and answer:

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

12 "A Yes, sir."

13 Page 2, the first question and answer:

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

16 "A I don't know, sir, but they went inside
17 the cathedral and they were going around, and then
18 afterwards they have been pulling girls outside of
19 the cathedral, and I saw two Japanese raping those
20 women right there in the cathedral, and one by
21 my side she is pregnant five months."
22

23 Page 2A, 8th through the 15th questions
24 and answers:

25 "Q Now, after you left the Cathedral, what
did you see, if anything, relative to the destruction

of the Manila Cathedral?

1 "A I see the Cathedral; I see it burning.

2 "Q You saw it burning?

3 "A Yes.

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

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

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

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

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

14 "A There was no shelling yet.

15 "Q And no bombing yet?

16 "A No bombing yet.

17 "Q When you were in the Cathedral did you see
18 any signs of explosives being placed around inside
19 the building?
20

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

24 "Q Around the church?

25 "A Yes."

1 We offer in evidence IPS document No. 2881,
2 which is a transcript of the testimony of Juan P.
3 Juan in the YAMASHITA trial on the burning of the
4 Philippine Red Cross building by Japanese soldiers
5 in February 1945.

6 THE PRESIDENT: Admitted on the usual terms.

7 CLERK OF THE COURT: Prosecution's document
8 No. 2881 will receive exhibit No. 1435.

9 (Whereupon, the document above re-
10 ferred to was marked prosecution's exhibit
11 No. 1435 and received in evidence.)

12 MR. LOPEZ: We read from that document the
13 following:

14 Page 7, the first five questions and
15 answers:

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

18 "A Yes, I was.

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

21 "A On the early morning of February 14th, or
22 when I was at the back yard of my building, I saw
23 flickering lights inside the room where the manager,
24 or Mr. Faralon, was, as I was actually in that room
25 there. I had been observing what was going on,

1 whether there was somebody inside the building, but
2 I didn't notice anybody. And for several minutes,
3 approximately less than half an hour, I noticed that
4 very suddenly the flickering light burst into flames,
5 and that part of the building where my daughter was
6 then enveloping in flames.

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

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

12 "Q On that day?

13 "A On that day.

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

17 "A I didn't notice any."

18 Page 7, the last two questions and answers:

19 "Q (By Captain Hill) On the 14th, the day that
20 you saw the building burned, were those persons that
21 you saw in front of the headquarters building Japan-
22 ese soldiers:

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

1 We offer in evidence IPS Document No. 2880
2 which is a summary report dated September 27, 1946 of
3 physical destruction and other losses suffered in
4 the Philippines caused by Japanese aggression during
5 the period between December 8, 1941 to July 4, 1945.

6 THE PRESIDENT: Admitted on the usual terms.

7 CLERK OF THE COURT: Prosecution's document
8 No. 2880 will receive exhibit No. 1436.

9 (Whereupon, the document above re-
10 ferred to was marked prosecution's document
11 No. 1436, and was received in evidence.)

12 We read from that document the following:

13 "Page 1, paragraphs 2, 3, 4, 5, 6, 7 and 8:

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

16 "Estimated Philippine War Damages (Partial):
17 Dec. 8, 1941 to July 4, 1945. Based on Reports received
18 by the Bureau of Census and Statistics up to June, 1946."
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1	<u>"Item</u>	<u>1941 Value</u>	<u>Percentage of distribution</u>
2	"Real estate improvements....	539,374,320	19.7
3	Government corporations.....	81,756,232	3.0
4	Industrial and commercial		
5	properties.....	512,950,454	18.7
6	Public works improvements...	244,988,081	8.9
7	Government offices.....	125,663,477	4.6
8	Agriculture.....	281,170,790	10.3
9	Value of Japanese military		
10	notes issued.....	535,220,000	19.5
11	Personal effects.....	413,778,327	15.1
12	Libraries.....	<u>5,624,968</u>	<u>0.2</u>
13	TOTAL	<u><u>¥2,740,526,649</u></u>	<u><u>100.00</u></u>

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

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"a. Destruction of houses.— About 270,000 private structures were destroyed rendering from 1,500,000 to 2,000,000 persons homeless.

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"b. Government buildings.— The destruction of about 1,200 government structures has forced the government to occupy private buildings which could otherwise be utilized as dwellings.

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"c. School buildings.— About 15,000 school buildings were destroyed, as a result of which thousands of children of school age are out of school."

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

4 "ESTIMATED NUMBER OF BUILDINGS AND OTHER STRUCTURES
5 DAMAGED AS A RESULT OF WAR OPERATIONS IN THE
6 PHILIPPINES

7 December 8, 1941 - July 4, 1945

9 <u>"Items</u>	<u>Number</u>
10 "Public school buildings.....	15,100
11 Government offices and other government .	
12 structures.....	1,200
13 Private residences	269,950
14 Business houses	8,800
15 Private schools, colleges, hospitals	
16 and other structures	100
17 Churches, convents and other religious	
18 structures	<u>150</u>
19 TOTAL	<u>295,300"</u>

1 We offer in evidence IPS Document No. 2815
2 which is a summary of evidence of JAG Report No. 151
3 on the murder of civilians and the wanton destruction
4 of property in Malvar and Batangas Provinces in Jan-
5 uary and February 1945.

6 THE PRESIDENT: Admitted on the usual terms.

7 CLERK OF THE COURT: Prosecution's document
8 No. 2815 will receive exhibit No. 1437.

9 (Whereupon, the document above re-
10 ferred to was marked prosecution's exhibit
11 No. 1437, and was received in evidence.)

12 We read from that document the following:

13 "Page 5, paragraph 1, the last three sentences:--

14 THE MONITOR: Mr. Lopez, the document which
15 we have now is not marked. Will you kindly wait a
16 moment, please, Mr. Lopez? The document which we
17 have is not marked.

18 MR. LOPEZ: If you read order No. 25 in your
19 script there--

20 THE MONITOR: I will have the translator relay --
21 we will have relayed interpretation of this as the
22 original has not been marked.

23 MR. LOPEZ: If you read order No. 25 it would
24 facilitate our translation.

25 MONITOR: Mr. Lopez, this was originally

1 cancelled. However, the document is very short, so
2 we could do it very expediently.

3 MR. LOPEZ: All right. Correction, please.

4 We read from the document the following:

5 "Page 1, paragraph 1, the first three sentences:

6 "Early on the morning of 26 January 1945,
7 Japanese soldiers entered Barrio San Indres, Batangas
8 Province. They rounded up the inhabitants in small
9 groups and took them toward the school building.

10 About fifty blood-covered bodies were scattered over
11 the area, and three Filipinos, whose hands were tied
12 behind their backs, were bayoneted to death.

13 "Page 1, paragraph 2.

14 "On 19 February 1945, about thirty Japanese
15 soldiers and Makapilis approached the house of Santiago
16 de la PENA in Barrio Begong Pock, Malvar. The Japanese
17 surrounded the house which contained six persons and
18 one of the Japanese entered the home. After a little
19 while he came out, and the soldiers then took torches
20 and burned the house down. The bodies of the six
21 occupants were found in the charred ruins of the house."

22 We offer to be marked only for identification
23 IPS Document No. 2707 which is the Allied Translators
24 Interpreter Service Research Report No. 72 (Supplement
25 2), from which Documents Nos. 2707-D, 2707-K, 2707-H,

1 2707-F, 2707-J, 2707-R, 2707-S, which will be intro-
2 duced into evidence, have been reproduced. The use
3 of those excerpts was authorized by this Tribunal in
4 its order of 6 December 1946.

5 CLERK OF THE COURT: Prosecution's document
6 No. 2707 will receive exhibit No. 1438 for identifi-
7 cation only.

8 (Whereupon, the document above re-
9 ferred to was marked prosecution's exhibit
10 No. 1438 for identification.)

11 We tender in evidence IPS Document No. 2707-D,
12 which is a bound mimeographed and handwritten file
13 of the Manila Navy Defense Force and Southwestern Area
14 Fleet Operation orders dated from 23 December 1944 to
15 14 February 1945.

16 THE PRESIDENT: Admitted on the usual terms.

17 CLERK OF THE COURT: Prosecution's document
18 No. 2707-D will receive exhibit No. 1438-A.

19 (Whereupon, the document above re-
20 ferred to was marked prosecution's exhibit
21 No. 1438-A, and was received in evidence.)

22 We read from that document paragraphs 4 and
23 6 on page 1:

24 "4. Be careful to make no mistakes in the
25 time of exploding and burning when the enemy invades."

1 "6. When killing Filipinos, assemble them
2 together in one place as far as possible, thereby saving
3 ammunition and labour.

4 "Disposal of the dead bodies will be trouble-
5 some, so either assemble them in houses scheduled to be
6 burned or blown up or push them into the river."

7 We offer in evidence IPS Document No. 2707-K
8 which is the English translation of extracts from a
9 diary dated 24 October 1944 to 31 December 1944, of
10 Warrant Officer YAMAGUCHI Yoshimi, assigned to 10 Tank
11 Regiment, under the command of Lieutenant Colonel
12 HARADA Kazuo.

13 THE PRESIDENT: Admitted on the usual terms.

14 CLERK OF THE COURT: Prosecution's document
15 No. 2707-K will receive exhibit No. 1438-B.

16 (Whereupon, the document above re-
17 ferred to was marked prosecution's exhibit
18 No. 1438-B, and was received in evidence.)

19 We read from that document the third paragraph
20 on page 1:

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

24 Page 2, 5th paragraph:

25 "Our aim is to kill or wound all the men and

1 collect information. Women who attempt to escape are
2 to be killed. All in all, our aim is extinction of
3 personnel."

4 THE PRESIDENT: It is now noon, Mr. Lopez.
5 We will adjourn until half-past one.

6 (Whereupon, at 1200, a recess was taken.)
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AFTERNOON SESSION

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2 The Tribunal met, pursuant to
3 recess, at 1330.
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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: We offer in evidence IPS Document
9 No. 415, which is the English translation of extracts
10 from a captured diary of Private First Class MATSUOKA,
11 Itoji, 64th Infantry Regiment, 23d Division, dated
12 19 December, presumably 1944, to 27 March 1945.

13 THE PRESIDENT: Admitted on the usual terms.

14 CLERK OF THE COURT: Prosecution document
15 No. 415 will receive exhibit No. 1439.

16 (Whereupon, the document above
17 referred to was marked prosecution's exhibit
18 No. 1439, and was received in evidence.)

19 MR. LOPEZ: We read the following extract:

20 "27 Mar 45 Taking advantage of darkness,
21 we went out to kill the natives. It was hard for me
22 to kill them because they seemed to be good people.
23 Frightful cries of the women and children were hor-
24 rible. I myself stabbed and killed several persons."

25 We offer in evidence IPS Document No. 426,

1 which is the English translation of an extract from
2 the captured diary kept by a Japanese soldier, dated
3 24 April 1944 to 23 January 1945.

4 THE PRESIDENT: Admitted on the usual terms.

5 CLERK OF THE COURT: Prosecution document
6 No. 426 will receive exhibit No. 1440.

7 (Whereupon, the document above
8 referred to was marked prosecution's exhibit
9 No. 1440, and was received in evidence.)

10 MR. LOPEZ: We read that extract:

11 "Nov 44 - (TN Day not stated.) I cannot
12 remember the date, but we received information from
13 Lipa MP Squad that approximately 30 guerrillas attacked
14 Lipa Air Depot with hand grenades and other explosives,
15 and 11 of them were captured. The MP squad requested
16 that the GIGO Force dispose of the captured guerrillas.
17 During the night we dug holes here and there in the
18 coconut grove near the graveyard and bayoneted and
19 killed them. I noticed that some of them were small
20 like children. They had no strength at all since they
21 had not eaten for the last three days since their
22 capture by the MP unit. Their hands were tied behind
23 their backs, and they stood in front of the holes
24 with their heads bent slightly downward. It seemed
25 that their minds were already made up that they would

1 be killed, and they said nothing. Their hair was very
2 bushy. I was irritated. Later, one by one the mem-
3 bers of the section bayoneted the guerrillas. The
4 first one was bayoneted by SUZUKI, Yukimatsu. My turn
5 was the second one. The moment I bayoneted the victim
6 he cried 'Ah' and fell into the hole behind him. He
7 was suffering but I had no emotion at all. That may be
8 because I was so excited. After bayoneting them, we
9 covered them with soil and laid coconut leaves on top.
10 We returned to the company singing a military song at
11 2200 hours."

12 We offer in evidence IPS Document No. 2776,
13 which is an English translation of extracts from a
14 captured notebook diary belonging to a member of
15 Akatsuki 16709 Force, dated from 31 July 1944 to
16 21 February 1945.

17 THE PRESIDENT: Admitted on the usual terms.

18 CLERK OF THE COURT: Prosecution document
19 No. 2776 will receive exhibit No. 1441.

20 (Whereupon, the document above
21 referred to was marked prosecution's exhibit
22 No. 1441, and was received in evidence.)

23 MR. LOPEZ: We read the following extracts:

24 "7 Feb 45 - 150 guerrillas were disposed
25 of tonight. I stabbed 10."

1 "9 Feb - Burned 1,000 guerrillas tonight.

2 "10 Feb - Guarded approx. 1,000 guerrillas.

3 "13 Feb - Enemy tanks are lurking in the
4 vicinity of Banzai Bridge. Our attack preparation
5 has been completed. I am now on guard duty at Guer-
6 rilla Internment Camp. While I was on duty, approx.
7 10 guerrillas tried to escape. They were stabbed to
8 death. At 1600 all guerrillas were burned to death.

9 "8 Feb - Guarded over 1,164 guerrillas which
10 were newly brought in today."

11 We offer in evidence IPS Document No. 428,
12 which is an English translation of an excerpt taken
13 from a loose, handwritten sheet containing battle
14 report, dated 13 April, presumably 1945, issued by
15 commanding officer of Ijichi Unit.

16 THE PRESIDENT: Admitted on the usual terms.

17 CLERK OF THE COURT: Prosecution document
18 No. 428 will receive exhibit No. 1442.

19 (Whereupon, the document above
20 referred to was marked prosecution's exhibit
21 No. 1442, and was received in evidence.)

22 MR. LOPEZ: We read the following excerpt:

23 "4. Number of rounds of ammunition expended --
24 28 rounds. (For killing natives).

25 "5. At 1200 hours today, 22 natives passed

1 in the vicinity of company positions. All were either
2 stabbed or shot to death by the remaining personnel
3 (those who returned from suicide assault mission, led
4 by Superior Pvt. HAYASHI of headquarters)."

5 We submit in evidence IPS Document No. 2749,
6 which is an English translation of an extract from a
7 bound, printed and mimeographed file containing
8 censored matters entitled "Police Affairs B No. 2
9 (Incoming Reports on Public Order)" dated 1 July 1943
10 to 12 January 1944, issued by 14th Army Military
11 Police Unit, owned by Tacloban MP Section, classified
12 "Military Most Secret," marked "To be kept for 5 years;"
13 seals read NAKANO (*1) and HIGASHIHIRA (*2). 978 pages.

14 THE PRESIDENT: Admitted on the usual terms.

15 CLERK OF THE COURT: Prosecution's document
16 No. 2749 will receive exhibit No. 1443.

17 (Whereupon, the document above
18 referred to was marked prosecution's exhibit
19 No. 1443, and was received in evidence.)
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1 MR. LOPEZ: We read from that document
2 the following:

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

10 We offer in evidence IPS document No. 2777,
11 which is the English translation of an excerpt from
12 the bound handwritten notebook diary dated 14
13 November 1943 to 17 April 1945 belonging to a member
14 of the FUJITA (*1) Unit 3330 Force (TN 116 Fishing
15 Bn.) 123 pp.

16 THE PRESIDENT: Admitted on the usual
17 terms.

18 CLERK OF THE COURT: Prosecution's docu-
19 ment No. 2777 will receive exhibit No. 1444.

20 (Whereupon, the document above
21 referred to was marked prosecution's ex-
22 hibit No. 1444 and received in evidence.)

23 MR. LOPEZ: We read the following excerpt:
24 "13 Feb For security reasons, all inhabitants
25 of the town were killed and all their

1 possessions were confiscated.

2 "17 Feb 45 Because 90% of the Filipinos are not
3 pro-Japanese Army Headquarters issued
4 orders on the 10th to punish them. In
5 various sectors we have killed several
6 thousands (including young and old,
7 men and women, and Chinese). Their
8 homes have been burned and valuables
9 confiscated."

10 We offer in evidence IPS document No. 425,
11 which is the English translation of extract from a
12 captured bound diary-notebook dated July 1944 --
13 22 May 45. Owner and unit not stated.

14 THE PRESIDENT: Admitted on the usual
15 terms.

16 CLERK OF THE COURT: Prosecution's docu-
17 ment No. 425 will receive exhibit No. 1445.

18 (Whereupon, the document above
19 referred to was marked prosecution's ex-
20 hibit No. 1445 and received in evidence.)

21 MR. LOPEZ: We read the following extract:
22 "Feb 45 Every day is spent in hunting guerrillas
23 and natives. I have already killed well
24 over 100. The naivete I possessed at the
25 time of leaving the homeland has long

1 since disappeared. Now I am a hardened
2 killer and my sword is always stained
3 with blood. Although it is for my country's
4 sake, it is sheer brutality. May God for-
5 give me! May my mother forgive me!"

6 We tender in evidence IPS document No.
7 2707-H, which is an English translation of a captured
8 Japanese "Memorandum concerning the training of all
9 officers and men for the prevention," dated 18
10 November 1944, which makes admission and confirmation
11 of the practice of cannibalism.

12 THE PRESIDENT: Admitted on the usual terms.

13 CLERK OF THE COURT: Prosecution's docu-
14 ment No. 2707-H will receive exhibit No. 1446.

15 (Whereupon, the document above
16 referred to was marked prosecution's ex-
17 hibit No. 1446 and received in evidence.)

18 MR. LOPEZ: We read from that document
19 paragraph 1 from page 2.

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

25 We tender in evidence IPS document No.

1 2850, which is an extract from statement made by
2 prisoner of war YANAGIZAWA Eiji, Australian, No.
3 JA 162002, a leading private of 9 Company, 3 Bat-
4 talion, 239 Infantry Regiment, captured by
5 Australian troops at Marasupe.

6 THE PRESIDENT: Admitted on the usual terms.

7 CLERK OF THE COURT: Prosecution's docu-
8 ment No. 2850 will receive exhibit No. 1447.

9 (Whereupon, the document above
10 referred to was marked prosecution's ex-
11 hibit No. 1447 and received in evidence.)

12 MR. LOPEZ: We read from that document
13 the following:

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

18 "On 10 Dec 44 an order was issued from 18
19 Army Headquarters that troops were permitted to eat
20 the flesh of Allied dead but must not eat their own
21 dead. At the time rumors were prevalent that troops
22 were eating their own dead. 15 Dec 44 four men were
23 executed by order of Maj MORIMOTO, commanding officer
24 of 2 Battalion for disobeying this order."
25

MOODY

DIRECT

1 We offer as our next witness Staff
2 Sergeant Samuel B. Moody, who will testify mainly
3 on the Bataan Death march.

4 - - - -

5 S A M U E L B. M O O D Y, 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 Please give us your full name, rank, serial
11 number and address.

12 A My name is Staff Sergeant Samuel B. Moody;
13 my army serial number of 11024156; and my home
14 address is 24 James Street, Lynn, Massachusetts.

15 Q How long have you been in the United States
16 regular army.

17 A I have been in the United States regular
18 army since November of 1940.

19 Q Were you in Bataan when the troops, under
20 Major General King, surrendered in April of 1942?

21 THE MONITOR: Mr. Lopez, will you speak
22 into the mike?

23 Q Were you with the troops of Major General
24 King that surrendered in Bataan in April of 1942?

25 A Yes, sir, I was.

MOODY

DIRECT

1 Q Did you take part in what is known as the
2 Bataan death march?

3 A Yes, I did.

4 Q How many days did it take you to make the
5 march?

6 A It took me seven days to walk 120 kilo-
7 meters.

8 Q Did the Japanese issue you food or water
9 during the march?

10 A No, sir, we received no food or water.

11 Q Where did you get your water to drink?

12 A We got our water to drink out of caribou
13 wallows and ditches alongside the highway.

14 Q If the Japanese did not provide you with
15 any food, how then were you able to eat during the
16 march?

17 A What food we received we received from
18 Filipinos, who would throw the food to us. The men
19 would break out of ranks and run into the fields
20 and gardens and get sugar cane stalks and a Philippine
21 vegetable called sinkamas.

22 Q Throughout the march how were you treated
23 by the Japanese?

24 A We were treated throughout the march by the
25 Japanese very badly. We were beaten, the men were

MOODY

DIRECT

1 bayoneted, stabbed, they were kicked with hobnail
2 boots.

3 Q Of your immediate friends who were with you
4 on the march, how many were killed either by bayonet-
5 ing or by shooting?

6 A Five, including my real close friend, Staff
7 Sergeant O.C. Jones.

8 Q Why were they killed?

9 A If any men lagged to the rear of the road,
10 fell off to the side, he was immediately bayoneted
11 and beaten. My friend Sergeant Jones had a severe
12 case of dysentery caused from drinking the muddy
13 caribou water.

14 Q You were talking about your buddy Sergeant
15 Jones, who had a severe case of dysentery. What
16 happened to him?

17 A When Sergeant Jones had fallen to the rear
18 of the column due to this case of dysentery, he was
19 bayoneted several times and beaten, and Sergeant
20 Jones died later on as a result of these beatings.

21 Q In the roadside as you marched along, did
22 you see littered on the highways dead bodies?

23 A Yes, I did. I saw many dead men, many of
24 whom were my friends. I also saw two dead women,
25 one of whom was pregnant. There was also a couple

MOODY

DIRECT

1 of dead priests that I saw, and as the Japanese
2 troops would come towards us as the men were marching
3 out of Bataan they were beaten by the incoming
4 troops and stabbed and bayoneted. Many times I
5 could look ahead and see my friends being stabbed
6 and beaten. Quite often I could hear groans of men
7 behind me that had received beatings from someone
8 in the rear.

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MOODY

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Q When you were confined as a prisoner of war were you ever assigned to a Gapan bridge detail?

THE MONITOR: Will you repeat the question, Mr. Lopez?

Q When you were confined as a prisoner in Japanese hands were you ever assigned to a Gapan bridge detail, G-a-p-a-n?

A Yes, I arrived at Gapan May first of 1942 with 200 enlisted men and 3 officers.

Q How were you treated there by the Japanese?

A Once again we were treated very badly. If the men failed to count off in Japanese they were immediately beaten, slapped, kicked, or hit over the head with sticks.

Q Could you tell us what kind of work you were put on?

A Well, I was the First Sergeant of the detail and I didn't go out on the job, but the rest of the men worked on bridge construction detail, carrying heavy sand, lumber and other construction material. The work there was so heavy and strenuous that many of the men ruptured themselves.

Q How about the food given you?

A The food was a small amount of rice, the skins of pigs, the rotten onions and squash that was

MOODY

DIRECT

left over from the Japanese kitchen.

1 Q And your Japanese guards, what were they
2 eating?

3 A The Japanese guards were eating meat, eggs,
4 lots of rice, sweet cakes, candied peanuts. They
5 had quite a bit of tobacco, and lots of beer.

6 Q How many died because of the work there in
7 Gatan?

8 A 37 men died in Gapan. I know this to be
9 a fact because I personally painted the crosses that
10 we put on the graves. I put each man in the casket
11 myself. There was 37 men.

12 Q Who prepared those caskets?

13 A The caskets were prepared in advance, due to
14 the fact that so many men were dying, there was always
15 three or four caskets ahead of time.

16 Q Did they provide you with any medicine?

17 A Yes, just once. There was so many men
18 dying of dysentery and malaria that we practically
19 demanded off of the commander of the camp some
20 quinine. We told him that quinine would save the
21 men's lives. Instead of bringing quinine they brought
22 a case of bromo-quinine, which is a mild laxative,
23 and made a strict order that every man would take
24 these pills every night.
25

MOODY

DIRECT

1 Q When were you moved out of the camp?

2 A We was moved out of the camp the last day
3 of June of 1942, due to the fact that there was no
4 more men left to work.

5 Q Now, out of the 203, more or less, men
6 that went out with you on that Gapan bridge detail,
7 how many of you are alive today?

8 A Just seven.

9 MR. SOMIYA: Defense counsel SOMIYA, Shinji.

10 THE PRESIDENT: Counsellor SOMIYA.

11
12 CROSS-EXAMINATION

13 BY MR. SOMIYA:

14 Q I should like to ask of you, Mr. Witness,
15 something about the so-called Bataan death march.
16 Where did it begin and where did it end?

17 A The Bataan death march started at kilometer
18 post 181 and finished at San Fernando, Pampanga.

19 Q What was the distance between these two
20 points?

21 THE PRESIDENT: He gave us that. 120 kilo-
22 meters.

23 Q Do you know that Filipino POW's were released?

24 MR. LOPEZ: Objection, your Honor, as not
25 being covered by the direct examination.

MOODY

CROSS

1 THE PRESIDENT: Objection upheld.

2 Q Have you ever received cigarettes or
3 tobacco from Japanese troops, from Japanese soldiers?

4 A Not from the soldiers. We was issued them
5 the last year and a half of the war practically from
6 the Japanese Government, I imagine.

7 Q Are you aware of the fact that there is a
8 heavy penalty meted to Japanese troops who have vio-
9 lated discipline?

10 MR. LOPEZ: Objection, your Honor, as a
11 point entirely irrelevant and immaterial.

12 THE PRESIDENT: Objection upheld.

13 Mr. Logan.

14 CROSS-EXAMINATION (Continued)

15 BY MR. LOGAN:

16 Q Sergeant, who was, if you know, who was
17 the highest ranking officer of the Japanese on this
18 Bataan death march?

19 A I myself, I don't know who was the highest
20 ranking officer on the death march.

21 Q Do you know the rank of the officer in
22 charge?

23 A No, sir, I do not.

24 Q Do you know anything about any orders that
25 was given to the highest ranking Japanese officer on

MOODY

CROSS

1 that march?

2 MR. LOPEZ: Objection, as immaterial and
3 impertinent, your Honor.

4 THE PRESIDENT: Let him answer.

5 THE WITNESS: Would you mind repeating the
6 question?

7 Q Do you know of any orders that were given
8 to the highest ranking officer, Japanese officer,
9 who was in charge of the Bataan death march?

10 A Well, from what I seen of the death march,
11 it looked like there was lots of divisions and out-
12 fits the same as an American Army.

13 Q Perhaps I didn't make myself clear, Sergeant.
14 I want to know if you heard of any orders that were
15 issued by the Japanese to the highest ranking Japanese
16 officer who accompanied the men on that march?

17 THE PRESIDENT: Orders bearing on the
18 treatment of the prisoners.

19 A Well, the only thing I heard was that we
20 was all supposed to have been killed. I am a soldier.
21 I have done what I was told and I followed the rest
22 of the men.

23 Q But you didn't see such orders or hear such
24 orders read to you, or you don't know who issued such
25 orders, is that it?

MOODY

CROSS

1 A When we got to the main prison camp at
2 Camp O'Donnell the Japanese commander lined all the
3 American prisoners up -- this commander lined all
4 the prisoners up and he had a paper in his hand. It
5 was in the evening and we had just arrived there
6 and from what I could gather from his speech that he
7 made that night, we was supposed to be his slaves.

8 Q Was this after or before you began the march?

9 A This was at the end of the death march at
10 Camp O'Donnell.

11 Q My question, Sergeant, was directed to any
12 orders you may have seen or heard before the march
13 started.

14 A I know nothing of any orders about the
15 death march.

16 Q At this camp where there were 200 enlisted
17 men and 3 officers, including yourself, where you
18 stayed from May 1st to June 30, 1942, how many men
19 were there in that camp altogether?

20 A There was 200 enlisted men and 3 officers.

21 Q That is all?

22 A Yes, sir.

23 Q What was the highest ranking Japanese
24 officer there?

25 A A Captain.

MOODY

CROSS

1 Q Do you know of any orders that were issued
2 by him?

3 A Orders pertaining to what, sir?

4 Q Treatment of the prisoners.

5 A I do know that he allowed the Filipino
6 doctor, Dr. Tento, to come into the camp. This Dr.
7 Tento furnished medicine to American prisoners out of
8 his own pocket. As soon as the commander found out
9 that we was receiving medicine from the Filipino
10 doctor he wouldn't allow him to come back any more.

11 Q Do you know of any orders that were issued
12 to him by higher Japanese officers with respect to
13 treatment of prisoners?

14 A No, sir, I don't.

15 Q Sergeant, would you say that some of these
16 beatings that men received were due to language dif-
17 ficulties? By that I mean the prisoners not under-
18 standing the orders of the Japanese.

19 MR. LOPEZ: We object, your Honor, because
20 it is immaterial, impertinent and irrelevant. We
21 have language difficulties in this courtroom and
22 there is no beating going on.

23 THE PRESIDENT: It wouldn't justify bayo-
24 netings, but let him answer.

25 A That was one of the reasons we received

MOODY

CROSS

1 beatings. That went on right up until the last day
2 of the surrender.

3 Q Where were you transferred after June 30,
4 1942?

5 MR. LOPEZ: Objection, your Honor, because
6 it is beyond the scope of the direct examination.

7 THE PRESIDENT: Let him answer.

8 A To the main prison camp, Cabanatuan Camp
9 No. 1.

10 Q How were you treated at that camp?

11 MR. LOPEZ: Same objection, your Honor.

12 THE PRESIDENT: I think it is within the
13 scope of the examination in chief.

14 A Once again, I was treated very badly. I
15 was on the permanent grave detail there for prac-
16 tically three months.

17 Q Did you remain in this camp until the
18 surrender?

19 A No, sir, I didn't.

20 Q How long did you stay there?

21 A Three months.

22 Q And you transferred to another camp, I
23 suppose?

24 A Yes.

25 Q How was your treatment after June 30, 1942,

MOODY

CROSS

1 compared with the treatment you have described prior
2 to that date?

3 A My treatment after that got so bad that I
4 was blind. I had dysentery and malaria, and when I
5 was almost dead they took me to Bilibid Prison Hos-
6 pital, where I remained until I got well.

7 Q Did you get medical treatment?

8 A At Bilibid Hospital, yes.

9 Q How was the food you received after June
10 30, 1942, compared with that you received before?
11 I am speaking in general with respect to all the
12 other camps that you were at after June 30, 1942.

13 A The food after that was worse than at Gapan.
14 We was eating roots, leaves of trees, and just rice,
15 and, like I say once before, the skins of pigs. The
16 food didn't improve until June of 1943.

17 Q And from that point on was your treatment
18 better?

19 A It was for me, yes.

20 Q Was there general disorder and confusion
21 between the period of April, 1942, and June 30, 1942?
22

23 A Yes.

24 MR. LOGAN: That is all. No further cross-
25 examination.

THE PRESIDENT: The witness is released on

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the usual terms.

(Whereupon, the witness was excused.)

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1 MR. LOPEZ: We offer in evidence IPS document
2 No. 2713, which is an affidavit of Major General Edward
3 P. King, Commanding General of the American-Filipino
4 Forces that surrendered on Bataan in April 1942.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: Prosecution's document
7 No. 2713 will receive exhibit No. 1448.

8 (Whereupon, the document above re-
9 ferred to was marked prosecution's exhibit
10 No. 1448 and received in evidence.)

11 MR. LOPEZ: We read from that document the
12 following: Page 1, all questions and answers through
13 the 2nd paragraph on page 2.

14 "Q. Will you please give your name and serial
15 number, sir?

16 "A. Edward P. King, Jr., 02442, Major-General,
17 AUS.

18 "Q. Were you the Commanding General of the
19 American forces on Bataan in April 1942?

20 "A. I was.

21 "Q. At what time did your forces surrender
22 to the Japanese?

23 "A. At about 2 A.M., April 9, 1942, I sent for-
24 ward with a flag of truce Colonel E. C. Williams, Colonel
25 J. K. Collier, my G-3, and Major Marshall Hurt, my .

1 Assistant G-3, to make an appointment for me to meet the
2 Japanese Commander of their forces on Bataan with a view
3 to surrendering. Colonel Williams was to make the ap-
4 pointment. Colonel Collier and Major Hurt were to get
5 word back to me of the appointment. Colonel Collier
6 and Major Hurt returned shortly after daylight and I
7 started forward with my two aides, Major Cothran and
8 Captain Achillo C. Tisdelle, Jr. Colonel Collier and
9 Major Hurt accompanied us in another car. On the way
10 forward, although carrying large white flags on our cars,
11 we were attacked repeatedly by light bombs and machine
12 gun fire from low-flying Japanese planes so that we were
13 compelled often to stop and take cover. It must have
14 been close to 10 o'clock when I reached Lamao, the place
15 to which Colonel Collier had directed me. At that place
16 I was received by a Japanese Major-General who informed
17 me, through a very poor interpreter, that he commanded
18 one division of the Japanese forces; that he had re-
19 ported my coming to Japanese headquarters in the Philip-
20 pines and that he had no authority to treat with me;
21 that another officer would be sent from Japanese head-
22 quarters to treat with me and that he would make no fur-
23 ther advance for thirty minutes while I decided what to do.
24

25 "Q. Do you know the Japanese General's name?

"A. I do not know the name of the Japanese

1 General. After some time, no Japanese officer having
2 arrived from Japanese headquarters, Colonel Williams
3 called my attention to the fact that the Japanese troops
4 had resumed their advance, and I immediately sent Colonel
5 Collier and Major Hurt back with instructions to direct
6 my units in the line of the Japanese advance to display
7 the white flag and to surrender and to go to my Command
8 Post and direct General Funk, my Chief of Staff, to order
9 all units to display the white flag and to give them-
10 selves up to the first Japanese who approached them.
11 Shortly after, an officer with an interpreter arrived
12 and I was told that the officer was a Colonel and that
13 he was General HOMMA's Chief of Staff, and that he had
14 come to discuss my surrender with me, as General HOMMA's
15 representative. I was concerned only with the treatment
16 that my men would receive and whether they would be
17 treated as prisoners-of-war. The Japanese officer de-
18 manded my unconditional surrender. I attempted to se-
19 cure from him an assurance that my men would be treated
20 as prisoners-of-war. He accused me of declining to
21 surrender unconditionally and of trying to make a con-
22 dition. We talked back and forth in this vein for some
23 time-- I should guess about a half hour. Finally he
24 said to me, through the interpreter, 'The Imperial
25 Japanese Army are not barbarians'. With that assurance

1 I had to content myself and surrender.

2 "In destroying arms and equipment in preparation
3 for surrender I had reserved enough motor transportation
4 and gasoline to transport all of my troops out of Bataan.
5 I endeavored, prior to surrender, to secure an assurance
6 that this might be done. I plead, after my surrender,
7 that this be done, offering to furnish personnel as might
8 be required by the Japanese for this purpose or to assist
9 in any way that they might require. The Japanese told
10 me that they would handle the movement of the prisoners
11 as they desired, that I would have nothing to do with it,
12 and that my wishes in that connection could not be con-
13 sidered."

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1 MR. LOPEZ: We offer in evidence IPS
2 Document No. 2879 which is the transcript of the
3 testimony in the HOMMA trial of Basilio Hernandez,
4 Chief of Casualty Division of the Filipino Army,
5 on the number of Filipino troops on Bataan.

6 THE PRESIDENT: Admitted on the usual terms.

7 CLERK OF THE COURT: Prosecution's document
8 No. 2879 will receive exhibit No. 1449.

9 (Whereupon, the document above re-
10 ferred to was marked prosecution's exhibit
11 No. 1449 and received in evidence.)

12 MR. LOPEZ: We read from this document
13 the fourth question through to and including the
14 sixth answer:

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

21 "A Approximately 53,000.

22 "Q Will you repeat that?

23 "A Approximately 53,000.

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

1 "A I quite remember there were 12,000 Philip-
2 pine Scouts before the outbreak of the war. I
3 understand they were all committed to Bataan at
4 the date of surrender, but I can't tell the exact
5 number at the date of surrender. I know they were
6 committed before the date of surrender."

7 We offer in evidence IPS Document No. 2809,
8 which is a summary of evidence of JAG Report No. 75
9 on deaths, mistreatment of and living conditions
10 at Camp O'Donnell between the period of April 1942
11 to December 1942, where more than 1500 American
12 prisoners-of-war, and approximately 26,000 Filipino
13 prisoners died.

14 THE PRESIDENT: Admitted on the usual terms.

15 CLERK OF THE COURT: Prosecution's document
16 No. 2809 will receive exhibit No. 1450.

17 (Whereupon, the document above re-
18 ferred to was marked prosecution's exhibit
19 No. 1450 and received in evidence.)

20 MR. LOPEZ: We read that document in its
21 entirety:

22 "Over nine thousand American and about forty-
23 seven thousand Filipino prisoners-of-war were im-
24 prisoned in Camp O'Donnell, and all had surrendered
25 on 9 April 1942 upon the capitulation of the American

1 Forces on Bataan. Many of them had made the so-
2 called 'Death March' from Bataan to San Fernando
3 and thence on to Camp O'Donnell. As a result of
4 this trip and the privations they had endured just
5 prior to their surrender, all of the prisoners
6 reached Camp O'Donnell in a state of exhaustion.
7 Upon arrival at the camp, the prisoners were searched,
8 and some were killed by the Japanese when found to
9 possess Japanese money or souvenirs. Other groups
10 of American and Filipino prisoners- of-war were
11 executed, or taken from camp under guard and never
12 heard of again.

13 "Most of the deaths in Camp O'Donnell were
14 due to dysentery and malaria coupled with malnutrition,
15 and many of these deaths could have been prevented
16 had the Japanese furnished adequate food, shelter,
17 clothing, water, sanitation facilities, and medicine
18 and hospital care. The quarters provided for the
19 prisoners were overcrowded and inadequate to protect
20 them from the weather. Only open latrines of the
21 'straddle trench' type were available, but many of
22 the prisoners were too weak from illness to use them,
23 and flies and filth were everywhere. No screens were
24 provided for the kitchen and food was contaminated by
25 flies from the open latrines. Food was inadequate,

1 consisting only of a bowl of rice sprinkled with
2 salt, camotes, with occasionally a little watery soup
3 made from greens, but this was later increased until
4 the men began to gain a little weight. The death
5 rate mounted to nearly sixty per day during the
6 first two months of imprisonment. During the first
7 few months at Camp O'Donnell the prisoners were not
8 allowed to use water for bathing, and conditions in
9 the hospital were most unsanitary due to the inability
10 of the patients to move to the latrines. There were
11 no beds nor bedding, and the patients were crowded
12 on the floor and under the building, with no pro-
13 tection from insects, flies, and the weather. Repeated
14 requests for medicine and hospital equipment were
15 refused. More than fifteen hundred American prisoners -
16 of-war died in Camp O'Donnell between the period
17 18 April 1942 to December 1942 (Exhibit D); and
18 approximately twenty-six thousand Filipino prisoners
19 died during that period (R 9, 209).

20 "American and Filipino prisoners were forced to
21 stand in the hot sun without hats for many hours
22 for minor violations of prison regulations. Others
23 were beaten with rifles, scabbards, and bamboo poles
24 when they fell, exhausted, while at work. Beatings
25 of the prisoners on work details by the Japanese guards,

1 with bayonets, clubs, and pick handles were common
2 occurrences.

3 "Many of the prisoners were forced to bury the
4 dead, build fences, and dig latrines, though they
5 were physically unfit to perform such labor because
6 of illness and malnutrition.

7 "Upon arrival at Camp O'Donnell, the prisoners
8 were forced to place all their personal belongings
9 on their blankets, and the Japanese confiscated all
10 money, jewelry, watches, and equipment including
11 medical supplies, although some of the officers were
12 allowed to keep a blanket.

13 "The prisoners were required to bury their
14 own dead in graves containing twelve to sixty bodies
15 each, without regard to proper identification of the
16 graves or positions of the bodies. Sixty-five who
17 died were listed as unknown. On some occasions they
18 were forced to bury men who were still alive.
19 Frequently the Japanese would not grant permission
20 to bury the dead, and bodies were left exposed to
21 the sun for two or three days at a time before
22 permission was granted to bury them.

23 "On several occasions representatives of the
24 Red Cross and other charitable organizations attempted
25 to bring medicine and supplies to alleviate the

1 condition of the prisoners, but they were turned away
2 at the entrance to the camp. When supplies were
3 allowed to be brought in by charitable organizations,
4 the Japanese confiscated much of it for their own
5 use and only allowed the prisoners to have what was
6 left."

7 We introduce in evidence IPS Document
8 No. 2831, which is a summary of evidence of the
9 report on atrocities at Bataan General Hospitals
10 No. 1 and 2 in April 1942.

11 THE PRESIDENT: Admitted on the usual terms.

12 CLERK OF THE COURT: Prosecution's document
13 No. 2831 will receive exhibit No. 1451.

14 (Whereupon, the document above re-
15 ferred to was marked prosecution's exhibit
16 No. 1451 and received in evidence.)

17 MR. LOPEZ: We read that document in its
18 entirety:

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

25 "The chief complaint against the Japanese seems

1 to be that they placed field pieces and tanks in
2 close proximity to the Bataan hospital where approxi-
3 mately seventy-five hundred American and seven
4 thousand Filipino patients were being treated. The
5 artillery was placed so close to the hospital that
6 it was obvious that the Japanese intended to use the
7 hospital as a shield against answering fire from
8 the American guns particularly since the patients
9 could have been evacuated. One patient saw twenty-
10 three Japanese guns from his place in the hospital.
11 When complaints were made to the Japanese about the
12 proximity of their artillery, Japanese officers replied
13 that the guns would not be moved until Corregidor
14 surrendered to the Japanese. As a result of placing
15 these guns so near the hospital, at least five
16 American patients in the hospital were killed and
17 many others wounded by gunfire from the Americans on
18 Corregidor and Fort Drum.

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

1 "An American nurse was raped by Japanese soldiers
2 and apparently no disciplinary action whatever was
3 taken against the offenders.

4 "American prisoners were forced to haul Japanese
5 field pieces to various locations on Bataan for
6 use against the American forces on Corregidor.

7 "Filipino patients who were barely able to walk,
8 were forced to leave the hospital and join the
9 'death march'.

10 "Prisoners' personal effects were looted by
11 Japanese."

12 THE PRESIDENT: We will recess for fifteen
13 minutes.

14 (Whereupon, at 1445, a recess was
15 taken until 1500, after which the proceedings
16 were resumed as follows:)
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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 MR. LOPEZ: If your Honor please, we offer
4 in evidence IPS document No. 2799 which is a summary
5 of evidence of JAG Report No. 189 on mistreatment and
6 improper conditions of American and Filipino prisoners-
of-war in Corregidor in the summer of 1942.

7 THE PRESIDENT: Admitted on the usual terms.

8 CLERK OF THE COURT: Prosecution's document
9 No. 2799 will receive exhibit No. 1452.

10 (Whereupon, the document above re-
11 ferred to was marked prosecution's exhibit
12 No. 1452 and received in evidence.)

13 MR. LOPEZ: We read from that document, para-
14 graph 2:

15 "Shortly after the capitulation of Corregidor,
16 approximately ten thousand American and Filipino pris-
17 oners-of-war were crowded into a small area, formerly
18 the 92nd Coast Artillery Corps Garage area. Conditions
19 were so crowded that the prisoners were unable to move
20 during the night without disturbing sleeping companions
21 who were packed side by side. No shelter whatsoever
22 was furnished to protect the prisoners from the rain
23 or from the heat of the sun. Sanitary facilities
24 consisted only of an open slit trench, and no chemicals
25

1 or disinfectants were made available to improve
2 the sanitary conditions. Water was obtained from
3 two wells which were sunk below sea level, and the
4 water was salty and unpalatable. The prisoners
5 were given inadequate food, although ample supplies
6 were available and stored in the tunnels of Cor-
7 regidor. The men were forced to load captured
8 American supplies on Japanese ships. Many of the
9 prisoners were suffering from illness, some had
10 been wounded in combat, and all were suffering
11 from the privations endured in the days preceding
12 the surrender. Yet, in spite of the great need
13 for medicine and medical care, none was furnished.
14 The Japanese guards brutally beat the American
15 prisoners at the slightest provocation or for minor
16 infractions of the rules. As a result of the above
17 conditions and treatment, many of the prisoners
18 died."

19 We offer in evidence IPS document No. 2870
20 which is an affidavit of James E. Strawhorn regarding
21 tortures, abuses, mistreatment, and improper condi-
22 tions at the Prisoners of War Camp at Nicholes Field
23 and Pasay.

24 THE PRESIDENT: Admitted on the usual terms.

25 CLERK OF THE COURT: Prosecution's document

No. 2870 will receive exhibit No. 1453.

(Whereupon, the document above referred to was marked prosecution's exhibit No. 1453 and received in evidence.)

MR. LOPEZ: We read from the document the following: Page 1, the last two questions and answers, and paragraphs 1-7, inclusive, on page 2:

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

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

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

"A The men were allotted a certain amount of work to be done each day. Due to physical conditions of the men and to weather conditions, it was in most instances impossible to perform the required amount of work in the time allotted. If the assigned tasks were not completed within the time limit, the men would be lined up and flogged by Japanese armed with pick handles, rifle butts, etc. In such instances, many arms, legs and backs were broken and if a man fell to the ground, the Japanese would beat him over

1 the head until he was unconscious. This was a
2 common occurrence. It was amazing to me how men
3 could take such punishment and still survive. I
4 personally have been beaten unconscious.

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

10 "Another common practice was to tie a man
11 to a board with his head lower than his feet and
12 then pour salty water into his mouth. In that posi-
13 tion, he had to swallow and the brine solution
14 would cause his stomach to swell. The Japanese
15 would then jump on his stomach with their feet. In
16 like manner the Japanese often forced a water hose
17 down a prisoner's throat and thus filled his stomach
18 with water until he became painfully swollen and
19 then they would jump on his stomach.

20 "Still another form of punishment was to
21 tie a man's hands behind his back and draw his
22 hands up between his shoulders with a rope suspended
23 over the limb of a tree and let him hang with his
24 feet just off the ground. This usually pulled both
25 arms out of socket. While at this camp, I personally

hung as long as twenty-four hours in that position. No food or water was given during that time and I was under no shelter, exposed to the searing sun all day and to a heavy downpour of rain during the night. During this time, I was beaten with plaited rope and hit about the face and head with a pistol butt. This occurred in September 1943.

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

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

"The above recounted torture methods were administered by W/O KAJUKI and several of his aides. The aides are recalled only by the names of 'Pistol Pete,' 'Saki Sam' and 'Cherry Blossom.' There was also a warrant officer at this prison camp who was

1 known only as 'Harvard' because he was a graduate
2 of Harvard University. He spoke, read and wrote
3 English exceptionally well. He, too, participated
4 in administering the above described punishments.
5 The above torture methods, it is believed, were
6 committed and witnessed by higher authority, in-
7 cluding the Admiral in charge of Pasay Camps,
8 without any interference."

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INGLE

DIRECT

1 We present as our next witness, Donald F.
2 Ingle, to testify as to mistreatment, torture, and
3 improper conditions at the Prisoners of War Camps at
4 NicholesField and Pasay.

5 - - - -

6 D O N A L D F. I N G L E, called as a witness on
7 behalf of the prosecution, being first duly
8 sworn, testified as follows:

9 DIRECT EXAMINATION

10 BY MR. LOPEZ:

11 Q Please give us your full name, age, position
12 and address?

13 A My name is Donald Ingle, age is 27 and my
14 permanent address is Laurel, Illinois.

15 Q Were you with the United States Army that
16 surrendered at Bataan in April of 1942?

17 A Yes.

18 Q At the time of surrender what was the state
19 of your health?

20 A Well, in the first part of April of 1943 I had
21 contracted malaria and it was suspected that I had
22 pneumonia, so I was sent to the rear to Field Hospital
23 No. 1. About 30 minutes after my arrival there Japanese
24 planes appeared overhead and bombed the hospital on
25 3 consecutive runs.

INGLE

DIRECT

1 Q Were you wounded?

2 A I was wounded, well, minorly, in the right
3 shoulder.

4 THE PRESIDENT: Did the hospital have Red
5 Cross signs of any kind?

6 THE WITNESS: Yes, the hospital was plainly
7 marked.

8 Q What part of the building was marked?

9 A There were several wards and on the top of
10 each of the buildings was a large red cross.

11 Q At the time of the actual surrender where were
12 you, please?

13 A I was at -- Just after the bombing a medical
14 officer came by and asked if I was seriously wounded.
15 I told him, "no," and he ordered me to leave the area.
16 So, I wandered up the road about a kilometer to USAFFE
17 Headquarters bivouac area at Kilometer Post 165.

18 Q Were you in bed when the first Japanese
19 soldier approached and placed you under arrest?

20 A I was lying on a stretcher under a tree. It
21 was the only type of bed available. I was --

22 Q Where were you lying in this stretcher?

23 A In the USAFFE bivouac area.

24 Q I said, "why?"

25 A I did have bronchial pneumonia and malaria. My

INGLE

DIRECT

1 temperature was 105.6.

2 Q What did the Japanese soldier do to you?

3 A The first one that approached prodded me in
4 the back with a bayonet, ordered me to stand up. Well,
5 I complied with as much alacrity as possible and in
6 the next few minutes he took from me my watch, ring
7 and everything in my billfold with the exception of
8 a couple of pictures which I managed to convince him
9 were those of my mother.

10 Q Did he see that you were plainly sick?

11 A I would say it was comparatively obvious.

12 Q Despite the fact that you were sick were you
13 forced to join the Death March?

14 A Yes.

15 Q How long did it take you to make it?

16 A 9 days.

17 Q During the march did you have food and water
18 provided for you by the Japanese?

19 A For the first five days not a drop of food
20 or water or rest was given by any of the Japanese.

21 Q Where did you get your water?

22 A Well, there were many that didn't get any, many
23 that died that tried to get water. All that was avail-
24 able was from an occasional artesian well along the side
25 of the road or possibly a caribou well. That water in

INGLE

DIRECT

1 the ponds and in the ditches was so polluted that it
2 was highly dangerous to drink and that which came
3 from the artesian wells was of such small amount that
4 when the great numbers of men tried to get it, well,
5 the troops would simply raise their weapons and fire
6 into the group and when the smoke and dust cleared
7 away it was proven that pure water could cause your
8 death as well as polluted water.

9 Q During the first five days how were you able
10 to manage to get some food, if at all?

11 A The Filipino civilians tried on many occasions
12 to give food to the men that were marching. However,
13 they done so at the risk of their lives and a lot of the
14 civilians did lose their lives trying. Other than that,
15 only an occasional sugar cane patch offered food and
16 even that was at the risk of your life.

17 Q How were you treated during the march by the
18 Japanese guards?

19 A Well, even the lack of food could have been
20 stood and I suppose that going without water could have
21 been taken, but a person must have rest. But the
22 continued marching and sitting for hours in the hot sun,
23 undergoing search after search by members of the Japanese
24 Army, continual harrassing; members, friends, buddies
25 right close being taken out of column and shot or

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DIRECT

1 bayoneted for no reason, was a continual strain.
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DIRECT

1 Q Do you recall a Captain by the name of --
2 a Chaplain by the name of Captain Day?

3 A Yes, he is an Episcopalian Chaplain, I
4 believe.

5 Q Was he with you during the march, please?

6 A There were thousands of men in the march
7 but we ordinarily were segregated into groups of
8 one hundred, for the convenience of the guards, I
9 would assume, and Chaplain Day was in the same group
10 of one hundred that I was in.

11 Q Will you kindly tell us what happened to
12 the Chaplain, Captain Day, during the march?

13 A Well, Chaplain Day had taken a drink
14 from a stream or pond beside the road and had con-
15 tracted dysentery. As a result it was necessary for
16 him to answer Nature's call several times every day
17 every few minutes. His usual procedure was to step
18 out of line quickly, relieve himself and back into
19 the column. It was only a matter of a few seconds.
20 On one occasion he followed the same procedure and
21 a Japanese guard nearby spotted him and immediately
22 charged up. Well, before the Chaplain could regain
23 his place in ranks the Japanese charged and wounded
24 him with his bayonet.

25 Q After the Chaplain was wounded did you

INGLE

DIRECT

1 aid him, Mr. Ingle?

2 A I was one of several that helped to aid
3 him. I personally helped carry him until the next
4 rest period and throughout the following days we
5 took turns, two men at a time helping the Chaplain
6 on the march.

7 Q Could the Japanese guards see with their
8 own eyes that here is a Chaplain wounded?

9 A Rank or branch of service meant nothing.
10 As I just stated, we were in groups of one hundred
11 and I recall one day very vividly there were sixteen
12 Americans out of the group of one hundred men that
13 I was in -- sixteen of those men were taken from
14 the ranks and bayoneted, killed, and left by the
15 roadside in one day.

16 Q What I was trying to say to you, Mr. Ingle,
17 was this: Notwithstanding the fact that Captain
18 Day was wounded, he was made to continue to march
19 and he was given no medical treatment; was that it?

20 A Not only wasn't he given any medical treat-
21 ment but if we had not been able to assist him or
22 hadn't assisted him, then he, too, would have been
23 left by the roadside because they would not tolerate
24 anyone not being able to walk.

25 Q How many cases of killings and bayonettings

INGLE

DIRECT

1 or shootings did you actually see during the march?

2 A That I couldn't say accurately. I would
3 say that when a thing becomes so commonplace you
4 lose track of the importance of it so after the
5 first few hundred I didn't try to keep track.

6 Q Those who were killed during the march,
7 were they buried?

8 A They were usually rolled to the roadside.
9 I have seen on occasions some of them buried, but
10 mostly they were left lying where they were killed.

11 Q On the sixth day of your march how was it
12 that you were able to get some food?

13 A We were informed through an interpreter
14 that if we would turn in our watches, rings, and
15 whatever valuables we had that we would be given
16 food. By that time there was very few men that
17 had those same valuables; however, those that did have
18 were more than glad to give them up on the prospect
19 of being fed and they did so. Well, we received
20 the food that was promised all right. It was about,
21 I would say, a teacupful of boiled rice, nothing
22 more, nothing less, just boiled rice.
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1 Q Were you given some salt to make it quite
2 palatable?

3 A No salt.

4 Q On the 9th day what happened to you and
5 your group?

6 A Well, we felt pretty relieved on the 9th
7 day because we were informed we wouldn't walk any
8 more; we were going to ride. However, the relief
9 was relatively short-lived. We found that we were
10 to be crowded into the real small Filipino railroad
11 cars, 100 men to the car.

12 Q Could you give us a rough idea of how
13 jammed you were in one small car with 150 persons in?

14 A With that many men in one car there were
15 a number of men that never touched the floor from
16 the beginning of the trip to the end. There were
17 several men that fainted from lack of air in the
18 back part of the car, and those men couldn't be
19 tended; they couldn't be given any treatment because
20 of the close quarters. There was four guards in the
21 car, and they kept the space directly in front of
22 the doors, and whenever the train stopped at each
23 stop along the way the Filipino civilians tried to
24 give us food and water, but the guards would run
25 them away.

INGLE

DIRECT

1 Q Mr. Ingle, on the 27th of May, 1942, where
2 were you sent out?

3 A Well, I had been at Camp O'Donnell from
4 April 17 until this date, and I was selected along
5 with a detail of 300 men to leave on a road-building
6 detail under the supervision of the Japanese. We
7 were informed we were being sent to the jungle-
8 infested province of Tayabas to build roads and
9 bridges. En route to Tayabas we passed through
10 Pasay, and I had become ill again, and there, along
11 with seventeen other men, I was taken from the
12 detail and replacements were put in our places.

13 Q In the middle of August of the same year
14 did you happen to meet those people with whom you
15 were to be sent out to Tayabas?

16 A Yes. In the interim of six weeks I had
17 been sent back to Bilibid, and then in August seventy-
18 five men returned from Tayabas from that detail.
19 They were a deplorable-looking bunch of sick, blind --
20 some men were being carried on make-shift stretchers,
21 some of them so weak they could hardly walk. Among
22 those seventy-five men were two very close buddies
23 of mine: one, Cheslin, from Los Angeles, whom I
24 served with in the 31st Infantry; and another, James
25 Combs, an air corps man, from Crown, Kentucky. These

INGLE

DIRECT

1 men told me of the work that they had been forced
2 to do at Tayabas of building roads through the
3 jungle, with no shelter, extreme torture, working
4 without food or proper medicine to offset the disease
5 that was eating away at their lives.

6 Q What happened during that period -- what
7 became of you?

8 A Well, I guess I had everything that a
9 prisoner-of-war had. I was blind, had beri-beri,
10 both wet and dry, dysentery, pellagra, scurvy.

11 Q Have you been at Nicholes Field Camp and
12 Pasay School Camp?

13 A Yes.

14 Q When?

15 A I went there on June 8, 1943, and I left
16 about July 15 or 14, 1944.

17 Q At that time what was Nicholes Field in
18 relation to military installations of the Japanese
19 in the Philippines?
20

21 A Well, with the aid of prison labor they
22 were trying to move a mountain to fill in rice
23 paddies to build an air field for their planes to
24 land on.

25 Q Military planes?

A Yes.

INGLE

DIRECT

1 Q What was the nature of your work in the
2 field?

3 A Well, it was of a pick and shovel nature,
4 manual labor work, moving, as I said, a hill to
5 fill the lower regions that were formerly rice
6 paddies. It consisted of loading cars with rocks
7 and dirt and sand, pushing them down tracks about
8 a kilometer long, and making a runway.

9 Q How many carts were you required by the
10 Japanese to haul and push a day along that one
11 kilometer stretch?

12 A When I first went there the number was
13 eleven, and when I left a year later we were getting
14 twenty-three.

15 Q If you couldn't make your daily quota,
16 what would happen to you or any other prisoner there?

17 A We would get about as unmerciful a beating
18 as you ever witnessed. It took place with pick
19 handles, rifle butts, strips of bamboo lashed
20 together, and fists -- any sort of club available.

21 Q Was there anyone among the American prisoners-
22 of-war in Nicholes Field that ever escaped a beating?

23 A I won't try to say outright, but I doubt it
24 very much.

25 Q How about you, Mr. Ingle?

INGLE

DIRECT

1 A Well, for an example, the first part of
2 October I had gotten the dysentery, and I, too, had
3 to answer nature's calls pretty frequently. Well,
4 after a pleasant three-mile or approximately three-
5 mile walk to the field I was ready to answer a call
6 again. Soon I went to a straddle-trench area, I
7 would say, off-hand, about forty yards from the
8 Japanese supervisor's field office. There, under
9 the watchful eye of a Japanese sentry, I attended
10 my needs, but while I was there the count took
11 place, and I was counted missing; even though I
12 was in plain view of the office that meant nothing.
13 So when I reported back to my group the man in
14 charge, a Japanese called IKODA, or better known
15 to the men as "wolf," became quite infuriated.
16 He, along with his interpreter, a Japanese known
17 as ESUMIDA-san, or nicknamed Ned,, proceeded to give
18 me a workout, just a simple expedient of making me
19 stand at attention and knocking me down. As soon
20 as I was down it was only a matter of kicking me
21 a few times and I would get up in about fifteen
22 minutes. I became almost insensible to pain. My
23 face was quite badly cut, and then I was dismissed
24 to go to work.

25 Q Do you recall Red Savage in the camp?

 A Yes.

INGLE

DIRECT

1 Q Will you very briefly tell us what happened
2 to him, please?

3 A Yes. This took place in October, too. It
4 was another case of dysentery. In our group of 300
5 men only 16 were allowed to stay in camp for illnesses
6 or whatever the case may be. If the number exceeded
7 16 men, someone had to go to work. Well, in this in-
8 stance it was Red Savage. In a few days he became so
9 weak and sick that he could hardly make it to the
10 field let alone doing his work after he got there.
11 On this specific day when it came time for the noon
12 meal period, Red decided, I guess, that -- or, at least,
13 he didn't show up to eat his lunch. He stayed out at
14 the track where he worked.

15 MR. LOGAN: May I inquire, if the Tribunal
16 please, if this witness is testifying from notes?

17 WITNESS: Definitely not.

18 Q In other words, what happened to him?

19 A He was missed about 1:30 or 2 o'clock in the
20 afternoon, and immediately the guards and track bosses
21 took the remaining men to the area around the "Wolf's",
22 I should say the Japanese supervisor's office, and
23 made us sit in the shade while they searched for him.

24 Q Without going into any details, was he killed?

25 A Yes.

INGLE

DIRECT

1 Q Was he first tortured before he was killed?

2 A Yes.

3 Q You saw the killing?

4 A No. I heard the shot.

5 THE PRESIDENT: Why do you lead?

6 WITNESS: Pardon?

7 THE PRESIDENT: Why are you leading him like
8 that on an important matter? You are only diminishing
9 the effect of his testimony when you do that.

10 MR. LOPEZ: It is a question of time again,
11 your Honor, please.

12 THE PRESIDENT: We can spare the time to get
13 these details.

14 Q When you entered the Japanese camp what was
15 your weight, Mr. Ingle?

16 A Approximately 150 to 155 pounds.

17 Q In Nicholes Field how much did you weigh?

18 A At Nicholes Field I was as low as 88 pounds.
19 I worked every day when I weighed 105-110 pounds.

20 MR. LOPEZ: That is all for the witness.

21 THE PRESIDENT: Mr. Logan.

22 CROSS-EXAMINATION

23 BY MR. LOGAN

24 Q If the Tribunal please. Did you hold a com-
25 mission -- Mr. Ingle, is it?

INGLE

CROSS

1 A No.

2 Q I understand when you were taken prisoner
3 your temperature was 105.6, and you said that the
4 Japanese soldier obviously knew you were sick. How
5 did he know that?

6 A Because I was lying on a stretcher in the heat
7 of the day covered with about five blankets and a
8 shelter-half.

9 Q Were you in the hospital?

10 A No.

11 Q Have you ever testified in any cases before?

12 A No.

13 Q With respect to any atrocities?

14 A No.

15 Q Do you know anything about who was in command
16 of this Bataan death march?

17 A I didn't know the man personally, but it was
18 General HOMMA from newspapers and, well, rumor -- that
19 would be discounted I suppose, but the talk was General
20 HOMMA. He was everything, General HOMMA, he was in
21 all the Philippine newspapers at that time.

22 Q Was that the General HOMMA who was executed?

23 A Yes.

24 Q But you don't know what rank the officer had
25 who was in charge of the march itself, do you?

INGLE

CROSS

1 A How could I?

2 Q I do not know, Mr. Witness, I was not there.
3 I thought you might know.

4 A I was a prisoner of people whom I had never
5 seen except in markets in the United States. I didn't
6 at that time know anything about the ranks in their
7 military organizations.

8 Q You sound rather bitter about this, Mr. Ingle.
9 Are you?

10 A Well, there are several thousand buddies
11 that aren't here today that would be here if it weren't
12 for that. Use your own judgment.

13 MR. LOGAN: No further questions, your Honor.

14 THE PRESIDENT: Well, it is now 4 o'clock.
15 We will adjourn until half-past nine tomorrow morning.

16 (Whereupon, at 1600, an adjournment
17 was taken until Thursday, 12 December, 1946,
18 at 0930.)

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