

Yamashita, Tomoyuki, 1885-1946, defendant.

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

UNITED STATES OF AMERICA )

-vs- )

TOMOYUKI YAMASHITA )

PUBLIC TRIAL

High Commissioner's Residence,  
Manila, P. I.  
31 October 1945

Met, pursuant to adjournment, at 0845 hours.

MEMBERS OF MILITARY COMMISSION:

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

MAJOR GENERAL LEO DONOVAN

MAJOR GENERAL JAMES A. LESTER

BRIGADIER GENERAL MORRIS C. HANDWERK

BRIGADIER GENERAL EGBERT F. BULLENE

APPEARANCES:

(Same as heretofore noted.)

I N D E X

WITNESSES

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Lucio Mariano	343	354		
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<u>PROSECUTION EXHIBIT NO.</u>	<u>FOR IDENTIFICATION</u>	<u>IN EVIDENCE</u>
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PROCEEDINGS

GENERAL REYNOLDS: The Commission is in session. The Prosecution will proceed.

MAJOR KERR: Sir, all of the members of the Commission are present, the Accused and Defense counsel are present, and the Prosecution is ready to proceed.

MAJOR OPINION: If the Commission please, this case is called National Psychopathic Hospital.

GENERAL REYNOLDS: The Commission interrupts to say that a matter was pending when we recessed yesterday that should be handled before we proceed.

MAJOR KERR: Does the Commission refer to the statements which were offered in evidence yesterday?

GENERAL REYNOLDS: At which time the Defense requested time to study them.

CAPTAIN SANDBERG: The Defense objects to the introduction of these statements on the same grounds as have previously been noted. The Defense requests also that this objection be noted for any future depositions of this sort and requests the Commission that such objection be noted without having been stated as a running objection unless otherwise expressed by counsel.

GENERAL REYNOLDS: The Commission accepts that statement.

Subject to objection by any member of the Commission the documents in question are accepted in evidence.

(Prosecution's Exhibits Nos. 58 through 68, inclusive, were received in evidence and so marked.)

GENERAL REYNOLDS: Counsel will proceed.

MAJOR OPINION: Sirs, this case is described in Paragraph 19 of our Bill of Particulars.

CAPTAIN REEL: Pardon me, sir. I would like to ask a question as to whether the Prosecution is through with the case that they were putting in yesterday afternoon in connection with which these particular exhibits were offered.

MAJOR KERR: We are.

CAPTAIN REEL: Then I should like to ask the Prosecution about the statement of Liese Lotte Stamer de Perez. The Prosecution gave the Defense a group of statements having to do with this case that was discussed yesterday afternoon, and they have seen fit to put in all except this one. I should like to know if they intend to put in this statement of Liese Lotte Stamer de Perez later, and, if not, whether it should not go in now as part of this case.

MAJOR KERR: No. That is purely corroborative, sir, and we shall not offer that. It is not being offered in evidence.

CAPTAIN REEL: You do not intend to offer this in evidence?

MAJOR KERR: That is correct.

CAPTAIN REEL: Thank you.

LUCIO MARIANO

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

DIRECT EXAMINATION

Q (By Major Opinion) Please state your name.

A Lucio Mariano.

Q Age?

A Fifty-one.

Q Address?

A National Psychopathic Hospital, Mandaluyong, Rizal.

Q Civil status?

A Married.

Q Are you working in a governmental institution?

A I am the administrative officer of the National Psychopathic Hospital.

Q Will you please state, where is that National Psychopathic Hospital?

A It is in the municipality of Mandaluyong, Province of Rizal, about nine kilometers from the heart of the City of Manila.

Q Showing you this Exhibit 68 of the Prosecution, please tell the Commission, if you know, what it represents, or what it purports to represent.

A This is the map showing the location of the buildings.

Q Of what?

A Of the National Psychopathic Hospital. In short, this is the compound of the National Psychopathic Hospital.

Q Will you please show the wards written on each of them?

A Here are shown, as marked, Pavilion No. 1, Pavilion

No. 2, Pavilion No. 3, Pavilion No. 4, Pavilion No. 5, the kitchen, the storeroom, the administration building, and several other small cottages.

Q Does this Exhibit 69 truly represent the situation and the location of each of the buildings or offices mentioned by you?

A Yes, sir.

Q Where were you on early noon of 8 February 1945?

A I was at the administration building in one of its rooms.

Q What were you doing at the time in that building?

A I was in my room, in my temporary room, rather, at that time, resting for to start the afternoon work on that day.

Q Did anything unusual transpire that morning while you were in your room?

A That afternoon; yes, sir.

Q Will you please tell the Commission what it was?

A About 12:30 or 1:00 o'clock that afternoon a group of Japanese officers and men entered the compound of the Psychopathic Hospital.

Q How many were they?

A I cannot tell the exact number, but there were many.

Q How were they dressed?

A They were dressed in their uniform as military men of the Japanese forces.

Q Could you identify their unit?

A Yes, sir.

Q Were they Marines or Army soldiers?

A I think they were Marines. This could be visibly seen because of their caps, and then some signs on their uniform.

Q Were there any officers with them?

A Yes, sir; several.

Q Several. More or less, would you be able to state how many?

A At least about five or six of them I recognized as officers.

Q How did they come? Walking or rushing?

A They entered the compound rushing, and they spread in the different buildings and places of the hospital with rifles, drawn-out pistols, drawn-out sabers, and some of them carrying spears, long spears.

Q How about machine guns?

A There were also two machine guns with them.

Q What did they do after awhile?

A They spread in the different places of the hospital shooting, apparently terrifying the people of the compound. They then entered the different buildings and ordered all the people in to get out, and we were directed to head to Pavilion 1 and 2 on this map, all with raised hands.

Q Who told you to raise your hands?

A The officers and soldiers who went to each room.

Q Please proceed.

A When we were -- then we were directed to --. In my case, I was directed to Pavilion No. 2 as shown here. Some were directed to Pavilion No. 1, still with raised hands. We were gathered in the lobby of Pavilion 2, and

before allowing us to sit down, still with our hands raised, we were searched.

Q By whom?

A By some of the Japanese guarding that building.

Q What else happened?

A Then while we were gathered in that lobby people from the different places were still coming in, led by some Japanese with fixed bayonets. In the turmoil in the place where I was, one female patient, an insane, who happened to be in that group, or brought into that group, got excited and apparently very confused. So she started to cry and shout. One of the Japanese officers approached her and gave her a blow, this way (illustrating).

Q Whereabouts?

A On the face. The patient fell down on the cement floor. Then the same officer grabbed her up, grabbed her back to put her up, but she would not because she was so confused. Then the officer gave her another blow.

Q On what part of her body?

A And the patient fell, apparently, on the cement floor. Then he kicked her, and apparently she was unconscious, and the Japanese officer called for one of our physicians there and directed him to fix her up.

Q What was the name of that physician?

A Doctor Clarin; Jose Clarin.

Q Please proceed.

A At the same time some more people were coming in. I saw one of our patients by the name of Pedro Morro being led by another Japanese into our group. The patient, when

entering the lobby where I was, was judoed by the sentry guarding the door of the lobby. He fell on his back flat on the cement floor, hitting his head on the pavement. Suddenly I saw him flat on his back, and blood started to gush out of his nose and mouth. I thought he was dying. Then another officer came and tried to hold his face and find out what was wrong, but blood continued gushing out of the patient's nose and mouth. When he was apparently dead the same officer who judoed him down came and kicked him on the face. I don't know which side, but he was kicked on the face, taking him for dead. The same man held him by the arm and dragged him out. Maybe he was taken for dead. He was dragged out on the lawn in front of that building.

Q Please proceed. What happened after awhile?

A While we were gathered there about four or five from among our group were picked up by Japanese officers, one after the other. After they had been picked up they were tied on their back with rope and taken out of our group or out of the building.

We stayed in that building until eight o'clock, and by nine o'clock we were transferred to Pavilion No. 1, where we were released about nine o'clock.

Q You say four or five of your group were taken out. Did you know where they were taken to?

A The following morning, because we were instructed by the Japanese before letting us out of the pavilion to return to our respective rooms and cottages; not to get out of our room, our places, during the night, -- the following morning I saw the cadaver of about 17 or 18 of

our people below the cliff.

Q What do you mean by "our people"?

A I mean people in the compound, living with us, within the hospital compound.

Q Do you mean the employees, or patients?

A Patients and employees.

Q You say that you found about 17 bodies. Were you able to identify any or all of them?

A I was able to identify a few of them; maybe about four or five.

Q Can you mention their names?

A Yes, sir. They were Tomas Aguinaldo, our electrician; Tomas Corpus; Laguelles -- I don't know his name now; Ernesto Palad.

Q Do you know a man by the name of Honorato Natividad?

A Yes, sir. He was one of our policemen in the hospital. He was one also found among the bodies piled below the cliffs.

Q Do you know the name "Surrell"?

A Yes, sir.

Q What is his first name, please, if you remember?

A We have so many employees that we mostly know them by surname. We mostly call them by surname.

Q Did you see him, also?

A I saw him, also. He was buried -- he was partly buried.

Q Where?

A In front of the storeroom just below the cliff.

Q Can you identify that officer who ordered you to

go out and gather yourselves in Pavilion No. 1?

A If I would see him I surely will be able to identify him.

Q Will you please describe his appearance?

A Well, he's about five one or two high. He looks more like Chinese, or between Chinese and Japanese. He has plenty of white pimples on his face. I remember his hair is parted, I think, on the left.

Q How about his rank? Would you be able to mention his rank?

A I know he is an officer, because he carried a pistol and a saber.

MAJOR OPINION: I ask that this be marked Prosecution's Exhibit No. 70.

(Photograph of cliff behind storeroom was marked Prosecution's Exhibit No. 70 for Identification.)

Q (By Major Opinion) Showing you this Exhibit 70, will you please tell the Commission what it represents?

A This is the cliff behind the storeroom of the Psychopathic Hospital where I saw the cadavers of the persons mentioned previously.

MAJOR OPINION: I offer this as part of my evidence.

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

(Prosecution's Exhibit No. 70 for Identification was received in evidence and so marked.)

MAJOR OPINION: I ask that this be marked Prosecution's Exhibit No. 71 for Identification.

(Photograph of place where  
cadavers were burned was  
marked Prosecution's Exhibit  
No. 71 for Identification.)

Q (By Major Opinion) Showing you this exhibit 71,  
please state, if you know, what it purports to represent:

A It looks to me that this is the very place where  
those cadavers were burned later, because I, myself,  
ordered the burning of those cadavers, and these are some  
of the bones of the unfortunates.

MAJOR OPINION: Sirs, I offer this as part of our  
evidence.

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

(Prosecution's Exhibit No. 71  
for Identification was re-  
ceived in evidence and so  
marked.)

MAJOR OPINION: I ask that this be marked Exhibit  
No. 72 for Identification.

(Photograph of kitchen of  
National Psychopathic  
Hospital was marked Prose-  
cution's Exhibit No. 72 for  
Identification.)

Q (By Major Opinion) Showing you this Exhibit 72, will  
you please tell, if you know, the view taken in that photo-  
graph?

A This is the kitchen of the National Psychopathic  
Hospital.

MAJOR OPINION: I offer this in evidence as part of  
our evidence.

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

(Prosecution's Exhibit No. 72  
for Identification was re-  
ceived in Evidence and so  
marked.)

MAJOR OPINION: I ask that this be marked Exhibit  
No. 73 for Identification.

(Photograph of place where  
cadavers were burned taken  
from different angle was  
marked Prosecution's Exhibit  
No. 73 for Identification.)

Q (By Major Opinion) Showing you this Exhibit 73,  
please tell the Commission what it represents.

A This is the very same place below the cliffs, ap-  
parently taken from another angle.

MAJOR OPINION: Sirs, I offer this as part of our  
Prosecution evidence.

GENERAL REYNOLDS: Subject to objection, and there  
being no objection, the document is accepted in evidence.

(Prosecution's Exhibit No. 73  
for Identification was re-  
ceived in Evidence and so  
marked.)

MAJOR OPINION: I ask that this be marked Exhibit 74  
for Identification.

(Photograph of entrance to  
storeroom was marked Prose-  
cution's Exhibit No. 74 for  
Identification.)

Q (By Major Opinion) Please state what this Exhibit  
74 represents.

A This is the entrance to the storeroom of the National  
Psychopathic Hospital, and there is shown here the excava-  
tion where Policeman Surrell was buried by the Japanese,  
apparently alive, because, when found, he did not show any

signs of physical injuries. Besides, when I saw the cadaver, it was partly buried; part of the extremities were still visible.

Q What part of the extremities were visible at the time you saw the cadaver?

A I saw the hand.

Q What was the position of the hands?

A Well, it was apparently not straight, but a little bit inclined.

MAJOR OPINION: I offer this, sirs, as part of our evidence.

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

(Prosecution's Exhibit No. 74 for Identification was received in Evidence and so marked.)

MAJOR OPINION: I ask that this be marked Exhibit No. 75 for Identification.

(Photograph of "Electric Post" was marked Prosecution's Exhibit No. 75 for Identification.)

Q (By Major Opinion) Please state, if you know, what this Exhibit No. 75 purports to represent.

A This is an electric post with shrubs at the foot of the post just across the main entrance of the storeroom.

Q From Exhibit No. 75 is the storeroom visible?

A Yes, sir. It is very plenty visible, especially the entrance.

Q Where is it situated in that photograph, Exhibit 75?

A You mean the storeroom?

Q Yes.

A Well, that is the background; a little bit of the background.

Q Do you mean this portion here (indicating)?

A Yes, sir.

MAJOR OPINION: I offer this, sirs, as part of our evidence.

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

(Prosecution's Exhibit No. 75 for Identification was received in Evidence and so marked.)

MAJOR OPINION: That is all, sirs.

Your witness.

#### CROSS EXAMINATION

Q (By Captain Sandberg) Was there any shelling in the vicinity of the hospital at this time?

A Shelling, you mean, sir?

Q Were any shells falling in the vicinity of the hospital?

A Very, very little.

Q Was there any shelling?

A Some shells fell.

Q Was there any bombing in the vicinity of the hospital?

A There was no bombing.

Q Outside of the one man whom you saw and the one woman whom you saw, did you see how these other people met their death?

A I did not see, sir.

CAPTAIN SANDBERG: That is all.

(Witness excused).

DR. TORIBIO JOSON

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

DIRECT EXAMINATION

Q (By Major Opinion) What is your position at the National Psychopathic Hospital?

A At the present I am the chief psychiatrist of the male department at the hospital.

Q On or about 8 or 9, and thereafter, February, 1945, what was your position, if any, in that hospital?

A I was the medical officer in charge of the hospital.

Q The medical officer in charge of the hospital?

A Yes, sir.

THE REPORTER: Will you please ask the witness his name, Major?

MAJOR OPINION: Pardon me.

Q (By Major Opinion) Please state your name.

A Toribio Joson.

Q Age?

A Fifty years old.

Q Address?

A National Psychopathic Hospital.

Q What was your position, you said?

A I was the medical officer in charge of the hospital.

Q On the 9th of February, 1945, where were you?

A I was in the hospital premises.

Q Did you have the knowledge about the arrest and killing of persons and patients in the hospital on the day previous, or that day?

A Yes, sir.

Q Will you please tell the Commission what steps you took, if any?

A After the Americans had arrived I tried to check the employees and patients of the hospital who were killed, and I found that there were four employees who were burned and seven patients who were burned, below the cliff, near the storeroom of the hospital. On the cliff there was also an employee who was buried.

Q What was the name of that employee buried?

A Marcial Surrell.

Q What was the name of those persons whom you said were killed?

A The four persons who were burned below the cliff were Tomas Corpus, Tomas Aguinaldo, Isidro Laguelles, and Honorato Natividad.

Q How about the persons whom you said were missing?

A Patients? The patients were Ernesto Palad, Miguel Villanueva, Justo Magdale, Federico Cava, Justo Magdale, Ong Sing Lim, Juan Abella, Enrique Gallardo, Tomas Balonda, Maximo de la Cruz, Pelagio Urbano.

Q How about Ang Chiong?

A Ang Chiong was found dead outside the hospital premises.

Q Showing you this Exhibit 76, will you please tell if you know what that exhibit is?

A Yes, sir.

Q What is that exhibit? Who issued that exhibit?

A Mr. Lucio Mariano.

Q Under whose direction was it issued?

A I do not know.

Q Under whose direction was it issued?

A I only think that this was issued by Mr. Mariano at the direction of the officers who investigated.

Q You said that you have verified the missing persons. Who furnished Mr. Mariano about the missing persons?

A I remember I prepared the list of the missing persons myself.

Q To whom did you furnish that?

A To the Director of Health.

Q Will you please state now the names of the persons listed there, if these names coincide with the persons you have just mentioned as missing and killed?

A Yes, sir. All of these names here are the names of the persons I submitted to the Director of Health.

MAJOR OPINION: We submit, if your Honors please, this, as part of our evidence.

That is all, sirs.

Your witness.

CAPTAIN SANDBERG: Has Prosecution's Exhibit No. 76 been offered in evidence?

THE REPORTER: It has been offered but not received.

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

CAPTAIN SANDBERG: The Defense objects to this

certificate on the ground that it purports to refer to the killing of persons by Japanese Marines, as to which there has as yet been no evidence submitted by a person who has knowledge to that effect. The certificate is made by Lucio Mariano, administrative officer of the National Psychopathic Hospital, who apparently was not a witness to this occurrence, and who has no competency to testify as to how the persons met their death. This witness has not testified that these persons were killed by Japanese Marines. He simply testified that they were found dead.

GENERAL REYNOLDS: The following words are stricken from the certificate: "as having been killed or missing as a result of the massacre at this institution on 6th to 8th of February, 1945, by the Japanese Marines," and substituting therefor, "the following patients and employees as having been killed or missing on 6th to 8th February, 1945."

Is there objection by the Defense to that phraseology?

CAPTAIN SANDBERG: No, sir, there is not.

GENERAL REYNOLDS: Subject to any objection by a member of the Commission, the certificate as amended by the Commission is accepted into evidence.

(Certificate of Lucio Mariano, as amended, was received in evidence and marked Prosecution's Exhibit No. 76.)

CAPTAIN SANDBERG: No questions.

(Witness excused.)

GENERAL REYNOLDS: The Commission will be recessed

for five minutes, at which time the public may move forward if they choose to do so, saving the unoccupied seats on the left.

(Short recess)

GENERAL REYNOLDS: The Commission is in session. The Prosecution will proceed.

MAXIMINA de CASTRO

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

DIRECT EXAMINATION

Q (By Major Opinion) Please state your name.

A Maximina de Castro.

Q Address?

A Psychopathic Hospital.

Q Age?

A 34 years.

Q Occupation?

A Ward attendant.

Q On the afternoon of February 8, 1945, where were you?

A I was there in the shop of Palo Maria. We were living there.

Q Where is the shop of Palo Maria with relation to the hospital?

A That shop is for working purposes of the hospital.

Q Was it situated in the front or in the rear part of the hospital?

A Inside the hospital.

Q In front or behind the hospital?

A Behind the hospital.

Q Do you know where was the kitchen of the hospital?

A Yes.

Q Was that shop behind, or by the side, or in front of the kitchen?

A It is on the side of the kitchen.

Q Showing you this Exhibit 72, will you please state if you know it?

A Yes.

Q What is it?

A This is the kitchen of the Psychopathic Hospital.

Q Have you ever been, on the afternoon of that day, in this Exhibit 72?

A No, I was not there. I was inside of the shop.

Q Do you know what happened which was unusual, if anything happened, that afternoon?

A Yes, I know.

Q What happened?

A After our meal, about one o'clock, I heard shots. After these shots I saw many Japanese arresting many persons. After arresting the persons they were taken to a place that I don't know where. Afterwards I saw that in the kitchen there was nobody left but Mrs. Abelardo. Afterwards I looked all around where I was. I saw many Japanese sitting around our shop. Then I was frightened. Afterwards I peered out from a small window about four o'clock in the afternoon. I saw many people coming from my right side in front of me toward the storeroom. There were persons tied up together and hardly could walk. Those persons were guarded by many Japanese with spears. Afterwards these persons were brought in front of the

storeroom. Then afterwards I saw a Japanese approach Mrs. Abelardo in the kitchen and ordered Mrs. Abelardo to go out. Then I saw another Japanese who went to the kitchen and got a bottle of boiled soft rice. Afterwards they brought it to the storeroom. Then I saw all persons were ordered to get inside of the storeroom. Afterwards there were two persons led out with a piece of cloth-covered the eyes, and taken to a place, a hilly place, a cliff near the storeroom. Then afterwards I saw the Japanese who brought the soft-boiled rice feed the two persons, and I don't quite know whether they ate it or not. Then I saw two Japanese bend backward and then shoot, and another two Japanese with a spear, meeting the dead body with the spear.

Q Do you mean stab with a spear?

A Stabbing the body.

CAPTAIN SANDBERG: May we have the last answer read?

(Answer read by the reporter.)

Q (By Major Opinion) Please proceed. After you saw the two Japanese stab the body of the two civilians, what else did the Japanese do?

A After the two persons fell down they were kicked and the bodies fell down the dugout.

Q By whom were they kicked?

A The two Japanese.

Q Can you state in what part of Exhibit 73 were those two persons kicked?

A On this part (indicating); on the upper part.

Q What is this upper part? Is it a cliff?

A It's a hilly place; sort of a cliff.

Q What did you do after you saw the two Japanese kick and push the two bodies over the cliff?

A After I saw that I was a'frightened, and then I invited my mother to pray.

Q And did you see the Japanese leave the premises?

A When I peer again from the window I saw that there were no more Japanese, but I saw smoke coming from the hilly place, and afterwards I smelled a thing that looks like a body.

Q Did you see the Japanese leave the wards that afternoon?

A At about six o'clock I saw lots of papers which I presume they used for cleaning the weapons.

MAJOR OPINION: That's all.

Your witness.

#### CROSS EXAMINATION

Q (By Captain Reel) I want to show you Exhibit 72 and ask you whether that is a picture taken from the room in which you were at the time this happened.

A Yes. It is a picture where I was.

Q In other words, a picture of where you were. Do you mean that it was taken from the place where you were, through the window?

A This is not the picture of where I was, but I saw this picture in front of me.

Q Well, let's get this straight. Then you were not in the room from which this picture was apparently taken through a window?

A I was in front of the kitchen.

Q Does the kitchen appear in that picture?

A Yes. The kitchen appears there.

Q All right. Will you point to me which of these buildings is the kitchen?

A This is the kitchen and this is the storeroom (indicating).

Q This is the kitchen here (indicating).

A Yes.

Q And this is the storeroom back here (indicating)?

A This big one (indicating).

CAPTAIN SANDBERG: This big one is the storeroom (indicating). May the record show that the witness pointed on Exhibit 72 to the small open building in the middle of the framing and described it as the kitchen, and the building on the right as the storeroom?

Q (By Captain Sandberg) And were you in the kitchen yourself at the time this occurred?

MAJOR OPINION: I will request, if your Honor please, that the interpreter be directed to understand thoroughly the question.

INTERPRETER ZAMORA: Please repeat.

CAPTAIN SANDBERG: I am sure that the interpreter does understand.

Will you read the question?

(Question read)

A I was not in the kitchen. I was in the shop of Palo Maria.

Q Does the shop of Palo Maria show in this Exhibit 72?

A It's not here.

Q Is Exhibit 72 taken from inside the shop of Palo Maria?

MAJOR OPINION: Objection, sirs, because that question has already been answered by the witness repeatedly.

GENERAL REYNOLDS: Objection not sustained.

CAPTAIN SANDBERG: Will you repeat the question, please?

(Question repeated by Interpreter Zamora).

A Yes. This is taken from the shop of Palo Maria.

Q (By Captain Sandberg) And from the shop of Palo Maria do you now say that you can see into the storeroom?

A Yes. Everything I can see, but you cannot recognize the person.

CAPTAIN SANDBERG: That is all.

GENERAL REYNOLDS: Will you repeat the last statement of the interpreter?

(Answer read)

CAPTAIN REEL: No further questions.

MAJOR OPINION: That is all.

(Witness excused)

ALFREDO SAVELLANO

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

DIRECT EXAMINATION

Q (By Major Opinion) Will you state your name?

A My name is Alfredo Savellano.

Q Age?

A Age 29.

MAJOR KERR: Speak up, please.

THE WITNESS: My name is Alfredo Savellano, 29 years old.

Q (By Major Opinion) Address?

A National Psychopathic Hospital.

Q Occupation?

A Nurse, male department.

Q Where were you at about 5:30 p.m. 8 February 1945?

A I was at the nurses' home, together with Nurse Pias and Mrs. Ablay and Miss Bertran.

Q At that hour were there Japanese?

A There were Japanese around.

Q Do you know Dr. Feliciana Ebuena Lanusa?

A Yes, I do.

Q Did you see her that afternoon?

A I saw her when we went to the room.

Q What room was it?

A We went to the room of Miss Pias to get the keys to the operating room, and then when we went to go in the operating room we saw her lying close to the door.

Q Who were your companions, did you say?

A My companions were Teresa Pias and Miss Bertram.

Q You say that you saw Dra. Ebuena Lanusa lying. What part of the room was she lying in?

A She was in the west wing of the nurses' home in the first room.

Q Was it at the door of the room, or outside the door of the room, or inside the room?

A She was lying outside, in front of the door.

Q What was her position when you and your two companions saw her?

A She was lying down with a blanket cover, and then when I pulled off the blanket her legs were widespread, wide open, with her dress half drawn, to the waist, and her arms in an upward position, with her hair disheveled and blood all over her face.

MAJOR OPINION: That is all.

CAPTAIN REEL: No questions.

(Witness excused.)

GENERAL REYNOLDS: Is the Prosecution ready to proceed?

MAJOR KERR: Yes, we will proceed.

MAJOR OPINION: Exhibit 77, sirs, is --

MAJOR KERR: If the Commission please, I should like permission at a later time in the proceedings to introduce certain statements relating to the incident that we have just discussed. It is somewhat out of order, but apparently they are not ready for introduction at this time. We will proceed with the next instance, with the understanding that later we shall offer in evidence certain statements relating to the National Psychopathic Hospital case.

CAPTAIN SANDBERG: Has this last statement been offered in evidence?

MAJOR KERR: It has not been offered in evidence yet.

Major, do you desire --

MAJOR OPINION: No.

MAJOR KERR: No. We shall not offer it at this

time.

(Statement above referred to was marked Prosecution's Exhibit No. 77 for Identification.)

CAPTAIN WEBSTER: Sirs, the next incident is Paragraph 31 of the Bill of Particulars. I shall call the first witness.

MARIA CAMPOS LOPEZ

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

DIRECT EXAMINATION

Q (By Captain Webster) Please state your name.

A My name is Maria Campos Lopez.

Q Your age?

A Forty-three.

Q Your nationality?

A Filipino.

Q Mrs. Lopez, where were you living during the first part of February of this year?

A The first part of February, in my house that was in Pennsylvania, 4035.

Q And did you thereafter go from your home to another place?

A Yes.

Q To where?

A It was on the 10th I move in my brother's house.

Q What was the name of your brother's house?

A Pedro Campos.

Q Was Pedro Campos living at that time?

A No; he was dead already. My sister-in-law, Mrs. Concepcion Campos.

Q How many people were living at the Campos home during that period?

A At the time I changed the house and moved there were around 120 persons, refugees, friends.

Q Why did they go to the Campos home?

A Because they have their houses burned; they have no houses, so they come there to have shelter in my sister's house.

Q Referring to the time that the Japanese came to the Campos home, will you state what occurred on that day, beginning the first of the morning?

A That was on February 13th?

Q Yes, ma'am.

A It was around eight o'clock in the morning when my niece came to me and called me. "Aunty," she says, "the Japs are outside waiting, and they are knocking. What expectation may there be?"

I just tell her, "You go ahead and I will go later. I will get all my dishes fixed up," because I was cooking my breakfast this morning. And they went on together, and the Japanese struck. They opened the door. Everybody was in line and outside.

Q Just a moment, please. Will you speak a little slower?

A I am excited.

Q And will you state, please, what door the Japanese

came in?

A In the front door.

Q Of the Campos home?

A Yes.

Q What did the Japanese do after they entered the front door of the home?

A They just knocked at the door, and they came out, my sister-in-law and my niece, because the door was locked and they were not able to open it right away. They take time and they open it, and the Japanese told them to come out, and just shot them.

Q Did any Japanese come into the home at that time?

A Pardon me?

Q Did any Japanese come into the home at that time?

A No. The first time they didn't go in the house; they were just outside in the yard at the door, waiting for everybody to go out.

Q How many people went out of the house the first time?

A Well, I don't know very well the number of people that came out, because I was in the kitchen.

Q I see. What did you hear after the people went out of the house?

A Yelling, shouting, and crying, and shooting. I was hearing all those, and I was scared.

Q What occurred after the first group of people went out of the house?

A Well, after that I went inside the living room, and some of the people left there -- we were around 30 or 40 -- and they came with me, and we sat down there just quiet,

listening to the shooting and crying. And one of the Japs came upstairs and saw us. He didn't say anything; just watching us. We were all quiet. After that he took a match and lit all the mattresses. We were lying there on the cushions, and everything, and he tried to burn the house.

Q In what manner did the Japanese try to burn the house?

A They throw alcohol around the house.

Q What is that?

A Alcohol.

Q What else did they do?

A That's the only thing I saw.

Q Did they set it on fire?

A Yes, on fire.

Q Did you at any time that day see any of the Japanese shooting or killing people in the Campos yard?

A I didn't see shooting. I was just listening. I was inside the house.

Q Did you at any time that day see any of the bodies in the Campos yard?

A During that day, no, because I escape myself, with my two children and my cousin.

Q What day did you escape?

A The same day, the same morning. It was around an hour and a half. It was around 9:30.

Q As you were escaping did you see any bodies in the Campos yard?

A No. I didn't see any body.

Q That day?

A Not that day, but the next day, when the American soldiers rescued the place, then we come back and I saw all the dead bodies there.

Q How many dead bodies did you see around that time?

A Well, there were around 90, I believe; there were many.

Q Did you recognize any of those bodies?

A Yes. I recognize my sister-in-law, Judge Aresenio Locsin, and Mrs. Remedies Locsin.

Q What was the name of your sister-in-law?

A Concepcion P. Campos is her name. And I saw the body of my niece, Pilar.

Q "Pilar," did you say?

A Pilar is my niece. My sister-in-law is Concepcion.

Q Did you see the body of your niece?

A Yes.

Q Where was her body?

A Her body was in the kitchen near the stairs.

Q At the time that this happened was the Campos home being used in any way by military forces?

A The Japanese, you mean? No.

Q No. By military forces.

A No, no.

Q Were any of the people in the house armed?

A No.

Q Were any of them engaged in any military activities?

A No.

Q How many of the people who were in the Campos home

would you say were men?

A Men?

Q Yes.

A Well, there were around 30 persons -- 30 men.

Q How many persons were women and children?

A Around 50; children around 35.

Q How many people would you say survived the killing of the Campos home?

A Around 30 persons.

Q Survivors?

A Yes.

Q Did you see the Japanese that day around the home?

A Well, I saw them around the house when I was inside.

Q Would you say those Japanese were armed?

A Well, I cannot testify very well, because we were so frightened. I thought they were just the same as we were seeing them every day.

Q How were those Japanese armed?

A Rifles, pistols.

CAPTAIN WEBSTER: You may cross examine.

#### CROSS EXAMINATION

Q (By Captain Sandberg) Were you a guerrilla sympathizer?

A Pardon me?

Q Were you a guerrilla sympathizer? A sympathizer with the guerrillas?

A Yes, sir.

Q Were the other people in the Campos house sympathizers with the guerrillas?

A Yes, sir.

Q Did you ever give any assistance to the guerrillas?

A Well, we didn't have any guerrillas in our place.

Q Did you ever give any assistance to the guerrillas?

A Well, my niece, Miss Campos, I believe so; not me.

Q What kind of assistance did she give?

A Well, she was helping the American people.

Q Did she give the Americans information as to the Japanese forces?

A Well, I don't know very well regarding that, what she was doing, but she has a brother who was a war missionary with the Cabanatuan.

Q Were any of the other people in the house carrying on activities against the Japanese?

A Oh, I don't know about that, sir, because there were different people in the house, friends of my sister-in-law.

Q Did you know a Colonel Martinez?

A Colonel?

Q Martinez.

A Martinez-Cantaro? We have a Martinez-Cantaro in the house.

Q In the house?

A Yes.

Q Do you know whether he was a noted guerrilla leader?

A I didn't know that, sir.

Q The next day, when the American soldiers rescued you, you say that you saw a lot of dead bodies?

A Yes, sir.

Q Did you see any dead Japanese soldiers the next day?

A I don't think so. I don't remember about that.

Q Was there any shooting?

A The next day?

Q The next day.

A No, but the soldiers told me to hurry up, to go up to the Mayflower Building to hide ourselves, because there was still fighting in the LaSalle College. There was a pillbox there.

Q Was there a lot of fighting there?

A Yes, the whole day. On February 14th there was a lot of fighting.

Q A lot of shooting?

A A lot of shooting over our heads.

Q Shooting back and forth between the Japanese and the Americans?

A I don't know whether they were Americans. I was hearing the shooting, the bombing, and everything, but I wasn't able to see anything.

Q Well, you knew the Japanese were shooting?

A Of course. We were just back of the sentries, hiding over there.

Q And you knew that there was shooting back and forth between the Americans and the Japanese?

A Yes, sir.

CAPTAIN SANDBERG: That's all.

MAJOR OPINION: I believe that's all.

CAPTAIN WEBSTER: I believe that is all.

(Witness excused.)

MRS. ROSARIO YULO

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

DIRECT EXAMINATION

Q (By Captain Webster) Please state your name?

A Mrs. Rosario Yulo.

Q Your age?

A 34 years old.

Q Your nationality?

A I beg your pardon, sir?

Q Your nationality?

A Filipino.

MAJOR KERR: Will you speak louder, please.

A Yes, sir.

Q (By Captain Webster) Were you living at the Campos home on Taft Avenue at the time that the Japanese came there and shot some people?

A Yes, sir.

Q What members of your family were there also?

A My husband --

Q Name, please?

A My husband, Jose Yulo; my son, Jose, Jr.; my daughter -- (sobbing and talking in native tongue) -- and my sister.

Q Would you rather wait a few minutes before you continue testifying?

A Beg pardon, sir?

Q Would you like to wait a few minutes before you continue?

A No, sir. I think I can take it.

Q Will you give the age of your son?

A My son was 10 years old, a little over 10 years at the time, and my daughter was just a little bit over 9 years old.

Q Will you state the approximate time of the day that the Japanese came to the Campos home?

A It was on the date of the massacre -- it was hardly about perhaps between 7 and 8 o'clock in the morning.

Q How many Japanese came to the home?

A I calculate to be around 30 of them.

Q Do you know whether they were in the army or navy?

A I don't know exactly what; just the Japanese dressed in the ordinary suits that I see every day. I cannot distinguish what they were.

Q What did the Japanese do when they came to the home?

A Immediately I heard, "Kora! Kora!", and the first thing we noticed they were inside the yard, and then I heard a knockings on the door -- "Kora! Kora!", and Miss Pilar Campos called her mother, saying, "Mommie! Mommie!", and then she opened the door, and immediately the Japanese rushed into the house and they all lined up and said, "Kora! Kora! Kora!" All hurried up. Some people were still lying down on the floor, some in their pajamas, and some in their house coats, so what we did was to hurry up and look for the members of the family, and I was looking for my baby, "Where are you?" And then immediately I took hold of my boy, and then I had a glimpse of my daughter with the father, and they step out, and I followed.

I hadn't seen my sister then.

And then my next move was to go over into the next place that was separating the Campos house and my home. It was all surrounded by Japanese, so we had no chance, so I told my boy Junior, "Let's lie down immediately," and so we lie down. As we lie down I heard shots all over, and then there was a Japanese. We laid down against a marble bench where there was a bed. I told my boy to hold his head on top, get immediately on top of the iron railings of the bed, and so I am perfectly -- it was a good thing for us to have that, because immediately the Japanese kept on shooting over our heads. I think they wanted to shoot our heads, but they did not hit us because of the iron railings of the bed, so we were unhurt by that time.

But still other Japanese, all over, continued their shooting and I got hurt on my foot. It did not mean so much to me; I had all my consciousness. And then I would hear, "Mommie! Mommie! What are they doing to us, these Japanese?" And then they were crying, then the baby would stop and another baby would say, "Oh, my mommie is dead! Daddy, what happened? Mommie is dead." And then the father would die, and then the baby would say, "Oh, God, what shall I do?", she would say. After a while I would hear another shot, and the baby was also die. Then other moaning would come in; after a while I would hear shots, and there was simply subsided. Every moan that I hear I would hear a succeeding shot.

Q What happened to your son?

A Well, we weren't scratched except the scratch on my

foot until about between, I think, 4 o'clock or 5 o'clock in the morning. All the way through there were Japanese checking up the dead. They would kick; I could hear their kickings and laugh, "Ha, ha, ha"; all that I could hear was their sarcastic voices, glad that the people were dead!

There was another man, just a little beyond my foot, who was struggling between life and death, and I heard a Japanese get out his sword and, "Ugh! Ugh! Ugh! Ugh!" (making hacking motions with hands); I heard all the cuttings from his little sword, because I was lying on my right side, I was there and I could oversee the men lying there, and the Japanese striking him like that (demonstrating) -- cut, cut, and so I heard him say, "Ugh! Ugh!", and he was dead. It was about between 4 o'clock and 5 o'clock in the afternoon.

Q Pardon me a moment. Did you stay in that yard from the morning?

A Yes, sir.

Q Up until that time?

A Yes, sir, while they were killing; the others were burning the houses. That is why I got all these burns on my body (indicating). After I came from the massacre yard it was all blisters over my body.

Q Well, continue now with what happened after 4 or 5 in the afternoon.

A It was, I think, between 3 and 4 o'clock, from 8 o'clock in the morning until about 4 o'clock in the afternoon that I had been lying on my right arm, on my right

side all the way through; I was feeling unconscious because I was feeling numb all over, and blisters all over my body, and I saw my Junior lying down here (indicating); I could see him because I was lying on my right side and my Junior there (indicating). His position was not so good; that was his handicap, because he lie down this way (demonstrating), and then he said -- because of the heat of the burning houses, he would keep moving like this (demonstrating), and I said, "Say, Junior, don't move, because the Japanese will see you," I said, and so he stopped moving. But just the same, a mother's heart, you know, I kept watching him. Of course, I know nothing where my other daughter was and my sister and my husband.

Then about 4 o'clock in the afternoon there were still several moaning, asking for water, asking for help, asking to be moved away from the place because it was so hot; but, of course, nobody dared, if there was at all anybody living. And then after a while I would hear a shot, so I knew it was not safe. In fact, I was thinking myself how I would escape with my boy; I was wishing that our house would be burned so that perhaps the -- that that would allow the Japanese to get out of the place. But I heard a Japanese when they went to our house -- I heard a Japanese say, "Mati! Mati!"

Q Do you know what that means?

A Yes, sir, I know. It means "wait!" Maybe the other Japanese said, "Let us burn all these houses now," maybe they said, but the other Japanese said, "Mati! Mati!"

So I said, "Well, no chance to escape yet," I was saying to myself. Then later the governess of our neighbor, a lady I knew, kept moaning, and she said, "Will you give me water? Please give me water. Will you bring me out of this place? It is so hot now. I can't take it any longer." But I kept quiet, as she kept on talking, and she kept on talking for 30 minutes, and so I said -- I did not hear any shots at this time, and she was the only one moaning, so I said, "Perhaps there is no more Japanese around, perhaps it is safe," and so I told my boy who was -- I tried to feel him like this (demonstrating), and really, his whole body was so hot, because he was in short pants; so I said, "Junior," I said, "move under the bench," I said, because we were lying beside a marble bench just over there beside our house, and he did. I helped him move that way, and then I heard a shot, and then I knew it was my boy.

After a while I heard another shot. I knew it was me that was shot, and after a few minutes I felt I was becoming unconscious. I felt -- I was in this position (crouching) and like that (demonstrating). I became -- (assuming erect position) -- without any effort I was straight like that, and half of my body was over a dead body.

And then after a while a Japanese came in to check up, and he kick and kick the body I was on, so what I did was to stay open my mouth and pretend I was dead. And then he laughed; he laughed sarcastically, he was so happy that perhaps we were dead. And then that was all.

At about 5 o'clock in the morning I heard Mr. Pablo say, "Mr. Yulo, Mrs. Yulo -- where are you? This is Pablo." Nobody would answer him, because we were still afraid. Then he said, "Mr. Yulo, Mrs. Yulo; no more Japanese. Take my word; there are no more in the garden," he said. Then Mr. Yulo said, "Pablo -- are you Pablo? What happened to you? Are you hurt?"

"Thank Heaven," he said, "I am unscratched," he said. Then he said, "Mrs. Yulo; where is she?"

"I don't know. Baby is with me, and she is dead," he said.

"And what about Mrs. Yulo?"

I do not talk, because my place was so conspicuous I was afraid, and there might still be Japanese. And so later, after 10 minutes, they were talking of how to escape, and I answered. "Daddy," I said, "I am so glad you are alive."

"Thank Heaven I am still alive," he said.

"But I am hurt. What about you? Are you hurt?" I said.

And he said, "Yes, I am," he said.

"What about Junior?" he said.

"I don't know," I said.

Then, "All right; forget about everything. What we have to do now is to escape, and we have to make our plans." Then we made our plans. Some said we should cross the Campos yard to the northern part of Manila, but I said, "No, it is too far, and if you cross the Campos yard, if there are Japanese at the De LaSalle

College, they might see some people walking here," so I think the best way would be to go back to our house; that would be nearest where we were.

And this is when Pablo said, "Get ready. Let us get started."

"Oh, no, Pablo; we cannot get up. We are hurt, burned; we simply cannot move."

So Pablo said, "Get ready, Mr. Yulo, I am coming for you first," and he did go to Mr. Yulo. And then Pablo said, "Mrs. Yulo, where are you?"

"I am here."

Then he came up to bring me up. I was all -- this part of my body on my right side was benumbed, and this part (indicating) was hurt because I had a wound here (indicating) and in my neck (indicating), and I hardly could even stand up, but just the same I had to exert all my efforts, and we went back to the house, under the house, and we stayed there, I think, until 6 or 7 o'clock in the evening. Then we heard Japanese in the other side of our house, just very close to our house. They were catching pigs, and after catching the pigs they started burning, because we heard the fire and the stuff falling.

So we said we had to run away, and so Pablo went out to look over the place, if there were still Japanese, if it was safe to go out, and he said, "No Japanese."

So immediately -- so we went back to the Campos yard, and we went to the other house which was still burning, and we stayed there up until about 4 o'clock the next day, all the way through. Every time the house --

our houses were burning, and something would drop (demonstrating), and we would step (demonstrating); and then the stuff would drop, and there was no time for us to fix the debris where we hid ourselves.

Q Do you know what happened to your daughter?

A My husband knows that she was dead. She was hit here (indicating), according to my husband, otherwise it would have hit my husband if my daughter was not beside him.

Q Was she shot at the Campos home?

A Yes.

Q Will you state what happened at the Campos home?

Was it burned?

A Yes, sir, it was burned.

Q What day was it?

A It was on the 13th, the same morning that they came in. Some were engaged in shooting the people and others were engaged in burning the houses, pouring gasoline.

Q When you say "others," do you mean Japanese soldiers?

A Japanese soldiers, yes.

CAPTAIN WEBSTER: You may cross examine.

CAPTAIN REEL: No questions.

(Witness excused)

MARIANO DEL ROSARIO

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

DIRECT EXAMINATION

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

A Mariano del Rosario.

Q Your age?

A 38 years old.

Q Nationality?

A Filipino.

Q What is your occupation?

A I am the city undertaker for the City of Manila.

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

A Yes, sir, I was.

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

A Yes, sir.

Q When did you go there?

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

Q Do you recall the date, sir?

A I could not definitely say the date, sir.

Q Can you give the month?

A It was in February, sir.

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

A Approximately about a hundred, sir.

Q Can you state the condition of those bodies?

A As we entered the driveway to the Campos residence, we found a stack of dead bodies sprawled on the concrete

driveway. As we went farther on, we found in some sort of a garden inside the Campos residence, dead bodies all around the compound, sir.

Q Were those bodies civilians?

A They were all civilians, because they were all dressed in civilian clothes, sir.

Q Can you state how many of them were women and children?

A There were many women and children, and I could not positively exactly say the number, sir, but there were about 100, sir.

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

A Yes, sir. More particularly so in that crowd or in that pile that we found on the driveway. We noticed most particularly a lady whose breast had been completely chopped off, and also we found a lady whose genital organs had apparently been ripped off with a bayonet.

Q Did you observe any wounds on the bodies of any of the others?

A They were all bayonet wounds and shots, revolver shots, sir. They were all machine gunned, I presume, the way they were piled one on top of the other. Major Binkley and myself were inclined to believe they were just over there and they were just moved down.

CAPTAIN REEL: If your Honor please, may that go out?

GENERAL REYNOLDS: That remark will be stricken from the record.

CAPTAIN WEBSTER: I hand you what has been marked for identification as Prosecution Exhibit 77, and ask you if you can identify that.

A Yes, sir.

Q What is it?

A This is a picture of a lady who was found in the Campos residence, and several bodies are sprawled on the ground, sir.

Q Is that the woman whom you referred to as having her genital organs injured with a bayonet?

A Yes, sir.

CAPTAIN WEBSTER: At this time I would like to offer in evidence Exhibit 77, sir.

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

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

CAPTAIN WEBSTER: You may cross examine.

#### CROSS EXAMINATION

Q (By Captain Reel) Mr. del Rosario, did you keep records of the number of people that you saw dead at various places?

A Of various places? No, sir.

Q So you have no record, no written record, anywhere, of the number of dead that you saw in the Campos yard?

A Well, if I may say so, sir, the only record that we have in connection with our work was the number of bodies we removed for burial on a certain day.

Q I see. And I think you said you were engaged by

officers of the 37th Division to remove dead bodies, is that right?

A Yes, sir.

Q And that covered the whole City of Manila, didn't it?

A Yes, sir.

Q And you did hire some persons and engage in burying dead bodies in the City of Manila, is that right?

A Yes, sir.

Q And over what dates did you bury these bodies? Over what period of time?

A I was engaged as city undertaker to remove enemy troops and civilian dead during the combat of Manila, from the 3rd of February until the 31st of March, 1945, sir.

Q And all in all, all told, how many bodies did you bury?

A Around in the neighborhood of 8000 dead bodies, sir.

Q And that was about evenly divided, was it, between Japanese soldiers and Filipino civilians?

A More so on the civilian side, sir.

Q How many more civilians than soldiers?

A About one-third more, sir.

Q And in the burial of these bodies, isn't it true that large pits were dug with army bulldozers and the bodies put into the pits?

A There were only three big pits that were dug with army bulldozers, sir.

Q And there were some smaller pits that were dug, is that right?

A They were not dug; they were just big shell holes

that were produced from shell fire.

Q I see. So that they were either pits that were dug or shell holes into which the bodies were put, is that correct?

A Yes, sir.

Q Now, there was some understanding that you were going to be paid for this work, is that right?

MAJOR KERR: If the Commission please, if counsel for the Defense is going to be technical I, too, can be technical, and I object to this question as being wholly incompetent, irrelevant and immaterial.

GENERAL REYNOLDS: The objection is not sustained. The Defense may proceed.

CAPTAIN REEL: Will you read the question?

(Question read.)

A Shall I answer, sir? Yes, sir.

Q (By Captain Reel) And you were to be paid by the body, so that the more bodies you could show you buried, the more money you would get from the Government, is that right?

A I should like to reply, sir, that before any bodies were removed for burial Major David Binkley, who was representing the United States Army made a personal account of each and every dead body removed by our burial squad, sir.

CAPTAIN REEL: Will you just answer my question, please?

Will you please read the question, and see if we can get an answer that is responsive?

(Question read.)

A I suppose so, sir. I was only paid by the number of dead bodies.

Q (Captain Reel) That is right; you know that is correct. It isn't a question of "supposing"; it is correct, isn't it?

A Yes, sir.

Q And you have made a claim against the United States Government, is that correct?

A Yes, sir.

Q In the amount of how much?

A Over 120,000 pesos, sir, -- which I have not yet been paid, sir.

CAPTAIN REEL: That is all, Mr. del Rosario.

CAPTAIN WEBSTER: That is all. Thank you.

(Witness excused)

(A statement was marked  
Prosecution Exhibit No.  
78 for identification.)

CAPTAIN WEBSTER: At this time, sir, I wish to offer in evidence a statement of Carmen Locsin, taken during the investigation of this atrocity by the officers of the War Crimes Board.

GENERAL REYNOLDS: There being no objection, the document --

COLONEL HENDRIX: Sir, this morning we made an blanket objection to all of the statements. May I suggest that you state that over our objection it is allowed in evidence?

MAJOR KERR: Sir, that should not be necessary, since

it has already been noted in the record.

GENERAL REYNOLDS: Senior Defense Counsel stated that they would have an objection, without being stated in each case, throughout the taking of this trial, and the Commission granted that statement; hence the general statement, "There being no objection," should mean that there is no further objection.

CAPTAIN REEL: Yes.

(Prosecution Exhibit No. 78 for identification was received in evidence.)

(A photograph was marked Prosecution Exhibit No. 79 for identification.)

CAPTAIN WEBSTER: Sir, the statement of Carman Locsin identifies as Exhibit "E" a photograph of the wounds received by her. We have had that marked for identification as Prosecution Exhibit No. 79, and we now offer it in evidence.

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

(Prosecution Exhibit No. 79 for identification was received in evidence.)

CAPTAIN WEBSTER: That completes the case, sir.

GENERAL REYNOLDS: There will be a 5 minute recess.

(Short recess.)

GENERAL REYNOLDS: The Commission will resume the hearing.

The Prosecution will proceed.

MAJOR OPINION: I offer, sir, as part of the evidence of the Prosecution, the sworn statement of Canuto

Daque, taken by the investigating officer of the War Crimes office. That exhibit, sir, is in connection with the National Psychopathic case.

We would like to call particular attention of the Commission to the fact that such exhibit will tend to prove the shooting of one, the blindfolding and bayoneting of another, and dropping both from the cliff, and the moaning of the victims.

GENERAL REYNOLDS: There being no additional objection by Defense, the document will be accepted in evidence.

(Prosecution Exhibit No. 80  
for identification was  
received in evidence.)

MAJOR OPINION: The Prosecution, sirs, offers as part of its evidence Exhibit 81, a sworn statement of Demeterio Lacuna, particular attention being invited to the fact that this declarant, accompanied by 1st Cavalry officers, their names being given in the exhibit, discovered and identified Kuboyashi, Captain Nagahama and Sakamoto as officers of the party that raided the National Psychopathic Hospital.

CAPTAIN SANDBERG: The Defense requests that the --  
(pause)

GENERAL REYNOLDS: Is there a statement or objection by the Defense?

CAPTAIN SANDBERG: The Defense requests that the last question and the last answer on page 22 be stricken. The answer is not based on matters within the knowledge or information of the deponent.

GENERAL REYNOLDS: Is that on the first sheet?

CAPTAIN SANDBERG: That is on the first sheet, sir.

GENERAL REYNOLDS: Will you read the question which you consider objectionable?

CAPTAIN SANDBERG: "Q Whose bodies are you referring to?

"A The bodies of our employees and patients who were massacred by the Japanese on February 8th."

The deponent does not purport to have seen or witnessed any such massacre, and has no knowledge that there was any such massacre.

GENERAL REYNOLDS: The Commission accepts the statement, subject to the withdrawal of the question and the answer which are objected to by the Defense.

(Prosecution Exhibit No. 81 was received in evidence.)

MAJOR OPINION: Sirs, I offer as part of the evidence Exhibit No. 82, which is a statement given by Guia Mariano, for the purpose of proving that she perceived shouts in Tagalog of one Filipino, beating of Filipinos, dropping of a metal bar on cement floor, screaming, Japanese asking for some pieces of rope, opening and taking away from the storeroom by Japanese of a can of petroleum.

GENERAL REYNOLDS: There being no additional objection, the document is accepted by the Commission.

(Prosecution Exhibit No. 82 was received in evidence.)

MAJOR OPINION: Exhibit 83, sirs, is a sworn statement of Aurelio Ruiz, and is introduced mainly to prove the acquaintance and identification of Kuboyashi,

Kubokawa, Sakamoto, Saygosa, Okasaki, and Ando.

GENERAL REYNOLDS: There being no additional objection, the document is accepted.

(Prosecution Exhibit No.  
83 was received in evidence.)

CAPTAIN REEL: Sir, relative to the statement of Aurelio Ruiz, we should like to ask a question.

The statement on the second page twice uses the word "zona", and I believe on the third page. I wonder if we could have an explanation of that, of what that means. We are, frankly, in the dark.

MAJOR OPINION: It has been, sir, the policy of the Japanese armed forces to declare a particular place or community, including in many cases the whole barrio, in the provinces, in the city, about two or three blocks or more than that; and these barrios or blocks are guarded heavily and the people ordered to remain in their respective homes. And then the Japanese would come up and enter all the houses and order the males to gather in a particular place, or tie them up, and maltreat them. That is the "zona."

CAPTAIN REEL: Sir, I ask that that speech be stricken. All I wanted to know was the meaning of a word. I gather it means a geographical location. I don't think that Major Opinion, not having been sworn under oath, can testify as to things that he may have heard about.

GENERAL REYNOLDS: The statement will be stricken from the record, and the word "zona" in question is accepted as meaning a geographical locality.

CAPTAIN REEL: Thank you, sir. That is all we want to know on that point.

The only other question I had is this: We do not know to what Particular of the Bills of Particular, of the 123, this refers, or its relevancy to the case.

MAJOR OPINION: If I am permitted, sirs, there is no equivalent word in English of "zona." It is an idiomatic word, used by the Filipinos themselves. That is the reason why I was forced to give an explanation about the word "zona."

GENERAL REYNOLDS: And as to the answer to the current question of the Defense?

MAJOR OPINION: The National Psychopathic Hospital has been declared as a sort of "zona."

GENERAL REYNOLDS: I believe the Defense inquired as to which of the items in the Bill of Particulars this particular exhibit pertains.

Is that right?

CAPTAIN REEL: Yes, sir.

MAJOR OPINION: It is entirely connected with that event on February 8th, of the National Psychopathic Hospital, where the witnesses declared that they were surrounded and gathered --

GENERAL REYNOLDS: And, therefore, it pertains to item number 19?

MAJOR OPINION: Yes, sir.

GENERAL REYNOLDS: Of the Bill of Particulars?

MAJOR OPINION: Yes, sir.

CAPTAIN REEL: Thank you.

CAPTAIN HILL: May it please the Commission, the next incident which I would like to present is Bill of Particular item number 29.

The first witness is Lucrecia Figueroa.

LUCRECIA FIGUEROA

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

DIRECT EXAMINATION

Q (By Captain Hill) Will you please state your name to the Commission?

A Lucrecia Figueroa.

Q Can you speak a little louder?

A Lucrecia Figueroa.

Q How old are you?

A I am 20 years old.

Q What is your nationality?

A I am a Filipina.

Q Where do you reside?

A 1424 P. Leoncio, Sampaloc.

Q During the first part of February, 1945, where did you reside?

A I resided in the Viena Bakery.

Q And what is the street and number of that place?

A 31 Marques de Comillas.

Q Did you have occasion during the first part of February, 1945, to go to the residence located at 612 and 614 Kansas Street, City of Manila?

A Yes, sir.

Q Will you please relate to the Commission the occa-

sion of going to that house on that date?

A The soldiers were beginning to burn the houses.

Q Which soldiers?

A The Japanese soldiers.

Q Go ahead.

A They were beginning to burn the houses, and when they began burning the houses we used to flee for our lives and go to the places which were not burned; that is why we went to 612 Kansas Street.

Q And how many persons accompanied you to 612 Kansas Street on that day?

A We were about 14 or 15 in that house.

Q What time of the day did you go there?

A It was about noon.

Q Do you know who owned that home and resided there?

A I knew the girl, sir, but the one who owned the house was the uncle and the aunt of that girl.

Q Do you know their names?

A No, only the girl, Maria Morey.

Q After you arrived at this house on that date, did any members of the Japanese Imperial Armed Forces come to those premises?

A That was in the afternoon.

Q What time in the afternoon?

A About six in the afternoon.

Q And how many Japanese came there at that time?

A There were about seven or more.

Q Did you know to which branch of the Imperial Japanese Armed Forces they belonged?

A I think they belonged to the navy.

Q How could you tell that they belonged to the navy?

A Because it was said that the army left the city and the navy was left.

Q Can you describe the uniforms that these men wore?

A They were green uniforms.

Q Did you notice any insignia upon their caps or upon their clothing?

A I didn't notice, sir.

Q Where were you when these five Japanese arrived at the place?

A I was with a group, in the yard of the house.

Q And tell the Commission just what transpired after these five Japanese arrived there.

A As soon as they entered they motioned to us to be in files, and they began shooting and bayoneting the people there inside.

Q Could you tell whether these five Japanese were all privates, or were there some officers among them?

A I think there were one or two officers.

Q Why did you think there were one or two officers?

A Because they seemed to be giving instructions to the privates, and they had swords.

Q Were all of these five Japanese armed?

A Yes, sir.

Q Tell the Commission how they were armed?

A They had bayonets and rifles.

Q Any other arms?

A No more, sir.

Q Did any of them carry sabers or pistols?

A Just pistols.

GENERAL REYNOLDS: What was the answer?

CAPTAIN HILL: She said, "Yes, pistols."

Q (By Captain Hill) Did you notice any of them with sabers, swords?

A Yes, sir.

Q How many of them?

A One or two. That was the officers, I think.

Q Now, just tell the Commission what happened after they started shooting and bayoneting the people there.

A When they began shooting and bayoneting the people, we all fell down, and it happened that one of my friends fell on my back, and she was bayoneted. The point of that bayonet was the one that pierced my right side -- my left side, I mean.

Q How many people did you see the Japanese shoot or bayonet there at that time?

A I didn't notice, sir, but I think all of us were being bayoneted.

Q How many people had gathered there at that time?

A 14.

Q In your group?

A 14.

Q And were these 14 all noncombatant civilians?

A Yes, sir.

Q Were any of them armed in any way?

A No, sir.

Q Did any of them offer any resistance to the Japanese?

A No, sir.

Q Had these premises been used on that day, or any time prior, for military purposes, that you know of?

A No, sir.

Q Were there any people killed there that day by the Japanese?

A We heard that they were killing people in some places.

Q No, I mean there at that place.

A No, sir.

Q Weren't there some people killed there at 612 Kansas Avenue by the Japanese?

A Yes, sir.

Q How many?

A 11.

Q Do you know the names of any of those 11?

A Yes, sir.

Q Will you tell the Commission their names?

A Eulalia Casadejust, Mrs. Pura Malarky, Edward Malarky, Mrs. Brugger, Mr. Brugger, Rosario Malarky, Remedios Jose, and Sylvia Brugger, the baby.

Q That is 8. Were there any more than 8 killed?

A The uncle and aunt of Maria Morey, and an old woman of about 60 and her daughter.

Q And were any persons wounded by the Japanese there that day, other than those you have told us who were murdered?

A Only two. Marietta --

Q And how was Marietta wounded?

A She was, I think, wounded in the left shoulder by a

bayonet.

Q How long did the Japanese remain there on the premises after they had shot and bayoneted the people?

A I don't remember, sir, how long.

Q Do you know what the Japanese did after they shot and bayoneted the people?

A I think they poured gasoline --

Q Wait. Do you know? Tell the Commission if you know.

A No, sir.

Q Did you see any fire there on the premises that day?

A Yes, sir.

Q Tell the Commission about that.

A As soon as all of us were hurt, I think I must have lost consciousness, for when I revived I saw fire and I saw a form of liquid burning near us.

Q What did you do then?

A Then we tried to go to the other side, the garden, the three of us -- there was Carmen, Edward and I, and the baby also got there, but I don't know how it got there.

Q Were there any Japanese around the premises at that time?

A I didn't see any, sir. I didn't notice.

(A diagram was marked Prosecution Exhibit 84 for identification.)

Q I will hand you Prosecution Exhibit No. 84, and ask you to state what it is, if you know?

A It is a sketch of the place where the massacre took place.

Q At 612 and 614 Kansas Avenue?

A Yes, sir.

Q In the City of Manila?

A Yes, sir.

CAPTAIN HILL: Prosecution offers Exhibit No. 84 in evidence, sir.

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

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

CAPTAIN HILL: That is all, sir.

#### CROSS EXAMINATION

Q (By Captain Sandberg) Now, you have stated that you are sure that these Japanese were members of the navy, is that correct?

A Yes, sir.

Q And you have stated that you are sure because the army left the city?

A Yes, sir.

Q Do you know when the army left the City of Manila?

A I think it was in the first week of January.

Q In the first week of January, 1945, the army left the City of Manila?

A Yes, sir.

CAPTAIN SANDBERG: That is all, sir.

#### REDIRECT EXAMINATION

Q (By Captain Hill) Do you know of your own knowledge anything about the Japanese Imperial Forces leaving the city?

A No, sir.

Q Then your answer to the question of Defense Counsel is not based upon any personal knowledge that you have about it, is that correct?

A You mean, sir, when the army left --

Q You don't know when the army, the Japanese army, left the City of Manila, do you?

A It was in the first week of January that they left.

Q I say, of your own knowledge you don't know, do you?

A No, sir.

CAPTAIN HILL: That is all.

(Witness excused)

MAJOR KERR: Sir, the Prosecution tomorrow morning desires to take up the Bayview Hotel case, which is number 34 of the Bill of Particulars; and also, by agreement with Defense counsel, to take up in connection with that case the Manila Hotel case, which is described in number 88 of the Supplemental Bill of Particulars.

These cases involve rape and other mistreatment of a large number of women, and in view of the nature of the testimony, which we must of necessity put before the Commission at that time, I believe it would not be in the public interest that the evidence be received in a public session, and in fairness to the young women who will then testify I submit that the Commission should receive that evidence in closed session.

The Prosecution therefore requests that tomorrow morning's session of the Commission be closed to the public. Our evidence on these two cases will be completed during the morning.

GENERAL REYNOLDS: The Commission would like to know if the Defense is willing to proceed on number 88 in the Supplemental Bill of Particulars.

COLONEL CLARKE: I understand you refer to 88 as the Manila Hotel --

MAJOR KERR: That is the wrong number. Number 91, sir, is the correct number.

GENERAL REYNOLDS: The Commission is unable to see anything in item 91 which would involve the advisability of a closed session.

MAJOR KERR: Well, sir, the testimony in the two cases is intermingled. That is to say, there are some individuals in the Manila Hotel who were also involved in the Bayview Hotel case.

COLONEL CLARKE: Do we understand there is to be some testimony as to rape in 91?

MAJOR KERR: Well, some testimony as to mistreatment.

COLONEL CLARKE: Not rape?

MAJOR KERR: Well, in any event, sir, the Bill of Particulars No. 34 does relate to the cruel mistreatment and abusing of women in the Manila Hotel; so that, if the Defense counsel desires, we will confine our testimony tomorrow morning to Bill of Particulars 34.

COLONEL CLARKE: We haven't had an opportunity on 91 as yet, but, with the understanding that at the conclusion of the trial if we still desire to make a motion for a continuance, sir, in order that we may prepare a defense, we are willing to go ahead with this thing tomorrow, with the understanding that we do not waive our right to make

that motion.

MAJOR KERR: Sir, in view of the attitude of Defense Counsel, I am going to withdraw all proposals that deal with the Manila Hotel case tomorrow, except in relation to Bill of Particulars 34; we will confine it to No. 34.

GENERAL REYNOLDS: Therefore, the session starting tomorrow morning will be in closed session, and will not be open to the public or the press.

The Commission will recess and reassemble at 1:30

(Whereupon, at 1240 hours, a recess was taken until 1330 hours.)

AFTERNOON SESSION

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

GENERAL REYNOLDS: The Commission is in session. The Prosecution will proceed.

MAJOR KERR: Sir, all members of the Commission are present, the Accused and Defense Counsel are present, and the Prosecution is ready to proceed.

MAJOR OPINION: If the Commission please, this case is called the San Marcelino Church Massacre, Bill of Particulars No. 27.

CO CHING

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

DIRECT EXAMINATION

Q (By Major Opinion) Please state your name, address and nationality.

A Co Ching; I live in Sampaloc, Manila. No number.

Q How old are you?

A 34 years.

Q What is your nationality?

A Chinese.

Q On or about and during the first days of February and prior thereto, 1945, where were you living?

A I live in the garden at San Marcelino.

Q Whose garden was that?

A The owner was a Chinese, named Jun Pac, J-u-n P-a-c.

Q Where was that garden with reference to the San

Marcelino Church?

A The garden is between Jai Alai and Marcelino Church.

Q Within what ground or compound was that garden situated?

A The garden is faced between Jai Alai and San Marcelino Church.

Q How many of you were working that garden?

A 7.

Q Repeat, please, your answer.

A About 17, with some Filipinos.

Q How many Filipinos were there?

A 2 Filipinos.

Q On February 9, 1945, where were you?

A I was in the garden at Jai Alai.

Q Was there an air raid shelter near the garden where you were working?

A Yes.

Q Where was that air raid shelter?

A At the middle of the garden.

Q The middle of the garden. Did you get into the shelter that day?

A Yes.

Q Were you alone or accompanied?

A With me there were about 9 more, and Filipinos, too.

Q How many Chinamen entered the air raid shelter, including yourself?

A 7.

Q Do you know their names?

A Yes.

Q Can you name them?

A Yes.

Q Please give the names.

A Lee Ao, You Kun, Tan Huan, Tan Su, Chai Sen.

Q How about Lee Ao, where was he?

A Yes.

Q Was he with you when you entered the air raid shelter?

A Yes.

Q What were the names of the 2 Filipinos who entered with you in the air raid shelter?

A Simo; Ilong.

Q Is that "Simo" the nickname for Maximo?

A I don't know about the names of Filipinos, but we call him "Simo".

Q What time did you enter the shelter?

A About 6 o'clock in the afternoon.

Q Did anything unusual take place in or around the air raid shelter during the time that you were inside it?

A A Chinaman named Ching Co entered and warned us that there is killing going on around.

Q Just a minute. While you were inside the air raid shelter did any Japanese call on you?

A Yes.

Q At what time?

A 7 o'clock in the morning.

Q 10 February 1945?

A Yes.

Q How many Japanese called on you that morning?

A Through the hall of the shelter I saw two Japanese.

Q What did these Japanese do?

A The Japanese shouted "Kora! Kora!"

Q What did you do?

A Well, we didn't do anything. None of us talked.

Q Did you answer to the call of the Japanese?

A Nobody answered the Japanese.

Q What did the Japanese do then?

A The Japanese shot -- fired shots and threw something. I don't know what it's about.

Q Who were those people who were shot by the Japanese?

A I do not know them, but I know that they are Japanese soldiers.

Q Against whom did the Japanese shoot?

A The Japanese fired at the holes through the shelter.

Q Was anybody of your group injured?

A Many were wounded and some died.

Q Who of your companions you have mentioned before died?

A Lee Ao, Tan Su, Tan Huan, Chai Sen, You Kun, Tan Huan.

Q Of the Chinese group that were in the shelter who survived?

A I am the only one who survived and Co Ching.

Q Who is Co Ching?

A I.

Q Who is that one who survived?

A Tan Chiu.

Q Of the two Filipinos who were inside the shelter has anyone survived?

A Ilong survived; Simo died.

Q You say that they threw something. Where did they

throw? Inside or outside the air raid shelter?

A Inside.

Q Did it explode?

A Yes, sir, it exploded.

Q What did explode?

A It exploded inside near the entrance of the shelter.

Q What was the result, if any, among your group on account of that explosion?

A Everybody in the shelter died except three of us, including one Filipino.

Q Were you wounded?

A Yes. I received two bullet shots.

Q What part of your body was wounded?

A One of my left hind parts.

Q Showing you this Exhibit 85, please state to the Commission if you know what that is.

A Yes.

Q Whose photograph is that?

A This is my portrait.

Q You say that you were wounded on the left hip. Would you please indicate that wound?

A I received wounds on the part I point to.

Q Do you know what caused these two wounds as shown on your left leg on Exhibit 85?

A Yes.

Q What did you do with the dead bodies that were found inside the shelter?

A My two companions, Tan Chiu and Iliang, get them out.

Q Where did they put them?

A They piled them near the shelter.

Q What time did you pile them?

A It was during the night; very dark.

Q Why did you have to take out those dead bodies at nighttime?

A They have to because they can't do it during the day, because they would be shot dead.

Q By whom?

INTERPRETER LAVENGCO: By the Japanese.

Q (By Major Opinion) And in the evening of that day, 10 February 1945, has any Chinaman --

GENERAL REYNOLDS: The Commission will interrupt to ask the Interpreter to verify the reply to the question asked by the Prosecutor as to who would shoot them if they left during the day. You gave the reply to the question asked by the Prosecutor. Ask the witness to answer the question.

MAJOR OPINION: Will you read the question, please?

(The question referred to by General Reynolds was read by the Reporter.)

MAJOR OPINION: No, the last question.

(The pending question was read by the Reporter as above recorded.)

Q (By Major Opinion) -- visited your air raid shelter?

INTERPRETER LAVENGCO: I beg your pardon?

Q (By Major Opinion) Has any Chinaman visited the air raid shelter?

A Yes.

Q Who was he?

A Ching Co.

Q At what time did he come to the shelter?

A At about 10 o'clock in the evening.

GENERAL REYNOLDS: The Commission again interrupts. The Interpreter in giving the one answer of the witness stated that they would be killed if they left to bury the bodies during the day. The Prosecutor asked who would do the shooting and the Interpreter, without querying the witness, stated "The Japanese". The Commission desires that the question be asked of the witness which will bring out the same or a different answer from the witness himself as to this very important matter.

MAJOR OPINION: Yes.

Q (By Major Opinion) Who would have shot them if they would have gone out of the shelter at daytime? Who would have, please?

A Because if they would come out of the air raid shelter during the day the Japanese will see them and they will be shot at.

Q By whom would they have been shot?

A The Japanese.

Q You said that Ching Co came inside the shelter. How did he come? Was he wounded or could he walk? How did he come?

A When Ching Co approached us we saw he has at this time a bullet shot on the neck. He told us that killings were being done outside, that he is very weak, and that he may not live long. About half-hour he fell dead.

Q Before he died did Ching Co tell you how he was wounded?

A Yes. He told us he was bayoneted by the Japanese.

Q Did he tell you where he was bayoneted?

A Yes. He was bayoneted with the rest of the people, including Filipinos and priests, lined up near the San Marcelino Convent.

Q Did he tell you that there were Chinamen who were bayoneted at the time he was bayoneted by the Japanese?

A Yes.

Q Did he tell you how many Chinamen were bayoneted with him?

A Yes. About 10 Chinese, all tied up behind the backs.

Q How about the other people? Did Ching Co mention anything to you about their being bayoneted?

A Yes.

Q Did he tell you who were bayoneted?

A He told me the Japanese ordered everybody out, bound their hands behind their backs.

Q Did Ching Co tell you in what part of the San Marcelino Compound were the priests bayoneted?

A Yes.

Q Please tell where.

A Near the river; near the house.

Q Did Ching Co tell you how he was able to see the people tied up and the priests bayoneted?

A Yes. He said he was one among those.

MAJOR OPINION: I offer, sirs, as part of the evidence for the Prosecution Exhibit 85.

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

CAPTAIN REEL: We haven't seen it, sir.

(Prosecution Exhibit No. 85  
for identification was  
received in evidence.)

GENERAL REYNOLDS: Before you proceed with the cross-examination, is there any member of the Commission who would like to have the Interpreter read over the questions and answers thereto or would the Defense like to have the Interpreter read the questions and answers?

CAPTAIN REEL: No, sir.

GENERAL REYNOLDS: Proceed, then, with the cross-examination.

CROSS-EXAMINATION

Q (By Captain Reel) At the time that you have been describing there were air raids going on; is that right?

A I heard only shelling going on.

Q And it was because of the shelling, then, that you went into the air raid shelter? Is that right? Was it because of the shelling that you went into the air raid shelter?

A Yes.

Q And also while you were in there there was shooting going on in the street, wasn't there?

A Yes, while in the shelter I could hear shots without knowing what was going on around.

Q Yes. And you didn't actually go out during the day to find out what would happen to you if you did, did you?

A I could not go out because I was wounded.

Q Yes. These Japanese soldiers that you saw, were they army or were they navy?

A What I know only is that they come from the ship and come to the land.

Q They came from the ship and came to the land. And how do you know that they came from the ship and to the land?

A I noticed they have "anchor" on their caps (Interpreter illustrating.)

CAPTAIN REEL: What was all this about, these motions that you just made (illustrating)? Will you just tell the Court what the question was and what he answered? Just tell the Court what you asked and what he answered.

(Question about to be translated by Interpreter Lavengco.)

CAPTAIN REEL: No, no, you don't understand. Tell the Court.

INTERPRETER LAVENGCO: I asked the witness how he could tell what the soldiers were, whether army or navy; how he could distinguish. He told me that he noticed on their caps was an "anchor" sign, which he knows; they being used to anchor in the water. They put their anchor in the water.

CAPTAIN REEL: Okay. That is all.

(Witness excused.)

GENERAL REYNOLDS: The Commission will recess briefly to enable those in the room to move forward if they wish to do so.

(Short recess.)

GENERAL REYNOLDS: The Commission will come to order.

FATHER MANUEL A. GRACIA

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

DIRECT EXAMINATION

Q (By Major Opinion) Father, please state your name.

A My name? My name is Manuel Antonio Gracia.

Q Address?

A My present address is Hospicio de San Jose.

Q Nationality?

A I am a Spaniard.

Q Where were you living during the first days of February 1945?

A I was living in Concordia College.

Q Do you know the Saint Vincente de Paul House or Convent?

A Yes. It is my mother house.

Q Do you know who of the priests were living on or about 9 or 10 February 1945 in that house?

A Yes.

Q Can you name them?

A Yes. Father Jose Tejada; Father Fernandez; Father Jose Aguirreche; Father Adolfo Soto; Father Julio Ruiz; Father Luis Egeda. And the lay brothers were Brother Antolin Marcos; Gregorio Indurain; Valentin Santidrian; Alejandro Garcia.

Q Were these the only Fathers and Brothers which you have just mentioned who were living then in those days at Saint Vincente de Paul House?

A Well, the lay brothers and the Fathers, but with the Fathers and Brothers there were living two altar boys, one cook, and three servants.

Q How many in all were there persons living there?

A Well, 6 Fathers, 4 lay brothers, 2 altar boys, the cook. Around 13 or 14.

Q How do you know that they were living in those days in that house, Saint Vicente de Paul?

A Well, I know Jose Tejada, our Provincial Father, was to remain there. I know that personally because I heard from him many, many times. He stated that it was his duty to remain in the parish house. And I also heard from Brother Antolin, who was the parish priest, that it was his duty to stay in the parish. I know, too, that Father Luis Egeda displayed to the Fathers a list of those who remained in San Marcelino.

Q When was the last time that you saw these Fathers alive?

A The 1st of February.

Q Did you see every one of these priests and Brothers you have mentioned on that day?

A I cannot assure you if they were all and every one of them, but I went to the mother house on that day.

Q On 26 February 1945 did you go to the San Marcelino place?

A Yes, I went there.

Q What did you do?

A I intend to look for the Fathers, in the first place; in the second place, for our Provincial Archives; and, in the third place, for the library. I went around the house and looked in all the places, in the rooms of the house. I was looking for the Fathers, but I was not able to find anything.

Q What was the condition of the house when you went that day?

A The condition of the house? It was burned almost two-

thirds of the house. Then I found everything was in disorder and was very dirty, and also I found that the house was filled with those kind of ammunitions. Hand grenades and other kinds of ammunition.

Q Do you happen to know whose hand grenades or ammunitions were those that you found?

A Oh, I don't know. But everything that I remembered about the ammunitions was that they were hand grenades of white color and one of the servants told me that they were very dangerous because they were of nitrate oxide, I think.

Q Were the liberation forces already in the City when you went to San Marcelino?

A Yes. They were in our mother house, some soldiers.

Q Who were the soldiers?

A Oh, I don't know. The only thing that I know --

Q Were they Japanese or Americans?

A They were American soldiers, but what regiment I don't know. I don't know their names.

Q You stated that you did not find the priests or Brothers?

A Yes.

Q Did you come back to the place?

A Yes.

MAJOR KERR: Speak up, please, Father.

A (Continuing) Now, the first day I did not find any of the Fathers or lay brothers, or any of the persons we were looking for. The next day we intend also to return to San Marcelino and we were not able to approach that place because the fire was between Marquis de Comillas and the

Jai Alai.

Q Please speak louder, Father.

A The next day I intend to return to San Marcelino, but we were not allowed by the soldiers, by the military police, because the fire was between Marques de Comillas and the Jai Alai. One of the soldiers told me that if it were not his duty to stay there, he surely would not be there as it was very dangerous. I told him that we have been away from San Marcelino from the 1st of February until February 26th. The military police answered me that where in those days that place was ours, but not today, and he said "We think it will take us this afternoon to clean the place of the Japanese."

Q At last did you reach San Marcelino?

A Yes.

Q When was that?

A I returned to look for the Fathers because I received a notice from Father Wenceslao Yonson, one of our companions, that they had found the bodies of our Fathers in the river. We went over there. If I am not mistaken, the date was on the 4th of March.

Q Who were these military police you just mentioned who told you that it was very dangerous?

A Who was?

Q Yes. Who were the military police?

A I don't know. The only sign I know is the "MP."

Q "MP" of what? American Army?

A Yes, American Army.

Q Did you at last find the priests and the persons and

others mentioned by you?

A Yes.

Q Where?

A In the river.

Q In the river of what? What river was that?

A The river which is near our house.

Q Very near from the Convent?

A Yes, not very far; about two meters.

Q How many meters?

A Two meters. I think the distance between the river and the house is only two meters, more or less.

Q Whose bodies did you find?

A I recognized very well the body of Father Aguirreche, the body of Father Fernandez, the body of Father Julio Ruiz, and the body of Brother Marcos and Brother Santidrian and Brother Garcia. I recognized those bodies.

Q Did you find other identified bodies?

A What?

Q Did you find other identified bodies?

A I was not able to identify the bodies.

Q How many bodies in all did you find in that place?

A We found 10 all told and one small body. I think it was personally one of the altar boys.

Q Where were those bodies, in the river?

A Yes.

Q On the water or on the river bank?

A No, in the water.

Q In the water. What did you do after finding and identifying the bodies of the priests?

A We intended to bury them, but we were not able to because we had no means for burial. Then I returned to see Father Ferdinand Evans, an American Army Chaplain, to ask his help to bury the bodies of the others. I went with Father Evans on the 5th of February to San Marcelino.

Q What date was that?

A On the 5th?

Q On the 5th of what?

A February. No, excuse me. March. With Father Evans I went there and then we returned to the post of Father Evans, and the next day we were to bury the Brothers and the Fathers: Father Evans, myself, 6 of the district Fathers, Mr. Marino Olondriz and his son. We went to San Marcelino to bury the corpses.

Q Please proceed. Did you bury them?

A Yes.

Q Where did you bury the bodies?

A We buried the bodies of the Fathers between the house and the church.

MAJOR OPINION: I ask that this be marked Exhibit No. 86 for identification.

(Photograph of front of building was marked Prosecution Exhibit No. 86 for identification.)

Q (By Major Opinion) Showing you this photograph marked Exhibit 86 for the Prosecution, will you please point out where is the place where the bodies were found?

A This part of the building here (indicating).

Q That is in the very front part of the building?

A From this part to this part here (indicating).

MAJOR OPINION: I offer this as part of the evidence of the Prosecution, if the Commission please.

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

(Prosecution Exhibit No. 86 for identification was received in evidence.)

MAJOR OPINION: I ask that this be marked Prosecution's Exhibit No. 87 for identification.

(Photograph of north portion of "Mother House" was marked Prosecution Exhibit No. 87 for identification.)

Q (By Major Opinion) Please state if you know this place, Photograph Exhibit 87.

A This part is the north part of the front place of our Mother House near the river.

Q Do you know whether that place served as the place of execution of anybody?

A I heard from the Chinese that this is the place where these 10 Chinese were machine-gunned by the Japanese.

MAJOR OPINION: I offer this, sirs, as part of our evidence.

CAPTAIN SANDBERG: I ask that the witness's last answer be stricken out as purely hearsay and not within his own knowledge.

GENERAL REYNOLDS: Would you read the last question and answer?

(Question and answer read.)

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

MAJOR KERR: May I inquire of the Commission? I thought the Commission previously ruled that hearsay evidence will be admitted. Is it to be the ruling of the Commission that hearsay will not be admitted?

GENERAL REYNOLDS: In this particular instance.

MAJOR KERR: I see.

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

MAJOR OPINION: That's all.

#### CROSS-EXAMINATION

Q (By Captain Sandberg) Do I understand that you were not at the Saint Vincente de Paul House between the 1st of February and the 26th of February?

A I was not at San Marcelino from the 1st of February until the 26th of February.

Q That's right. When you returned there you found the house burned?

A Yes.

Q Was there anything about the appearance of the house to indicate what had caused it to burn?

A I don't know.

Q You referred to ammunition which you saw around the house? Was that exploded ammunition?

A Well, some parts of the ammunition were exploded already, but plenty of them weren't exploded.

Q Some were used and some were unused. Do you know whether any of it was Japanese ammunition?

A The only thing that I know is that the American soldier told me that this kind of grenades of the Japanese is white

grenades. That is the only thing I know.

Q How about the ammunition? Do I understand that you also saw bullets?

A What?

Q Did you see any bullets? Any cartridges?

A Pardon me. I cannot understand you.

Q Were grenades the only type of ammunition you saw?

A The grenades? No. Bullets; rifle bullets; machine gun bullets.

Q You saw machine gun bullets?

A Yes.

Q Do you know whether the machine gun bullets were American machine gun bullets or Japanese?

A I cannot distinguish. It is out of my line.

Q And no one told you that. Do you know whether any guerrillas stored ammunition in that building at any time?

A What?

Q Do you know, Father, whether any guerrillas at any time used that building for storage of ammunition?

A Yes, I know. In the month of February the Japanese had plenty of ammunition in our house.

Q The Japanese?

A Yes.

MAJOR OPINION: Sirs, please, I would like the question to be repeated to the Father so that the answer may be given.

GENERAL REYNOLDS: Will the Interpreter repeat the last question and the last answer?

(Question and answer read.)

THE WITNESS: I think there is a mistake. The thing

I know is that in the month of August I was transferred to San Marcelino and I see that the Japanese have stored many kinds of ammunition in our Mother House in the month of August, but not the month of February.

Q (By Captain Sendberg) As far as the month of February is concerned, you don't know anything?

A What?

Q So far as the month of February is concerned you have no knowledge?

A Well, pertaining to the month of February, the only thing I know is February of 1945, but 1944, I don't know anything of this month of February.

Q When you saw the bodies of the Fathers and the lay Brothers and the boys, was there anything to indicate as to how they met their death and what was the cause of the death?

A Yes. They found the bodies tied. Their hands were tied at the back and they were lying down, face down in the water; all the bodies.

Q Were there any bullet holes in the bodies?

A I don't know, because the corpses were completely destroyed by the action of the elements. They were killed on the 9th of February and you can count the days between the 9th of February and the 26th and the 6th of March, the date they were buried. They were decomposed.

Q Well, was it your conclusion that they met their death from drowning?

A What?

Q Was it your conclusion that they met their death

through drowning?

A No.

Q What conclusion did you reach as to the cause of death?

A Why, therefore, their hands were tied at the back of their bodies? And I know the lesson made to me by the Chinese. I found them in the month of March. I made some inquiries to know the fate of our Fathers and they told me the story they knew.

Q Do I understand, Father, that there were no bullet holes in the bodies?

A I answered that. I don't know. The bodies were decomposed, destroyed.

Q One further question, Father. Did you see in the house any shell fragments?

A Holes made by shells?

Q Yes.

A Yes; plenty; plenty of them.

Q Many holes made by artillery shells?

A Yes.

Q Did you see many fragments of shells in and around the house?

A Fragment of shells?

Q Yes.

A I cannot say that I have seen it.

CAPTAIN SANDBERG: That is all.

MAJOR OPINION: Just a few questions.

REDIRECT EXAMINATION

Q (By Major Opinion) Has any member of the guerrillas

ever occupied any of the buildings of the Convent of San Marcelino?

A I have seen two gentlemen who told me that they were guerrillas.

Q When was that, then?

A I cannot precisely tell. The dates I don't know.

Q After the American liberation forces have come?

A Yes.

Q Before 9 or 10 of February, 1945, do you know, Father, if any of these guerrillas have ever occupied any convent of the church?

A Between the 9th --

Q Before the 9th.

A Before the 9th I don't know. I don't know.

Q Who were occupying the San Marcelino Church and the San Marcelino Convent?

A In those days they were occupying our Mother House, those soldiers that have been known as navy men.

Q You mean the Japanese navy?

A Yes, Japanese.

Q Do you know, Father, since when did they begin occupying the premises?

A As far as I know, in the month of August there were navy cadets in our house. Then these cadets were removed and the house was occupied by -- I don't know who the department of the Imperial Japanese Forces, but it was kind of a place of buying and selling those things for officers, and so on. And afterwards, around the month of November, it was occupied by those marines. I don't know the people. They

were very tall men, strong men, and they had this navy cap with the insignia on the front.

Q Prior to the occupation by the navy of the San Marcelino Church to what was that church devoted?

A Before the occupation of the Japanese it was our Mother House.

Q It was what?

A It was our Mother House and it was occupied only by the priests and the lay Brothers.

Q Father, I am not referring to the house, I am referring to the San Marcelino Church. To what was it devoted before the occupation thereof by the Japanese navy?

A I say the parish church was devoted to religious worship.

Q Was that church open then at that time?

A What?

Q Was that church open prior to the occupation?

A Yes. And after the occupation by the Japanese.

Q Since the church was occupied by the Japanese navy was it open to the public for religious worship or no more?

A Yes, it was open to religious services.

MAJOR OPINION: That is all.

(Witness excused)

GENERAL REYNOLDS: The Commission will recess for five minutes.

(Short recess)

GENERAL REYNOLDS: The Commission is in session. The Prosecution will proceed.

CAPTAIN WEBSTER: Sir, this case is contained in Paragraph 24 of the Bill of Particulars.

The first witness, please.

BASILIO UMAGAP

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

DIRECT EXAMINATION

Q (By Captain Webster) Please state your name.

A (Through Interpreter Lavengco) Basilio Umagap.

Q Your age?

A Eighteen years old.

Q Your nationality?

A Filipino.

Q Where were you working on or about the 7th day of February, 1945?

A I was working at the home of Mr. Pons.

Q What was Mr. Pons' first name?

A Bartolome Pons.

Q And where did he live?

A Corner of San Antonio and Figueroa.

Q In Manila?

A Yes.

Q In what capacity?

A Houseboy.

Q How long had you been working as houseboy?

A Six months.

Q State whether you were present in the home of Bartolome Pons on the 7th day of February this year when that home was

visited by Japanese.

A Yes.

Q How many Japanese came to that home at that time?

A From 10 to 15.

Q Can you state what branch of the Japanese military forces they were in?

A Navy.

Q What did those Japanese naval men do when they came to the Pons' home at that time?

A When they came they had with them ropes. They ordered us out into the garden and tied us all.

Q Whom did they tie?

A Mr. Pons, Mrs. Pons, Eva, Edward King, Delfin, Virginia, and I. The woman named Pacita, with the child, was not tied.

Q How old was Pacita?

A I cannot tell how old she was.

Q Will you state whether she was a young woman or an old woman?

A Young.

Q How old was the baby she was carrying?

A (Without aid of Interpreter) About 11 months.

CAPTAIN WEBSTER: Pardon me. Do you understand English?

THE WITNESS: I understand, but I don't talk.

Q (By Captain Webster) Was Pacita the daughter of Mrs. Pons?

A (Through Interpreter) She simply called her "Mama." She was just like her child.

Q Was Pacita at that time pregnant?

A Yes.

Q How did the Japanese tie the people up?

A They tied our hands behind us.

Q Were the people tied together in any way?

A Together, connected to each other.

Q Where were the people standing when they were so tied?

A Outside the garden.

Q By "garden," do you mean the yard surrounding the house?

A Yes.

Q After the people were tied what did the Japanese do with them?

A They took us under the house.

Q By "under the house," do you mean the first floor of the Pons home?

A Yes, sir.

Q What did the Japanese do with you there?

A The Japanese had us clean the tables and then lined us up.

Q Continue, please.

A When we were lined up we saw the Japanese aim the gun, and shot first Mr. Pons, and we all shouted. After Mr. Pons, next Isaac, and then Mrs. Pons. At that time I was trying to unloose myself. I was able to take one of my hands out, and when Mrs. Pons and Isaac fell I was with them. I was endeavoring to free myself, both hands.

Q Did you fall down at that time?

A Yes, sir.

Q Did you see any other people shot there besides Mr. Pons, Mrs. Pons, and Isaac, a person you have named?

A They were all shot. While they were being shot I was able to crawl.

Q Was the baby shot?

A The Japanese was about to go out, but the baby cried. When he heard the baby he came back and shot the baby twice.

CAPTAIN WEBSTER: You may cross examine.

#### CROSS EXAMINATION

Q (By Captain Sandberg) When the Japanese came into the house did they say anything?

A They didn't say anything, but just ordered us out.

Q Did they accuse anyone in the house of being a guerrilla?

A No.

Q After you went out of the house you were tied up, is that right?

A Yes, we were tied.

Q And you were then taken under the house, is that right?

A Yes.

Q Were you all tied together when you were under the house?

A We were all tied together except Pacita, who has a child.

Q Did all of the Japanese go under the house with you?

A Two went with us under the house. One was holding the light while the one with the saber was doing the shooting.

Q The one with the saber was doing the shooting?

A The one with the saber was doing the shooting.

Q Did the Japanese say anything to you when you were under the house?

A Nothing. He just right away shot us.

Q Am I correct in understanding that from the time the 15 Japanese came to the house to the time that the incident occurred under the house no one of the 15 Japanese spoke a word, either in Japanese or in any other language?

A No.

Q Do you know whether Mr. Pons sympathized with the guerrillas?

A About that matter I don't know anything.

Q Do you know whether any of the other people in the house sympathized with the guerrillas?

A I don't know.

Q Did you sympathize with the guerrillas?

A I am not a guerrilla.

Q Did you ever hear of Colonel Martinez?

A No.

CAPTAIN SANDBERG: That's all.

CAPTAIN WEBSTER: May I ask one other question, please?

#### REDIRECT EXAMINATION

Q (By Captain Webster) If no word were spoken by the Japanese how did you people know how to go out of the house into the yard?

INTERPRETER LAVENGCO: Repeat that, please.

CAPTAIN WEBSTER: Will you read the question?

(Question read by the reporter.)

A When they came they told us to go out. I told Delfin to talk to them. Delfin was trying to talk to them, and they did not answer.

Q By "Delfin," do you mean Delfin Marquez?

A I only know him by the word "Delfin."

CAPTAIN WEBSTER: That is all.

Recross examination?

CAPTAIN SANDBERG: No questions.

(Witness excused.)

CAPTAIN WEBSTER: Next witness, please.

LUIS A. FLORES, JR.

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

DIRECT EXAMINATION

Q (By Captain Webster) Please state your name.

A Louis A. Flores, Jr.

Q Your age?

A Thirty-three.

Q Nationality?

A Filipino.

Q Where did you live on the 7th of February of this year?

A At 518 San Antonio Street.

Q Where was your home with reference to the home of Bartolome Pons?

A Just across, my home.

Q Across the street, do you mean?

A Across the street.

Q How long had you known Bartolome Pons and his family?

A Since 1930.

Q Where were you when the Japanese came to the home of Bartolome Pons on the 7th of February, 1945?

A I was at the balcony of my house.

Q Did you see the Japanese going to the Pons' home?

A Yes, I did.

Q Where did they go?

A To the front door.

Q What else did you see?

A I saw some of the Japanese take hold of the old man, Mr. Pons, and tie him up.

Q Did they tie the other members of the family up, also?

A Not at once, because the two girls were running to and fro.

Q Were there any members of the family that were not tied up by the Japanese at that time?

A I saw the Japanese trying to force their way on the stairs on the second floor of the house.

Q Where did the Japanese take these people?

A After being tied on that ground floor they were brought inside a hole, that is, on the ground floor of the house.

Q Are you acquainted with the ground floor of the Pons' home?

A Yes, I do.

Q How many rooms are on the ground floor?

A There is no room, or any partition, but it is used as a hall.

Q Just one large room?

A Just one large room.

Q After the Japanese took those people in to the first floor of the Pons' home what did you then see?

A I saw a Japanese with a rifle below his waist, standing with the rifle pointing inside the room.

Q Could you see the people who were on the inside of the room?

A I could not see anyone.

Q What did you see that Japanese do?

A The only thing I saw from the Japanese was the spot where the orange-color flame come out of his rifle.

Q Did you hear the report?

A I did.

Q How many times did that Japanese shoot?

A I heard the first shot, and then I took my mother out of the balcony.

Q How many shots did you hear?

A About seven shots.

Q Did you, at a later time, go to the Pons' home?

A After the Americans came.

Q When was that?

A About three days later.

Q What did you then see on the first floor of the Pons' home?

A The first thing I saw was the whole family all tied up and all facing upwards.

Q Were they living or dead?

A Dead.

Q Did you at that time observe any wounds on the bodies of the Pons' family?

A All the bodies were beyond recognition and swollen. There was blood all over their breasts.

Q With reference to the Japanese who came to the Pons' home on that day, will you please state whether they were Army or Navy?

A I believe they belonged to the Imperial Marines.

Q And why do you say that?

A The color of the uniform was somewhat greenish.

Q Had you seen those Japanese in and around that neighborhood at a previous time?

A Every day. They had their headquarters just about the other corner from my house.

Q And how many stayed at that headquarters?

A That is one thing that I never did like to know!

Q Well, after you saw the Japanese shooting on the inside of that house did you thereafter see where those Japanese went?

A Yes, I did.

Q Where did they go?

A They passed the front of the house and from the corner of the house they crossed the other street. That is on my street. And they had with them a lot of boxes.

Q Are you able to say what was in those boxes?

A Foodstuffs, I believe.

Q Could you see inside the boxes?

A I saw them in the refrigerator eating from the second floor.

Q Did they have those boxes previous to the time they went into the Pons home?

A No.

CAPTAIN WEBSTER: You may cross examine.

CROSS EXAMINATION

Q (By Captain Reel) How did you know that these men belonged to the Imperial Marines?

A I see them every day there just in front of my house.

Q Yes, I know. I will ask again, How did you know that they belonged to the Imperial Marines?

A They carried an anchor on their hats.

Q Did anyone ever tell you that soldiers with an anchor belonged to the Imperial Marines?

A Yes.

Q Who told you that?

A An officer.

Q A Japanese officer?

A A Japanese officer.

Q Are you sure of that?

A Yes.

Q Do you know who was that officer?

A Yes.

Q What is his name?

A I don't quite remember now, but I got it at home.

Q When did he tell you this?

A He used to visit us.

Q Are you friendly with the Japanese soldiers?

A He became friendly with me when an air raid -- when there was an air raid sometime around December.

Q Do you know whether the Pons family was helping the guerrillas?

A No.

Q Do you know anything about it?

A No.

Q There was quite a bit of guerrilla activity in that neighborhood, wasn't there?

A I don't know anything.

Q You don't know anything about that. Why are you smiling? Do you know anything about it?

A I don't know anything.

Q All right. Why do you suppose, Mr. Flores, that the Japanese went to the Pons house and didn't come to your house?

A They did come to my house two days before.

Q Did they shoot anyone at your house?

A They didn't. They throw everything.

Q Just answer my question, please. Did they shoot anyone at your house?

A No.

Q Why do you suppose that they didn't shoot anyone at your house, but shot people in the Pons house?

A That I do not know.

CAPTAIN REEL: That's all.

CAPTAIN WEBSTER: A few other questions.

REDIRECT EXAMINATION

Q (By Captain Webster) What did the Japanese do at your house?

A The Japanese started throwing everything in my house; open all the drawers; threw everything and ransacked my refrigerator. My mother came over to slap one of the Japanese, but my sister told my mother to "calm down" because we have 6 children to defend. They started taking all the food there.

CAPTAIN WEBSTER: You may examine.

CAPTAIN REEL: No questions.

CAPTAIN WEBSTER: That is all.

(Witness excused)

CAPTAIN WEBSTER: Next witness.

BHAGWANI HERNANDOS

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

DIRECT EXAMINATION

Q (By Captain Webster) What is your name?

A Bhagwani Hernandos.

Q Your age?

A 33.

Q Your nationality?

A Indian.

Q Where did you live on the 7th of February of this year?

A 517 San Antonio Street.

Q Where is your home with reference to the home of Bartolome Pons?

A Next door to Mr. Pons.

Q Who else was living in your home?

A Delfin Marquez.

Q With reference to immediately prior to the time that Delfin left your home did you have any visitors?

A Yes.

Q Who were they?

A Miss MacMahon.

Q Did you have any other visitors?

A On February 7th?

Q Yes.

A There were some Japanese in the morning who came in search of the house, but there were no other visitors.

Q How many Japanese searched your home?

A There were three Japanese.

Q Were they army or navy?

A That I couldn't tell, but I think they might be of the navy.

Q Did anything occur in the afternoon of February 7th?

A Yes. That was late afternoon, rather in the evening. We heard some commotion in the next house, Mr. Pons', and they were calling for help and Delfin went over there. After a while I heard my name called. "Come! I'm tied!" I tried to go to the back door because the front, it was locked; but I saw some Japanese sentries there and I didn't go out.

Q Whose voice was it that you heard say "I'm tied"?

A Delfin Marquez.

Q Why had he left your home?

A Because someone called him from Pons' house.

Q Didn't Delfin understand the Japanese language?

A He does not.

Q Did he act as interpreter at any time?

A No.

Q After you heard Delfin's voice saying that he was tied, did you hear anything else?

A I heard somebody talking some Japanese words, but I couldn't understand.

Q Did you hear anything after that?

A I heard some shots.

Q How many shots?

A I couldn't determine exactly how many, but I believe there were between 7 and 8.

Q Did you thereafter go to the Pons home to see the body of Delfin Marquez?

A No, I did not go on that day.

Q At any later time?

A Yes, I did go on the 12th of February.

Q What wounds were on the body of Delfin Marquez?

A He had a bullet hole in his chest.

Q Where was that body?

A The body was tied on the floor of Pons' house.

Q How old was Delfin?

A He was 25 years.

CAPTAIN WEBSTER: You may cross-examine.

CAPTAIN SANDBERG: No questions.

CAPTAIN WEBSTER: That's all.

(Witness excused)

CAPTAIN WEBSTER: Sirs, that completes the evidence on the paragraph mentioned of the Bill of Particulars.

CAPTAIN PACE: The next case is Bill of Particular  
No. 32, St. Paul's College.

SISTER ANNA DE JESUS

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

DIRECT EXAMINATION

Q (By Captain Pace) Will you give your name, please?

A I am Sister Anna de Jesus.

Q Where do you live?

A I live in St. Paul's College.

Q How long have you been at St. Paul's College?

A For 21 years.

Q In what way have you been associated with St. Paul's?

A I have been teaching there for 21 years.

Q Were you there during the Japanese occupation?

A We have been there until the 12th of September.

Q What day was that?

A On Tuesday, I think.

Q What day of the month?

A The 12th of September.

Q What year?

A 1945.

Q I mean, while the Japanese were there, when the  
Japanese occupied Manila, did you have occasion to leave the  
college?

A We were obliged to leave the place.

Q When was that?

A We got notice in the month of August.

Q Yes?

A And we tried to stay in the college, but we were obliged to leave the place, the whole place.

Q When was that?

A Well, it began in August about the 8th, I think, to the 12th of September; about a month. I can't exactly remember.

Q What year?

A 1945-- 1944, excuse me. September, '44, I guess.

Q And did all the Sisters and everyone connected with the college leave in September of 1944?

A Yes, we all left in 1944, September.

Q And the Japanese occupied the college on that date?

A Yes, the 12th of September.

Q Did they occupy all the buildings in the compound, including the chapel?

A Yes, everything.

Q Were you allowed to go into the college?

A Never was I allowed to go back to the college.

(A diagram was marked Prosecution Exhibit No. 88 for identification.)

Q I show you Prosecution's Exhibit No. 88 and ask you if that is an accurate representation of the area in which St. Paul's College is located?

A Yes, it is.

CAPTAIN PACE: I offer it in evidence.

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

(Prosecution Exhibit No. 88 for identification was received in evidence.)

(A diagram was marked Prosecution Exhibit No. 89 for identification.)

Q (By Captain Pace) I show you Prosecution's Exhibit No. 89 for identification, and ask you if that is an accurate description of St. Paul's College and the neighborhood, as it was on February 9, 1945?

A This is a correct copy.

Q I beg your pardon?

A This is a correct copy.

Q It is correct?

A Yes.

CAPTAIN PACE: I offer it in evidence.

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

(Prosecution Exhibit No. 89 for identification was received in evidence.)

Q (By Captain Pace) After you left the college in September, 1944, where did you go?

A We went to Santa Teresa College.

Q Where were you on February 9, 1945?

A In the Assumption Grounds, because on the 7th of February we were sent out from the Santa Teresa College and we went to the Assumption for refuge there.

Q You were at the Assumption Convent?

A Yes, sir.

Q On February 9?

A Yes.

Q Where is that with relation to St. Paul's?

A Just in front of St. Paul's College.

Q Across the street?

A Across the street, yes.

Q What street?

A Herran Street.

Q In the afternoon and evening of February 9, did you see anything unusual take place in the yard of St. Paul's?

A Well, we were in the Assumption Convent, and suddenly we heard a terrific explosion, and we looked up, and it just came from our building. The roof was taken off, a terrific noise. The roof was taken off about three blocks farther.

Q You say the roof of one of the buildings was blown three blocks?

A Yes.

Q And you saw that?

A Yes.

Q And you heard a terrific explosion?

A Yes.

Q And after you saw that, what did you see at St. Paul's College?

A After that it was burned; the college was burning, all in flames in all directions.

Q Did all the buildings and all the church property that was located in St. Paul's -- was it destroyed at that time?

A Everything, I suppose, yes; nothing but ruins.

Q There is now nothing but ruins?

A Nothing left but ruins.

Q When did you next go to St. Paul's?

A On the 23rd of February.

Q What did you find when you got there then?

A It was in terrible condition. We found about 40 burned bodies.

Q You say 40 burned bodies?

A Yes, about 40 burned bodies all along the corridor, along the dining room.

Q Yes? Did you look inside the dining room?

A I did.

Q Were you able to see whether there were any bodies in there?

A Well, I do not know. My mind is so much terrified by this sight that I really can't tell now whether I saw something else or not. I saw the debris, but --

Q You saw a great pile of debris in there?

A A great pile of debris.

Q Were you able to tell whether or not there were bodies in that room?

A I think there are still bodies in there, that must have been left behind, because we found some bones afterwards.

Q You since found bones there?

A Yes, sir.

Q But you weren't able to tell at that time how many bodies were in there, is that right?

A No, inside, no; I could not.

Q What was done with the 40 bodies that were outside?

A It was buried in the yard on our grounds there; 30 bodies were buried there.

(A photograph was marked . . .  
Prosecution Exhibit No. 90  
for identification.)

Q I show you Prosecution's Exhibit No. 90 for identifica-

tion and ask you if you can tell me what that is.

A Yes, that is the dining room.

Q That is the dining room of St. Paul's --

A College, yes.

Q Is that the way it looked when you went back on February 23?

A Yes, exactly the same.

CAPTAIN PACE: I offer it in evidence.

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

(Prosecution Exhibit No. 90 for identification was received in evidence.)

(A photograph was marked Prosecution Exhibit No. 91 for identification.)

Q (By Captain Pace) I show you Prosecution's Exhibit No. 91 for identification, and ask you if you can identify it?

A That is the dining room.

Q That is the way it looked when you went back in February of this year?

A Yes.

CAPTAIN PACE: I offer this picture in evidence.

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

(Prosecution Exhibit No. 91 for identification was received in evidence.)

(A photograph was marked Prosecution Exhibit No. 92 for identification.)

Q (By Captain Pace) I show you Prosecution's Exhibit

No. 92 for identification and ask you if you can identify it?

A Yes. The same dining room in another position.

Q That is the way the dining room looked when you returned?

A Yes.

CAPTAIN PACE: I offer this in evidence.

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

(Prosecution Exhibit No. 92 for identification was received in evidence.)

(A photograph was marked Prosecution Exhibit No. 93 for identification.)

Q (By Captain Pace) I show you Prosecution's Exhibit No. 93 and ask you if you can identify this?

A Yes, this is a correct one; that is from the street, Florida.

Q That is St. Paul's?

A St. Paul's College, yes, seen from the street Florida.

Q As seen from Florida Street?

A Yes.

CAPTAIN PACE: I offer this in evidence.

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

(Prosecution Exhibit No. 93 for identification was received in evidence.)

(A photograph was marked Prosecution Exhibit No. 94 for identification.)

Q (By Captain Pace) Will you look at Prosecution's Exhibit No. 94 for identification, and see if you can identify

it.

A Yes, that is the grave of the persons who have been burned to death.

Q What is that? A common grave?

A A common grave, yes; 32 persons.

Q And when this marker was put up, how many people were in that grave?

A The first time they put 32, and some have been added afterwards.

Q And you testified that there were about 40 here now?

A Yes.

CAPTAIN PACE: I offer this in evidence.

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

(Prosecution Exhibit No. 94  
for identification was  
received in evidence.)

CAPTAIN PACE: You may inquire.

CROSS- EXAMINATION

Q ( By Captain Reel) On the day of this explosion that you describe, was there some shelling going on in Manila?

A Yes, there was shelling going on.

Q And were there any airplane bombs being dropped?

A Well, I cannot say that exactly, because we heard -- we saw the airplanes, we heard shelling; some bombing, maybe, but I didn't pay attention very much. We were inside the house.

Q And what you saw was one great big explosion?

A Yes.

Q That blew the roof about three blocks?

A Yes.

Q Did you see or hear any other explosions?

A No, because we were disturbed at that time afterwards, because some of the Japanese came to the building.

CAPTAIN REEL: I see. That is all.

CAPTAIN PACE: Thank you very much.

(Witness excused)

LUISA BARAHONA

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

DIRECT EXAMINATION

Q (By Captain Pace) Will you give your name, please?

A Luisa Barahona.

Q Where do you live?

A 1312 Tuberias Street.

Q How old are you?

A 30 years old.

Q What is your nationality?

A Spanish.

Q Where did you live on the 9th of February, 1945?

A I was living in Vermont Street.

Q Is that near St. Paul's College?

A Yes.

Q Did anything unusual happen on that day?

A Yes. At 11:30, at noon, three Japs came around with fixed bayonets and brought us to St. Paul's Institution.

Q Who was taken to St. Paul's with you?

A My whole family; my mother, my father, my sister, and our cook.

Q Were other people in the neighborhood of St. Paul's taken there at that time?

A Yes, the whole neighborhood. The whole Wright Street.

Q Can you describe what was going on?

A On that day, you mean?

Q Yes, the taking of people to St. Paul's.

A Yes. Everybody, all the people, most of them were brought the same as we were, by Japanese with fixed bayonets, and we were brought up to the garden of St. Paul's.

Q Where were you taken when you first got to St. Paul's?

A To the garden.

Q About how many people were there?

A I can't estimate exactly, but around 800 to 1000.

Q People from the neighborhood?

A Yes, from the neighborhood.

Q How long were you kept in the garden at St. Paul's?

A From noon to around 3 o'clock in the afternoon.

Q What happened then?

A Then it started to rain, and all the people were herded up and put in a small room inside St. Paul's.

Q Will you look at Prosecution's Exhibit No. 89 and see if you can tell which building of St. Paul's you were taken to first?

A That was the main entrance, then the corridor, turning to the right -- to the left I mean.

Q Well, you came in on Herran Street, did you?

A Yes, Herran Street here (indicating), and then we were placed in the garden room right here (indicating), and we came in the front door of the building and turned the first

corridor to the left, a small room (indicating).

Q And you are indicating the room where it says "2-story concrete building", is that right?

A Yes.

Q A room in that building?

A A small room in that building.

Q All right. Was everybody put in that room?

A Everybody.

Q How long did you stay there?

A Not very long, because we were crowded.

Q How crowded?

A Very crowded. We could hardly breathe.

Q What happened then?

A After a long while, I can't figure out how long it was, we were brought to another -- to the kitchen, St. Paul's. I figure it was the kitchen because they told me it was the Home Economics Room.

Q Is that the room marked "Kitchen" on Prosecution's Exhibit 89?

A That is right, over here (indicating).

Q How long were you there?

A Oh, about three-quarters of an hour.

Q Still 800 or 1000 people there?

A Yes, sir, and there were some more coming.

Q What happened then?

A Then we were transferred to the big dining room.

Q Is that the room marked "Dining Room" on Prosecution's Exhibit 89?

A Dining room, right here (indicating).

Q About what time did you go to the dining room?

A Around 4, 4:30; I am not very sure.

Q Describe what happened there?

A Well, at that time the Japanese closed all the doors, and around 4:30 or quarter to 5 a Japanese came in with a big box of candies, and everybody was hungry, didn't have any time to have our lunch, so everybody crowded around and picked the candies; while they were picking the candies -- well, I know that there were lamps inside, and the lights were covered up with black cloth --

Q Describe the lights that you say were covered with black cloth?

A On the ceiling there were hanging 5 lights covered over with black cloth, with strings leading to the corridors.

Q The strings led to the corridor on the inside --

A On the inside of the building.

Q Five lights; and how many strings were there?

A I beg pardon?

Q You say there were five lights. How many strings were there?

A Each light had a string attached.

Q So there were five strings leading from the room into the corridor?

A Yes.

Q And what happened after the Japanese put the candy in the room?

A Well, when all the people were crowded in the middle of the room, they pulled the first string.

Q Did you see the string being pulled?

A Yes, I saw it moving before they pulled it. My maid called my attention, she told me, "Miss, the lights are moving," and I looked up. It was exactly the time everything blasted.

Q Say that again, please.

A I mean, when the people were eating the candies, I saw one of the lights moving, and the maid called my attention, and I looked up and saw one of the lights moving. That was just the time when I heard the blast.

Q Where did the blast come from?

A The lights.

Q How many blasts did you hear?

A Five.

Q What happened then?

A Well, what happened was everybody started running. There were many wounded.

Q What did you do?

A I couldn't move. In the first place, my mother fainted on my left side and my sister on my right side, so I had to wait until everything was over. I saw everybody was jumping out the windows.

Q Yes?

A And the Japanese were machine-gunning everybody who jumped out the windows.

Q Where was the machine gun?

A Outside, on Florida Street.

Q On Florida Street?

A Outside the building.

Q What happened inside the room then?

A The Japanese started chasing everybody that was still alive there, and I saw one of the girls who was stabbed by a bayonet in the back.

Q Who was stabbed by the bayonet?

A One of the girls; I can't tell you -- a young girl.

Q What did you do then?

A Well, I took them -- my mother fainted, and my sister, so when I heard no more machine guns around I picked them up and took them down to Florida Street, to Doctor Gloria's house, the garage.

Q How did you get out of the dining room of St. Paul's?

A Had to jump out of the window.

Q Was there a hole blown in the wall there?

A Yes.

Q Is that where the arrow indicates on Prosecution's Exhibit No. 89 (indicating)?

A Yes.

Q And will you look here and see if you can point out Gloria's house where you ran to?

A Where is that street -- it was right in front, here (indicating); this is the house.

Q You are indicating the square marked "Gloria family"; is that right?

A "Gloria Family", that is right.

Q Did you see anything as you were crossing the street?

A Yes.

Q What did you see?

A The Japanese were chasing all the women and firing.

Q What happened after you got over to Gloria's?

A Well, we were hiding in Gloria's garage when the Japanese found out our hiding place, and we were placed against the wall, before a machine gun. All of a sudden a hand grenade exploded in the door of the garage and they told us to wait because they wanted to investigate what happened, but we didn't wait; we just passed through the garden and we hid in the stable.

Q You went and hid in Gloria's stable after the Japs had left, you say?

A Yes.

Q Will you show where that is on Prosecution's Exhibit No. 89?

A Gloria's family here (indicating); we passed to this stable.

Q You are indicating the square marked "Stable"; is that right?

A Yes.

Q What did you see after you got to the stable?

A There were many people hiding in the same place.

Q Survivors of St. Paul's?

A Survivors of St. Paul's.

Q Yes?

A And in the garden I saw around 8 dead people, in the garden.

Q Did you see how they had been killed?

A No.

Q All right. What happened then? Did you stay there until morning?

A Huh?

Q Did you stay there until morning?

A Yes, sir. We went to Gloria's house that night and stayed there the whole night, and in the morning a fire started in one corner of the house and we got scared, so we ran out in a different direction.

Q Were you able to estimate -- were you able to see how many people were killed in St. Paul's?

A An exact estimate, I cannot, but around 800, maybe.

Q You say 800?

A Yes.

CAPTAIN PACE: You may inquire.

#### CROSS-EXAMINATION

Q (By Captain Reel) What time of day was it when you were first taken into St. Paul's?

A 11:30, at noon.

Q And that day was there some shelling going on?

A Yes, there was shelling of the public buildings already.

Q And were there some bombs dropping from airplanes?

A American airplanes, you mean?

Q I don't know. Were there bombs dropping from any airplanes?

A That same day I can't recall, but I heard buildings were being dynamited by the Japanese, all of our public buildings.

CAPTAIN REEL: I will ask that that last be stricken as not responsive to the question.

CAPTAIN PACE: If it please the Commission, she said she couldn't tell, because the Japanese were blasting the buildings.

CAPTAIN REEL: I think her answer speaks for itself. I will ask the reporter to read it back and I will ask that it be stricken as not responsive.

GENERAL REYNOLDS: Will the recorder read the last question and the answer thereto?

(Question and answer read)

GENERAL REYNOLDS: The objection of counsel is not sustained.

Q (By Captain Reel) Were there any public buildings around St. Paul's?

A I beg pardon?

CAPTAIN REEL: Will you read the question?

(Question read)

A Yes. In one street, the College of Medicine and the Bureau of Science, very near St. Paul's; in fact, the medicine is right in front of St. Paul's Institution.

Q And when you were in St. Paul's, could you see those public buildings?

A You mean in the garden?

Q That is right.

A Yes, I could see them.

Q While you were in there, in the garden, did you see any of those public buildings blow up?

A The Bureau of Science, yes.

Q You saw the Bureau of Science blow up?

A Yes.

Q And at the same time, I think you told us there was shelling going on?

A Shelling?

Q Shelling, yes; shelling.

A I don't know. I can't specify what shelling is, but I know that the public buildings -- it was a big noise.

Q That is right; you saw an explosion and you heard noise, and the public buildings blew up; is that correct?

A Yes.

Q And you don't know how that building blew up, do you?

A Well, no.

Q All right. Now, you came into the St. Paul's courtyard at about 11:30 in the morning; how long did you stay there?

A In the garden?

Q The garden; pardon me.

A At about 3 o'clock.

Q Until 3 o'clock. And during that period, from 11:30 until 3 o'clock, did the Japanese machine-gun or kill anybody there?

A Not yet.

Q And then where did you go after 3 o'clock?

A Well, we were brought inside the building, because it started to rain.

Q And what room in the building did you go to?

A I thought it was in the front door, the corridor to the left side, the first room.

Q And how long did you stay there?

A About an hour.

Q And was anybody shot by the Japanese while you were in that room?

A No.

Q Now, let's see. You had been there from 11:30 until

Q 4 in the afternoon. Where did you go, then, at 4 o'clock?

A Then we were brought up to the kitchen; from the kitchen we were transferred to the dining room.

Q All right. How long did you stay in the kitchen?

A I cannot remember exactly how long it was.

Q Approximately?

A Approximately, maybe half an hour, three-quarters; I can't tell.

Q And was anybody shot or machine-gunned while you were in the kitchen?

A No.

Q So now we have got it up to about 5 o'clock. Is that right?

A 4:30.

Q 11:30 to 4:30. And at 4:30 where did you go?

A To the dining room.

Q Into the dining room. And is that the room where they put the candies in the room?

A Yes.

Q And all this time, on this particular day, there were explosions outside, weren't there?

A Yes.

Q And while you were in this room, after having been in St. Paul's since 11:30 in the morning, we have now got it to around 5 o'clock in the afternoon and you are in the dining room. While you are there there is suddenly an explosion that destroys the whole place; is that correct?

A You mean the dining room? Oh, no --

Q Just a moment. I will rephrase that question. Suddenly

there was an explosion that destroys the dining room. Is that correct?

A No, I told you that the explosion came from the lights.

Q No; not where it came from, please. Did the explosion destroy the dining room?

A Yes.

Q And did it destroy the entire building?

A Yes.

Q And you have seen these pictures that the Prosecution has just put in, haven't you?

A Yes --

CAPTAIN PACE: I object, if the Commission please. I don't believe the witness has seen any of the pictures.

CAPTAIN REEL: I will show them to you here now.

Q (By Captain Reel) I will show you Prosecution's Exhibits 90, 91, 92, 93, and 94. Will you look at those?

CAPTAIN REEL: I will withdraw 94; it is not a picture of the building.

Q (By Captain Reel) I will ask you whether those pictures properly show the damage that was caused by that explosion that occurred when you were in the dining room.

A There were five explosions.

Q And those pictures properly show the damage caused by the explosion, then?

A No, not yet. When I left the building, of course it was damaged, but the roof was still up there, with many dead people on the floor.

Q Did you see any more explosions in that building?

A After those five, no.

REDIRECT EXAMINATION

Q (By Captain Pace) Did you see a fire at that building after you left?

A No.

Q You don't know whether the building burned after you left, or not?

A No.

CAPTAIN PACE: That is all I have.

(Witness excused)

CAMILO DIEGO

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

DIRECT EXAMINATION

Q (By Captain Pace) Will you give your name, please?

A Camilo Diego.

Q Where do you live?

A 708 Nebraska.

Q Where did you live on February 9, 1945?

A 708 Nebraska.

Q Is that in the vicinity of St. Paul's College?

A Yes, sir, one block from St. Paul's College.

Q Beg pardon?

A One block.

Q Tell what happened on February 9.

A On February 9, two Japanese and an officer went to our house and told us to evacuate the house.

Q Did they tell you why you should evacuate it?

A They told us it would be safer.

Q What time was that they told you to evacuate your house?

A About 2 o'clock.

Q What time?

A 2 o'clock.

Q All right. What happened?

A Then they put us in a small room, then another small room, then a bigger room; then when we entered the room --

Q Just a minute. You say "we"; who was with you at that time?

A My family. My wife, one son, and three daughters.

Q Now, how many other people were there besides your wife and your son and your three daughters?

A Inside St. Paul's --

Q How many people were taken to St. Paul's?

A I would say around 500 people.

Q About what time did you get to the large room to which you were taken?

A Around 4 o'clock in the afternoon.

Q What happened after you got there?

A When we got there they put us in a small room, then another small room, and then a bigger room.

Q Will you look at Prosecution's Exhibit 89 and point out, if you can, the room which is the third room to which you were taken?

A It was in this room (indicating).

Q You are indicating a room which says "Dining Room", are you?

A Dining room, sir.

Q What happened after you got to the dining room?

A When we entered the dining room, I saw two hooded things

like electric lamps, hanging like electric lamps from the ceiling, with ropes going connected outside the corridor.

Q Did the ropes from the two hooded things go towards the corridor inside the courtyard, or towards Florida Street?

A Toward the courtyard.

Q What happened then?

A Then Japanese came in carrying candies and drinks.

Q Yes?

A And they put it on the floor. After a while they rushed outside, and the bombs fell inside the room.

Q Beg pardon?

A The bombs fell inside the room.

CAPTAIN PACE: Will you read the last two answers, please?

(Questions and answers read)

Q (By Captain Pace) You say bombs? Will you describe what you call "bombs"?

A The bombs were -- I noticed that, this bomb, because when it fell to the floor we were all unconscious.

Q You mean there was an explosion?

A Yes, sir.

Q What direction did that explosion come from?

A From the ceiling, sir.

Q Where you saw these hooded lights?

A Yes, sir.

Q You testified earlier that you saw a cord leading from the corridor to the lights. Did you see anything happen to that cord before the explosion?

A Yes, sir, because when the Japanese rushed outside they

were shouting, and afterwards I noticed there was an explosion inside the room.

Q Did you see anything happen to the cord which led to the lights before the explosion?

A I didn't notice, sir.

Q Now, what happened after the explosion? Was there more than one?

A Two explosions inside.

Q All right. What happened then?

A Then I was thrown outside to the corridor with my small child and the eldest child.

Q By the explosion?

A By the explosion.

Q That is the corridor to the inside of the courtyard, is that right?

A Yes, sir. And my wife and my son. The other one was inside the room.

Q What did you see then?

A Then the Japanese began rushing out the two doors they were with machine guns, shooting all the people that were standing still alive.

Q Where did the Japanese rush to?

A Through the doors.

Q Through the doors?

A Two doors.

Q In the room where you had been?

A Yes, sir.

Q Did you see what they did in there?

A Yes, sir.

Q What did they do?

A They bayonet those people standing and the children; and shoot them while they were still alive.

Q How many Japanese went inside the room after the explosion?

A About five Japanese.

Q What did the Japanese do then, after they had bayoneted and shot the people who were standing?

A They chased the people who escaped from the back of the room.

Q That went out into Florida Street, you mean?

A Yes, sir.

Q What happened then?

A Then afterwards they throw hand grenades, kill people inside the room still alive.

Q Where were they throwing the hand grenades from?

A Outside.

Q Where you were?

A No, sir. Very far from us.

Q Were they inside the yard at St. Paul's?

A Yes, sir; probably in the chapel, around the chapel.

Q You say they were standing by the chapel; do you mean the building marked "Chapel" in Exhibit 89 (exhibiting document to witness)?

A Yes (indicating).

Q You are indicating the west side of the building marked "Chapel"; is that right?

A This building (indicating), Chapel, sir.

Q This building is the chapel, is that right?

A Yes, sir.

Q Where they were standing?

A Around this fence (indicating), sir, of the chapel.

Q You are indicating the corner where it says "Well"?

A Yes, sir.

Q How many Japanese were standing there?

A I didn't notice, sir, because I was bombshot.

Q Can you estimate how many grenades they threw into the dining room there?

A Around 7 or 8, sir.

Q That was after the Japanese had gone in with the bayonets?

A Yes, sir, after they chased the people who escaped from the back room.

Q What were you doing all of this time?

A After the bomb fell I was thrown outside the corridor, and then I played dead with my small child besides me, and the other one was one meter from me.

Q What happened after the Japs threw the hand grenades in there?

A They threw hand grenades, then the Japanese came in with a pail of gasoline.

Q Yes?

A Then they threw it to the dead bodies inside the room.

Q Threw the pail of gasoline?

A Yes, sir, and then after a while I noticed the building was on fire.

Q You were lying right there, still?

A Lying in the corridor, sir.

Q After the fire started on the bodies, did you notice what happened to the fire after that?

A There was a terrific fire, and afterwards I carried my small child with me to the chapel, and then at 12 o'clock she died, and I wrapped her in a mantle, put her on the altar.

Q You put her on the altar?

A Yes, sir.

Q Did you leave then?

A Yes, sir. Afterwards we left the building and went to Gloria's house.

Q When you left St. Paul's, did you notice how much the fire had burned?

A All the buildings, sir, around the chapel.

Q Had the chapel caught on fire?

A Not yet, sir.

Q How about all the other buildings shown on Exhibit No. 89; were they all burned?

A On Georgia Street there were still houses.

Q How about Florida Street?

A All burned.

Q How about Tennessee Street?

A Still there; not too burned.

Q Is the fire still burning?

A Yes, sir, some of it still burns.

Q How many of your family were killed?

A Five.

Q Your whole family?

A Yes, sir.

Q Will you give the names and the ages of members of your

family who were killed?

A My wife, Concha, 32; Alicia Diego, 14; Romeo Diego, 12; Rosalinda, 8; and Lydia, 4.

CAPTAIN PACE: You may inquire.

CROSS-EXAMINATION

Q (By Captain Reel) How many explosions did you hear?

A I heard two explosions.

Q Two explosions?

A Yes.

Q And as a result of those explosions, was the entire building destroyed?

A No, sir, only the room.

Q Did the roof blow off?

A I didn't notice, sir.

Q You didn't notice the roof blow off?

A No, sir.

Q The explosion came from the lights, where the lights were in the ceiling?

A Yes, sir.

Q And how long were you at St. Paul's before the explosions?

A I was there around from 2 o'clock until 4 o'clock.

Q As I understand it, you told us that the Japanese first came to your house and told you to go to St. Paul's because it would be safer there?

A Yes, sir.

Q And were there shells falling around the city at that time?

A Only on the front of St. Paul's Street, sir.

Q There were some shells?

A Yes, sir.

Q And were there any bombs, any air bombs?

A No, sir.

Q Was there any shooting and firing?

A No, sir.

Q Just the shelling?

A Yes, sir.

Q Now, this candy and this whiskey that was in the room; did you have any of it?

A I had some candy, sir.

Q And did it make you sick at all?

A No, sir, because the Japanese partook of eating the candy, sir.

Q It wasn't poisoned then, as far as you know?

A No, sir.

Q Did you drink any of the whiskey?

A No, sir.

Q These soldiers who came to your house told you it would be safer at St. Paul's -- do you know if they were army or navy?

A They were navy, sir.

Q How do you know that?

A Because of the uniform.

Q And what on their uniform did you recognize as distinctive?

A Some of that color, sir, green.

Q A green color?

A Like fatigue.

Q You described seeing something on the lights, a black hanging substance, is that right? Black cloth, was it?

A Yes, sir.

Q Is that similar to the black cloth that was used to prevent light getting out?

A Yes, sir.

Q For black-out purposes?

A Yes, sir.

Q You had seen that before on lights, had you?

A Yes, sir, I had seen it.

Q And all that you saw on that chandelier, on that light, that was unusual was this black cloth; is that right?

A Yes, sir, with the ropes outside.

Q With a rope?

A Yes, sir.

Q And you don't know whether that rope was used to pull the lights on or not, do you?

A No, sir, a big rope.

Q A big rope?

A Yes, sir.

CAPTAIN REEL: That is all.

CAPTAIN PACE: May I ask one more question?

REDIRECT EXAMINATION

Q (By Captain Pace) Can you estimate how many bodies you saw inside of St. Paul's after the Japs left?

A Around 250.

Q Will you repeat that?

A Around 250 bodies.

Q And when the Japs brought you candy, where did they put it?

A They put it beneath the bomb.

Q Did they put it on the floor?

A Yes, sir.

Q What did the people do when they put it on the floor?

A They got at the candy, sir.

Q Did the people congregate in the center of the room?

A Beg pardon, sir?

Q Did the people gather in the center of the room then?

A Yes, sir.

Q Is that when you heard the explosion?

A Yes, sir.

CAPTAIN PACE: That is all I have.

(Witness excused)

DR. LUIS VASQUEZ

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

DIRECT EXAMINATION

Q (By Captain Pace) Will you give your name, please?

A Luis Vasquez.

Q Where do you live?

A Philippine General Hospital.

Q What is your profession?

A Doctor of medicine.

Q Where did you live on February 9th, 1945?

A 815 Wright Street.

Q Is that near St. Paul's College?

A It is about two blocks away from St. Paul's.

Q Will you describe what happened on that day?

A That day, after lunch, my brother and I went to the Philippine General Hospital. We were in our white uniforms; we had Red Cross armbands, and I was carrying my stethoscope. When we got to Herran Street, the College of Medicine, the Japanese sentry there stopped us and ordered us to go into St. Paul's. We were kept in the garden for some time --

Q Excuse me. Did you say anything to the Japanese sentry about where you were going or what you were doing?

A Yes. I tried to convey to him that we had to go to the Philippine General Hospital because there were some patients I had to see there. When we got into St. Paul's, they put us into the garden, and they kept us there for some time. Then it started to rain, so they brought us into the main building; they put us in a small room.

Q Will you look at Prosecution Exhibit No. 89 and point out where this room was located?

A This room was located in this corner here (indicating).

Q You are pointing to the northeast corner of the building marked "Two Story Building," is that right?

A Yes, sir.

Q Go ahead, Doctor.

A We were brought there, and everybody was pushed into the room, but inasmuch as we couldn't all fit in there we were brought to a second room. During the process of going to the second room, some of the Japanese started to take the baggage, the watches and the jewelry, whatever possessions the people had. We were put in the second room and kept there for some time, then we were put into the third room.

Q Yes.

A In the third room they ordered us to close all the windows, and then gave us some candies. After they put the candies there --

Q Where did they put them?

A Somewhere near the northern part of the room.

Q All right.

A After they brought in the candies they closed the doors. Everybody crowded in on the stuff, and then there were several explosions.

Q Did you see where the explosions came from?

A It seems to me something came flying over the transom into the room.

Q What happened then?

A As soon as I heard the explosion, I fell flat on my face and I felt several people falling on top of me. When I was able to look around, the window at my left had been blown open, the doors had been blown open, and the stone wall outside the window had been blown open.

Q I show you an exhibit offered by the Prosecution as No. 91; can you point out the window?

A This seems to be the window here (indicating).

Q You indicated the right side of the photograph, did you?

A Yes, sir.

Q All right. You saw the hole blown in the window. What happened then?

A I looked around for my brother, but I couldn't find him, so I jumped out of the window into Florida Street. When I got to Florida Street I found my brother was ahead of me; he was already running. As I got into Florida Street there were several shots behind us, and they sounded like machine gun shots.

Q Could you tell where they were coming from?

A Well, as far as I could determine they came from behind me. Then when we got to Florida Street, we found the street -- well, there were several things that looked like mines there -- I had been told they were mines, I don't know exactly -- but I had been told they were mines. So we ran across Florida Street, then we got to the corner of Florida and Tennessee, and the corner was barricaded with vehicles, overturned cars and barbed wires strung across the street. My brother and I managed to crawl through that, and we were able to run home.

Q During this entire time at St. Paul's College, did you have your white uniform on?

A I did.

Q Did you have your Red Cross armband on?

A I did, and also my stethoscope.

Q You had your stethoscope with you?

A Yes, sir.

Q Was your brother dressed the same way as you were?

A Yes, sir.

CAPTAIN PACE: That is all I have.

#### CROSS EXAMINATION

Q (By Captain Sandberg) Now, when you were on the grounds around St. Paul, did you hear any explosions?

A Yes, sir, there were several explosions.

Q That is, before you went into the building?

A Before I went into the building.

Q Do you know what those explosions were?

A I have no idea.

Q Was there a considerable amount of American artillery fire in that area at that time?

A I don't know, sir.

Q Now, after you went into the building and you were in the dining room, did some of the people in there start to open the windows?

A Yes, sir. I was one of those who opened the window beside me.

Q Did the Japanese tell you not to open the windows?

A Yes, sir, they ordered us to close the windows.

Q Why did they order you to close the windows?

A They told us to close the windows because the Americans were all around, and they were starting to shoot at us, and they were putting us in that dining room and ordering the windows closed so as to protect us from

the Americans who were firing at us.

Q Now, subsequently later in the afternoon, about 5:30, I believe you stated; the Japanese came in and brought candy?

A I don't know exactly what time they came in, but they brought in the candy.

Q Did they bring in any biscuits?

A I don't know, but I have seen bottles of rum; I saw them bring in bottles of rum.

Q Did you see them bring in anything else?

A Nothing else, sir.

Q Did you have any of the rum?

A No, sir.

Q Now, did you notice anything unusual about the lights in the room?

A No, sir, I did not.

Q Did you notice any black coverings around the lights?

A No, sir.

Q Did you notice any cords from the lights leading to the outside corridors?

A There were some ropes or cords.

Q But you didn't regard that as particularly unusual?

A No, sir, I didn't pay any attention to them.

Q Now, how do you describe the explosion that occurred? What kind of a noise was it?

A I don't know how to describe the noise. It just sounded like a big noise.

Q Very loud?

A Very loud.

Q Was there a big blinding flash?

A Yes, there was a flash.

Q Was there only one explosion?

A I did not count them, but I think there were several.

Q Can you state how many you heard?

A No, sir.

Q Now, did the explosion lift the room off the dining room?

A I did not notice.

Q Did the explosion destroy the entire building?

A I don't know, sir.

Q Did the explosion blow the windows out?

A Well, I couldn't swear, but the window beside me was intact before the explosion, and after the explosion I heard, it was open; so I gather it must have been blown open by the explosion.

Q You didn't see any hand grenades up around the ceiling, did you?

A I didn't see any around the ceiling, but I saw one flying in through the transom.

CAPTAIN SANDBERG: That is all.

GENERAL DONOVAN: I would like to ask a question: Previously, during the Japanese occupation, do you recall that they ever assembled large groups of people and passed out candy and whiskey before?

THE WITNESS: No, sir; I don't recall any such occasion.

(Witness excused)

WINIFRED COLMA

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

DIRECT EXAMINATION

Q (By Captain Pace) Will you give your name, please?

A Winifred Colma, sir.

Q How old are you?

A 13, sir.

Q You will have to speak louder. We can't hear you. Where do you live?

A 416 Herran Street.

Q Do you remember going to St. Paul's College on February 9th of this year?

A Yes, sir.

Q Who went with you there?

A My mother and my two sister and my two brother and I.

Q What happened after you got there?

A The Japanese told us to go inside St. Paul's College, and all of my family go there. Then the Japanese put us in the garden. About one hour it rains, they put us in the little room, and then the Japanese told us to go in big room. Then the Japanese give us candy and wine, water, and after that they close the door, and then they threw hand grenades out of the lights, then I go to the door with my mother, and then they throw hand grenades. I saw the window was being destroyed, and then I saw my mother die, and my two sister and one brother.

Q They were killed by this one hand grenade?

A Yes, sir.

Q You saw them killed right there, is that right?

A Yes, sir.

Q Go ahead, Winifred.

A Then my one brother was over by the dead man, and then I see him escape, and then me, too -- jump out the window. I see the Japanese machine gun; others was die on the ground, and then I went to Dr. Velarde's house with my brother. I saw the Japanese killing the small children and the ladies.

Q Where was that, Winifred?

A Dr. Velarde's house. And then the others -- one Chinese they got there, and then I am afraid to see, and then I run out. My brother was separated. And then I did not see the Japanese, he was shooting at me, and I was hit in my back. I talked to my friend, "There is the Japanese at my back," I run out, and then I go to our house.

Q How many of your family were killed there, Winifred?

A My mother and two sisters, one brother.

Q How old was your mother?

A 32, sir.

Q What was her name?

A Concepcion Colma.

Q Give your sisters' names and how old they were.

A My sister Illuminada, 15 years old, sir; my younger sister, 10 years old.

Q What was her name?

A Violeta. And Camilo, 14 years old, sir.

Q That was your brother?

A Yes, sir.

Q What happened to your brother Orlando?

A My brother Orlando was being hit by shelling.

CAPTAIN PACE: You may inquire.

CAPTAIN REEL: No questions.

(Witness excused)

ANGELES BARAHONA

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

DIRECT EXAMINATION

Q (By Captain Pace) Will you give your name, please?

A Angeles Barahona.

Q Where do you live?

A 1312 Tuberias.

Q How old are you?

A 28.

Q Where did you live on February 9th, 1945?

A 704 Wright Street.

Q Did the Japs come over to your house that day?

A Yes, they did at about 11:30.

Q What did they say and what did they do?

A They said that they wanted us out of our house, because they would blow the Bureau of Science Building.

Q Where was the Bureau of Science located?

A On Herran Street, very near our house.

Q What else did they say?

A We tried to convince them that we did not want to leave our house, but they said that we had to, because they were afraid that the concussion would damage our own house, and they wanted to protect us.

Q Did they say when they were going to blow the Bureau of Science up?

A Yes, they did. They didn't manage to convince us in the way they would do it, by signs.

Q Did you go to St. Paul's College?

A There was no alternative.

Q Did you go to the dining room there?

A Not right away.

Q I mean, did you ultimately get to the dining room, all the people?

A Yes.

Q What happened after you got to the dining room?

A After we got to the dining room I started to look up around and I noticed five what I thought were black-out lamps.

Q How many of them?

A Five. I counted them.

Q Did you see anything else?

A Nothing else. The only thing unusual was that each lamp had a string attached to it.

Q Where did the string go?

A Way outside to the corridor.

Q If you had wanted to turn the lamp on, could you reach up and pull the string?

A Oh, no; they were quite high.

Q You couldn't have turned the lamps on with those strings inside the room, then?

A No, sir.

Q All right. What happened then?

A Well, one of the Japanese came in and said that we were being led into the building for one reason, and that was to protect us from American brutalities.

Q American what?

THE REPORTER: "Brutalities."

THE WITNESS: Brutalities.

Q (By Captain Pace) I see. What happened then?

A And I started to be afraid, because I saw the lamps moving, and I felt that something unusual was happening. One of them exploded, and then I believe I fainted, because when I came to I heard two more explosions, and then I saw one of the doors being opened by the explosion, and I saw about eight Japanese laughing like fools!

Q Looking inside the room, were they?

A Looking inside the room at the people that were either dead or badly wounded.

Q What else did you see?

A I tried to lift my mother, and to convince my sister that the best way was to leave the building right away, and before we left I saw a baby of about a week being carried and then thrown up into the ceiling.

Q Who threw the baby up into the ceiling?

A A Japanese soldier.

Q How did he throw it?

A He grabbed him by the arm (demonstrating) and he just threw him as one throws a ball.

Q What happened then?

A And another Japanese with a fixed bayonet came in and just stuck the baby right in the middle of his stomach (de-

monstrating).

Q While the baby was flying through the air?

A Well, the first Japanese threw the baby up, and the second one came running and just thrust his bayonet (demonstrating). I saw the baby dangling with the bayonet still in his stomach.

Q All right. What happened then?

A Then we finally got my mother out of the window, and we started running, and went into the first building we thought was safe for us to go in.

Q Did you see any more Japs come into the room at St. Paul's other than the two you spoke of?

A I saw the eight that were lined up laughing at everything that happened, and then I saw three more coming in with hand grenades, and two more after the three first ones with bayonets on.

Q What did they do, other than the instance that you described?

A They started thrusting the bayonets on the people that were wounded or dead.

Q Were you injured?

A Yes, sir, I was.

Q What happened to you?

A I was injured on the forehead, in the head, and on the hand.

Q By what?

A By what I suppose are shrapnel wounds.

Q What caused them?

A The things that were dangling from the roof, I

believe.

Q You mean by "shrapnel" fragments of metal?

A Yes, sir, they were, because I myself took the metal out.

CAPTAIN PACE: Your witness.

CROSS EXAMINATION

Q (By Captain Reel) Do you know whether these Japanese soldiers who came to your house and told you they were going to blow up the Bureau of Science building were army or navy?

A I can't exactly say, but I believe they were navy.

Q Did you know what they were using the Bureau of Science building for?

A No, sir, because we were not allowed to leave the house the week previous to the massacre.

Q I see. Now, you had been in Manila all through the Japanese occupation?

A Yes, sir, I was.

Q And at any other time before this, in Manila, had you been told to go into a particular place as you were this date?

A Never.

Q That was the first time that anything like that had happened?

A Yes, sir.

Q And so far as you know, it was the first time during the Japanese occupation that there had been occasion to get a large number of people into one place, is that right?

A Yes, sir. We heard about the things being --

Q No, not what you have heard about, please; just what you know. That was the first time, so far as you know, that there was occasion to get people into one place?

A Yes, sir.

CAPTAIN PACE: If the Commission please, I object to the question unless she is allowed to tell what she heard, because counsel asks if she knows of people being taken into places.

CAPTAIN REEL: My question, I believe, was fairly clear, and has to do with what this witness knows.

MAJOR KERR: At this time, for the benefit of the record, I would like to protest the type of examination that counsel for the Accused indulges in in cross examination. It is obvious, sir, that he desires the record to show only such portions of the answer that might be in his favor, and is extremely anxious to avoid such part of the truth as may be adverse to his client. I suggest, sir, that the record should be permitted to develop naturally and fully, and not have responsive answers stricken.

CAPTAIN REEL: I don't believe we asked anything to be stricken from the record, and if these remarks are directed at me, I personally resent them and consider them untrue.

GENERAL REYNOLDS: The Defense and Prosecution will cease this unseemly bickering.

The Prosecution may, if they wish to do so, continue to examine the witness.

CAPTAIN PACE. That is all

(Witness excused)

DR. HERMINIO VELARDE, JR.

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

DIRECT EXAMINATION

Q (By Captain Pace) Will you give your name, please, Doctor?

A Dr. Velarde, Jr.

Q What is your first name?

A Herminio Velarde, Jr., sir.

Q Where do you live?

A Philippine General Hospital.

Q What is your profession?

A M. D., sir.

Q Where were you on the afternoon and evening of February 9th, 1945?

A I was at home, sir.

Q Where is your home?

A Tennessee Street, 495.

Q Can you point your home out on Prosecution Exhibit No. 89?

A Yes, sir. This is it, sir (indicating).

Q You are pointing to the place marked "Velarde Family," is that right?

A That is right, sir.

Q About 5 o'clock in the evening of that day, where were you at your home?

A I was on the back porch, the second story of our house.

Q By "the back porch," do you refer to the north end of your home?

A That is right, sir.

Q What did you see unusual, if anything?

A About 5 or 5:30 there was a big commotion coming from the direction of St. Paul's Institution, and I saw a group of people trying to get in from that direction and from the street, to our wire fence, so I met them downstairs, and I saw the Americans were coming. So the first thing I asked them was, "Why all the big commotion?" They said the Japanese were running after them. So I met them, and -- well, they were all horrified and trying to look for an exit, to get out and evade the Japanese soldiers, so the first thing I did was to look for my father to get the key of the gate to our house.

Q Your yard, which they were in, had a fence around it all the way?

A Yes, sir.

Q How high was the fence?

A Somewhere around 5 feet, sir.

Q Go ahead.

A So then I tried to look for my father, I couldn't find my father, so I went to the next house, Marasigan's house -- by the way, our house and this house was connected with a little opening through the wall.

Q You refer to the Marasigan house?

A That is right, sir.

Q Is that the one that is marked "Marasigan Family" on Exhibit 89?

A That is right, sir. There is a break through the wall which separates Marasigan's house from our house.

Q Is that the one labeled "Break in wall" on the same exhibit (indicating)?

A That is right, sir. So I went through the other yard to the Marasigan house to try to look for my father, because my family was already sheltered in the concrete house, in the Marasigan house. I couldn't find my father, so I tried to look for the keys for the Marasigan gate, to open up the gates to exit the horrified people, but I couldn't find it, so I joined my family in the next house, that house of Marasigan. In about five minutes our yard and the yard of Marasigan was crowded with people.

Q Civilians?

A Civilians; men, women and children. I tried to look for my family, to join them in the Marasigan house.

Q Did the Japanese come?

A Then I went to the second story of the house, and we were peeping through to the street, and in about 7 or 10 minutes there was a group of Japanese soldiers who came, who tried to get through our gate and couldn't, so they made fires, long range firing, and tried to get the civilians in our yard.

Q What did they fire with?

A Rifles.

Q What happened then?

A And then, seeing that they were ineffective with their shots, they went over our gate, went inside the yard, our yard and Marasigan's yard, and started to kill

people.

Q Describe what you saw.

A I was peeping through the window of the second story of the Marasigan house and I saw several killings. The killing which impresses me most was that of a young girl about 15 or 16 years old, who was hiding herself in one of the banana trees. That was in the back of Marasigan's yard.

Q Is that where it says "Banana palms" on Exhibit 89?

A That is right, sir.

Q You say this girl was hiding in the banana palms?

A That is right. So were the other people, civilians.

Q What did you see happen?

A Then one of the Japanese soldiers with a sword, saw her and called her. At first she hesitated to move, and then finally she tried to move on bended knees. She went straight to this Japanese soldier, who had his sword drawn, and beside him were about two or three Japanese soldiers with rifles and fixed bayonets, and then -- well, the girl came close to this Japanese soldier with the sword, and was pleading for mercy, and this Japanese soldier lifted up the girl with her long hair (demonstrating) and was going to try to decapitate her head, and for a moment she talked, and they halted, and he talked with his comrades, then he had a little laugh, a giggle, and finally he completed the act.

Q What did he do?

A He tried to decapitate the head.

Q How did he do it?

A Well, by the hair (demonstrating), holding the hair with the left hand, he ~~lifted~~ the girl and went through with the act with the sword. She was hit in the back of the neck. It really didn't decapitate the head, but he tried to.

Q Did it kill her?

A Yes.

Q What else did you see?

A I saw several other killings, and most of these killings were done by bayonets.

Q Describe any that you remember.

A Describe which?

Q Any killings that you remember.

A There was a hole in the yard of Marasigan, which was supposed to be a dugout, which was made in the Marasigan's residence, but really very small, a dugout about four or five feet. There was seen hiding there a man, and one of the soldiers with fixed bayonet just thrust his bayonet in the back of this man. That is what I saw then.

Another killing which I remember, in the back of the Marasigan's residence there is an air raid shelter constructed for the former occupants -- by the way, the residence was formerly occupied by Japanese. I really don't know if they are civilians.

Q What happened at the air raid shelter?

A Well, I saw Japanese there, about two or three, and I saw one of them throw a hand grenade in the shelter after verifying that there were people in there.

Q You say there were people in it when he threw the hand grenade in?

A Yes, sir.

Q Did you go out into your yard the following day, or several days?

A Yes, sir, I did.

Q Did you find any bodies out there?

A Many bodies.

Q About how many?

A There were bodies in our yard, the yard of Marasigan, and under our house, dead people.

Q Under the house?

A Under our house, sir.

Q About how many?

A Well, about two or three, sir.

Q How many bodies were out in the yard altogether?

A Well, we buried all these people, and we accounted for 30 people.

Q You buried 30 people?

A That is right, sir.

Q Those people that you found inside your yard and Marasigan's yard?

A That is including our yard, Marasigan's, and the banana place.

Q The place where it is marked "Banana trees"?

A That is right, sir.

Q On Exhibit 89?

A Yes, sir.

Q Those were survivors of St. Paul's?

A Yes, sir.

CAPTAIN PACE: Your witness.

CROSS EXAMINATION

Q (By Captain Sandberg) Was there a large scale looting of Japanese stores at St. Paul's that day by Filipinos?

A Yes, sir, there was looting in the morning about 9 o'clock, sir.

Q Filipinos stole stores from the Japanese?

A Stole what?

Q Stole stores?

A Yes, sir.

Q Do you have any knowledge as to what they stole?

A Well, they got biscuits.

Q Biscuits?

A Biscuits, toilet papers, a sack of rice.

Q Rice?

A And electric fans; almost anything they can get hold of.

Q How do you know about this?

A Well, you see, sir, the looting took place in the street of Tennessee. St. Paul's Institution covers a whole block, and the looting took place on Tennessee. That is where we lived, and because of the commotion all of the neighborhood were alarmed by it, and everybody was in the street trying to look for what was going on.

GENERAL REYNOLDS: The Commission will inquire the purpose of this questioning.

CAPTAIN SANDBERG: If it please the Commission, we feel that this circumstance explains the subsequent

events of that day that the witness has testified to, or a possible explanation; namely, that in view of the shortage of food, the Japanese were looking for the Filipino thieves who stole the biscuits and other foods from the stores.

MAJOR KERR: The Prosecution feels that that line of questioning may be out of order at this place in the proceedings; it was not presented in direct examination, in so far as I recall.

CAPTAIN SANDBERG: If it please the Commission, the witness has just testified that this occurred on the very same day as the circumstances he has just described.

MAJOR KERR: That, sir, was brought out only on counsel's own questioning in cross examination. There was no looting brought out on direct examination; therefore, it is certainly beyond the scope of direct examination, if the Commission wants to follow strict legalistic principles.

However, aside from that, I don't see what possible connection looting would have with the bayoneting of children or the massacre.

GENERAL REYNOLDS: We will give the Defense a chance to explore the case. You may proceed.

Q (By Captain Sandberg) So that you saw Filipinos walking along the street carrying Japanese biscuits, rice and other commodities?

A That is right, sir.

Q And it was on the morning of the 9th of February?

A Yes, sir.

CAPTAIN SANDBERG: That is all.

CAPTAIN PACE. Thank you very much.

(Witness excused)

(An affidavit was marked  
Prosecution Exhibit No.  
95 for identification.)

CAPTAIN PACE: At this time I offer Prosecution Exhibit No. 95 for identification in evidence.

GENERAL REYNOLDS: Is there additional objection by counsel to this affidavit?

(No response.)

GENERAL REYNOLDS: There being none, it is accepted into the record.

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

CAPTAIN PACE: If it please the Commission, this exhibit is offered particularly for the information contained on page 145 through 148, and the top of page 149, in which the witness describes 60 people being lined up and shot and bayoneted. There is also an instance there where the testimony is that a Japanese soldier threw a very small baby up and caught it on the point of his bayonet.

As the last thing in this case, the Prosecution offers the statements of 10 witnesses, to prove the identification of some 72 bodies in this case.

CAPTAIN SANDBERG: Before we come to that, the Defense would like to call specifically the attention of the Court to the question and answer on page 149:

"Q. What branch did they belong to?

"A. I know they were navy, because that time there were no more army."

GENERAL REYNOLDS: You are merely inviting the attention of the Commission to that statement?

CAPTAIN SANDBERG: Yes.

GENERAL REYNOLDS: Very well.

Does the Defense desire additional time to study these?

CAPTAIN SANDBERG: Yes, sir.

GENERAL REYNOLDS: Upon resuming the trial after the closed session, the Prosecution may again refer to the documents in question. In the meantime, the Defense will have a chance to study them.

Will you make your announcement?

MAJOR KERR: If it please the Commission, I understand that the Commission's ruling is that the session tomorrow morning will be a closed session and will not be open to the public. That was upon motion of the Prosecution, for the reason that our first case tomorrow morning will be the Bayview Hotel case, which involves the raping and the mistreatment of a number of women. Some of the testimony will be oral testimony, and it is not in the public interest, nor would it be fair to the young women who testify, that that be a public session.

GENERAL REYNOLDS: For that reason, the session starting tomorrow morning at 8:30 will be closed to the press and to the public.

How long does the Prosecution estimate that that case will require?

MAJOR KERR: So far as I can tell now, sir, approximately two hours.

GENERAL REYNOLDS: Then not earlier than 10:30 in the morning the public hearings will be resumed. It may be later than 10:30, but in the event the closed session is finished before that hour the Commission will recess until 10:30.

The Commission will stand in recess until 8:30 tomorrow morning.

(Whereupon, at 1705 hours, 31 October 1945, the trial was adjourned until 0830 hours, 1 November 1945.)

I N D E X

WITNESSES

	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
Esther Garcia Moras	500	514	515	
Priscilla Garcia	516			
Evangeline Garcia	524			
Virginia Velasco	530	537		
Maria Luisa Sotelo	538	542		
Josefina Ramos	543			
Uliran Pedro	548			
Eloisa Chicote	552	557		

EXHIBITS

<u>PROSECUTION EXHIBIT NO.</u>	<u>FOR IDENTIFICATION</u>	<u>IN EVIDENCE</u>
108	559	560
109	560	
110	560	
111	560	
112	560	
113	560	
114	560	
115	560	
116	560	

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

UNITED STATES OF AMERICA

-vs-

TOMOYUKI YAMASHITA

CLOSED SESSION

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

Met, pursuant to adjournment, at 0830 hours.

MEMBERS OF MILITARY COMMISSION:

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

MAJOR GENERAL LEO DONOVAN  
MAJOR GENERAL JAMES A. LESTER  
BRIGADIER GENERAL MORRIS C. HANDWERK  
BRIGADIER GENERAL EGBERT F. BULLENE

APPEARANCES:

(Same as heretofore noted)

REPORTED BY:

E. D. CONKLIN  
L. H. WINTER

P R O C E E D I N G S

GENERAL REYNOLDS: The Commission is in session and will proceed with the business. In this closed session there should be no one in this room who is not regularly in advance of that rail. Except such military police as are necessary to insure the security of the closed session, no others will be present.

The Prosecution may proceed.

MAJOR KERR: Sirs, the members of the Commission are here, the Accused and Defense Counsel are here, and the Prosecution is ready to proceed.

I suggest, sir, that while we are waiting for the first witness to take the stand that we take care of the matter of the exhibits which were offered yesterday.

GENERAL REYNOLDS: I would rather do that in open session.

MAJOR KERR: All right, sir.

Sir, Captain Hill informs me that none of the witnesses called for this morning has arrived as yet, so I shall have to ask for a recess until they do arrive.

GENERAL REYNOLDS: Why is that?

CAPTAIN HILL: The Major in charge of getting the witnesses stated that they left at 6:00 o'clock this morning to pick the witnesses up.

GENERAL REYNOLDS: The person in charge of getting the witnesses before the Commission is the Prosecution. The Commission looks to the people provided to assist you to have witnesses present. This is an unfortunate delay. We informed the public that we would open on or shortly after 10:30 and this delay

is not well received.

The Commission will recess until such time as the witnesses can be made available.

(Whereupon at 0835 hours a recess was taken until 0845 hours.)

GENERAL REYNOLDS: The Commission is in session. The Prosecution will proceed.

Will you again cause the record to show the presence of all essential persons?

MAJOR KERR: Yes, sir. All of the members of the Commission are present together with the Accused and his Defense Counsel, and the Prosecution is ready to proceed.

ESTHER GARCIA MORAS

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

DIRECT EXAMINATION

GENERAL REYNOLDS: We won't want the microphone unless it is necessary for the witness to be heard by everybody in the room.

CAPTAIN HILL: Sir, the incident that I shall present now is Bill of Particulars No. 34.

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

A Esther Garcia Moras.

Q Where do you live?

A Right now?

Q Where do you live right now?

A 721 Calero Street.

GENERAL REYNOLDS: We can't hear.

THE WITNESS: 721 Calero Street.

Q (By Captain Hill) How old are you?

A 24.

Q What is your nationality?

A Filipino.

Q Are you married or single?

A Married.

Q How long have you been married?

A Six years.

GENERAL REYNOLDS: Is the Defense able to hear?

COLONEL CLARKE: No, sir.

GENERAL REYNOLDS: Place the witness out in the center of the room.

COLONEL CLARKE: May we have the name of the witness?

CAPTAIN HILL: Esther Garcia Moras.

GENERAL REYNOLDS: Off the record.

(Remarks outside the record)

Q (By Captain Hill) Where did you reside during the first part of February of this year?

A 220 Alhambra.

Q And with whom did you reside there?

A With my father, mother, brothers and sisters.

Q During the first part of February were you and the other members of the household forced to leave your home?

A Yes. We were forced to leave at night.

Q And why were you forced to leave your home?

A Well, the houses surrounding it were burning.

Q Was your house on fire at that time?

A Not yet, but the fire was coming towards our house.

Q At what time of the day on the 9th was that that you left?

A At 8:00 o'clock at night.

Q And where did you go then?

A They took us to the Plaza Fergusson.

Q And can you tell the Commission where Plaza Fergusson is?

GENERAL REYNOLDS: A little louder.

CAPTAIN HILL: Sir?

GENERAL REYNOLDS: A little louder. Perhaps if we have the witness move farther to the rear and faced a little more this way. Do talk a little louder, please.

Q (By Captain Hill) Will you tell the Commission where Plaza Fergusson is located in the City of Manila?

A It's just about 50 meters from my house.

Q Well, near what streets?

A Isaac Peral, Alhambra and M. H. del Pilar.

Q And where is it from Dewey Boulevard?

A It's just about 10 meters.

Q Which way from Dewey Boulevard?

A Dewey Boulevard is here and it's here (indicating).

Q And is Plaza Fergusson east of Dewey Boulevard?

A Yes, east.

Q Did you see any Japanese members of the Imperial Japanese forces after you were forced to leave your home on the 9th?

A They were all around the streets.

Q And did any of these Japanese accost the members of your family?

A No.

Q Did any of them approach the members of your family?

A They just told us where to go.

Q Where did they tell you to go?

A To line up in Plaza Fergusson.

Q Did you do that?

A Yes.

Q And were there other people in the Plaza Fergusson at that time?

A There were a lot of people there.

Q How many people would you say were in the Plaza Fergusson at that time?

A I should say about a thousand to a thousand five hundred.

Q Were they men, women or children?

A Men, women and children all together.

Q And about what time in the evening of the 9th did they gather this group at Plaza Fergusson?

A 8:00 o'clock.

Q After the group was gathered there by the Japanese what did the Japanese do with the people?

A They put men on one side and women and children on another side.

Q And what did they do?

A And then from the men -- No, from the ladies' and children's group, why, they separated girls.

Q And do you have any idea how many girls were separated?

A I can tell only in my group. There were about 25 girls.

Q And can you give the Commission the ages, that is,

approximate ages, of these girls?

A I should say from 15 to 32.

Q And you were in this group of about five that was separated from the large group of women; is that correct?

A Yes.

Q After the Japanese separated the group of 25 that you were in what did they do with the group?

A In our group they marched us into the Coffee Pot.

Q How many Japanese accompanied you to the Coffee Cup?

A Three or four.

Q And were they armed?

A Yes. They had bayonets and rifles with the bayonets on.

Q Were there any officers in the group of Japanese?

A I couldn't tell.

Q Did they tell you there on Plaza Fergusson what they intended to do with you?

A No, sir.

Q And can you tell the Commission where the Coffee Cup Cafe was with reference to Dewey Boulevard?

A It's just behind Bay View Hotel.

Q And when you arrived at this Cafe what did the Japanese do there, if anything?

A Oh, they just told us to sit down and relax and not to be afraid of anything.

Q Were there any chairs or other furniture in the Cafe?

A No. Just a couple of camouflage nets and some mattresses.

Q Were there any other Japanese in the Cafe besides those that had taken you there?

A There was an officer seated on the left side at a chair and a table.

Q Did any other Japanese come into the Cafe while you were there?

A Yes. They just came in back and forth all the time we stayed there.

Q How many Japanese would you say came into the Cafe while this group was there?

A Oh, I should say about ten or fifteen.

Q And tell the Commission just what the Japanese did there during the time you were in the Cafe.

A Well, they told us to stay there and not to be afraid of anything. And they started bringing bottles of whisky and cigarettes and throwing candies at us, and then they sat down in front of us with their flashlights and pointed at our faces and laughed and grinned, and we were all so scared we just didn't know what to do. We started smoking and my sister, well, she was so nervous. They gave us some drinks and she took some drinks. She poured half of it on her dress because the Jap was forcing her so much, that she was so scared that she took a sip of the whisky.

Q How long did the Japanese keep this group of girls in the Cafe there?

A They kept us about an hour to an hour and a half.

Q And then what did they do with the group?

A They marched us over to the Bay View Hotel.

Q Did you go to the Bay View Hotel under guard?

A Yes. One in front and one at the back.

Q And were these guards armed?

A Yes. They had each a 45-gun.

Q Where did they take you in the Bay View Hotel?

A They took us to the second floor and the fourth room in the left wing facing the boulevard.

Q Can you tell the Commission how large a room this was?

A It wasn't very large. I guess it must be 7 x -- I couldn't know.

Q It was a small room?

A It was a small room.

Q Was it furnished?

A There was nothing except mattresses and mosquito bars.

Q Were there any lights in the hotel at that time?

A No lights whatsoever.

Q Was there water available to you folks there in this room?

A No, no water.

Q At what time of the evening did you arrive there at the Bay View?

A I guess it must have been about 9:30; 9:30 or a quarter to 10:00.

Q Did the Japanese lock you in this room?

A They just closed the door but they didn't lock it.

Q Did any Japanese remain near the room to guard the door?

A No.

Q Then after the Japanese put you in the room did they leave you?

A Yes. They left us for about ten minutes and then they came back again.

Q How many came back?

A Four or five.

Q And did you recognize whether they were officers or privates?

A They were just soldiers; common soldiers.

Q Could you tell to which branch of the Japanese forces they belonged?

A Marines. That's what the girls told me.

Q Did you notice their uniforms?

A They had an "anchor".

Q An "anchor" on their cap?

A Yes. They didn't have caps. They had an "anchor" somewhere here (indicating).

Q You noticed the "anchor"?

A Yes, I did.

Q When these four came back tell the Commission what they did.

A Well, when they came back they had lighted the candles in their hands and some flashlights and they started looking at our faces. We didn't know what they wanted to do, so we just crowded one on top of each other and tried to hide our face. And they kept moving our hairs this way (illustrating) and started looking at our faces and then they went out again.

Q Did those Japanese or any others return later on that evening?

A They kept coming in and going out. I couldn't tell if they were the same. They all looked alike.

Q When this group of four came in that you have testified about did they harm or molest any of the girls in the room?

A No. They just wanted to see our faces.

Q Later in the evening did any Japanese come to the room and take girls out of the room?

A Oh yes. They took them out.

Q About how long after this first few came was a girl taken out?

A Oh, I should say about 15 minutes afterwards.

Q Just tell the Commission about the occasion of the first girls being taken out of the room.

A Well, they came back and they grabbed my two sisters. They were in back of me. And we didn't know what they were going to do. So my two sisters started fighting them, but they couldn't do anything. So they grabbed my two sisters by the arm and took them out of the room. And we waited and waited and waited, and finally my youngest sister came back and she was crying. And I asked her, "Where is Pris? Where is Pris?" And she said "Oh! They are doing things to her, Esther! They are doing things to her, Esther!"

So everybody in the room knew what was going to happen to us. They didn't touch my youngest sister because she was menstruating.

Q How long before your sister Priscilla came back?

A It seemed to me about a half an hour, but she says it was only about 20 minutes or 15 minutes.

Q Can you tell the Commission her appearance when she came back?

A She was perspiring; her hair was all messed up; her dress was turned around, and she was bleeding all over. And she said "Esther, they did something to me! I want to die! I want to die!"

Q After they took your two sisters out of the room, can you tell the Commission how long before any other girls were taken out of the room?

A Before my sister Priscilla came back they came back and got my younger sister again.

Q What is your younger sister's name?

A Evangeline.

Q How old is Evangeline?

A She is 14.

Q And how old is Priscilla?

A She is 15.

Q Tell the Commission about them taking Evangeline out.

A They took Evangeline out, and this Jap didn't believe that she was menstruating. So he stuck his finger inside with a piece of cotton to see if she was really menstruating. But I didn't see my sister Evangeline any more. She went to find my mother. And during the time she was gone was when my sister Priscilla came back.

Q Go ahead and tell the Commission now about the next time that any of the girls were taken out of the room.

A Well, afterwards when my sister Priscilla came back, why, there were three Japanese who came inside the room and they dragged me out of the room. I tried to resist, but I couldn't do anything about it. They were just dragging me out. And they took me to a room and all three of them were there and they started slapping me when I tried to resist. I couldn't do anything. They tore my pants off and they pushed me down on the floor, and I laid there while one of them stood guard. One of them had a bayonet fixed in his rifle and the other two had just a bayonet here (indicating).

When the first one was doing things to me two of them were just looking and laughing all the time. It took him about ten minutes to have his intercourse with me, and after he finished the other one just jumped on top of me, and after the other finished the other jumped on top of me. I was so exhausted I didn't know just what to do. They had slapped me so much I was in a daze. And then they sent me back to the room and all the whole night they kept coming back and forth, coming back and forth.

Q Do you have any idea how many times you were taken out of the room there that night by the Japanese?

A Well, my friends told me they got me out from 12 to 15 times.

Q How long did you stay in this particular room in the Bay View Hotel?

A You mean with the Japanese?

Q No. I mean where they took your group.

A With the girls?

Q Yes, with the girls.

A We stayed until 6:00 o'clock in the morning.

Q And then what did you do?

A Then, why, we opened the door and we started looking for our people. I found my mother with Evangeline and my two kid sisters.

Q And where were they?

A They had been on the fourth floor. The Japanese had taken them to the fourth floor of the Bay View.

Q And during the day of the 10th where did you stay in the hotel?

A We stayed in the basement. Somebody complained to the Captain that was in charge there of the soldiers and they ordered us to stay in the basement where the Red Cross girls were working and they would protect us.

Q And did you go to the basement?

A Yes, we did. We all went there.

Q And how many women were gathered there in the basement?

A Between 600 to 800. There were a lot of people.

Q But most of the women who were taken to the hotel eventually went to their room?

A Yes.

Q And you remained there from the 10th to what day?

A To the 12th at 4:00 o'clock in the afternoon when the building caught fire. And they didn't want us to leave the building, but we started screaming. Everybody was shouting. So finally the Japanese said "All right. Let them go". And we started running in the street.

Q After the first night which you have told the Commission about, were you harmed or molested by the Japanese?

A No. We weren't bothered any more.

Q Did you see any other girls or women taken or harmed by the Japanese after that night?

A We used to hear screams, but we didn't know what it was.

Q Did you recognize any of the Japanese that were in the Bay View Hotel during that period of time?

A No. They all look alike to me.

Q Can you tell the Commission about how many Japanese you saw in the hotel during the time you were imprisoned there?

A I guess there were about 200 soldiers.

Q And were they occupying any particular part of the hotel?

A No. They just came walking in all day. From the boulevard they would come up and get some food, I guess, and then go out again; stayed there with their machine guns.

Q Did you see officers or privates?

A I have seen officers and I have seen soldiers, and the Captain that was in charge there.

Q Among the Japanese that took you out of your room on the first night were any of them officers?

A No.

Q They were all privates?

A All soldiers.

Q During the time you were imprisoned in the hotel did the Japanese give you any food or water?

A They give us crackers and salty water.

Q And how many times did they give you crackers?

A Sometimes twice a day; sometimes three times a day.

Q And do you know where the water came from that they gave you?

A The first water they gave us came from the sea.

Q Do you know where any of the other water came from?

A The last day that we stayed there they went up to the fifth, sixth, seventh and eighth floors and got water from the latrines.

Q Out of the latrines?

A Yes. And they sent some little kids to get water out of the swimming pool over there: the Army and Navy Club.

Q And you were able to escape from the hotel on the 12th?

Is that what you testified to?

A Yes, the afternoon.

Q And tell the Commission exactly the circumstances of your escape.

A Well, the building caught fire and we started screaming and the Japs didn't let us go out and, you know, when it is all women, we started pushing the Japs around and finally they decided -- The Captain gave an order to let us go out into the street. We went in the street and everybody started running, and there were all machine guns around us and the Japs were just laughing at us all the time.

Q Did you see any persons killed in the locality there of the Bay View when you escaped?

A No.

Q Did you see any other women harmed or molested in any way?

A No.

Q You have stated that your friends in the room in the Bay View on the first night told you that you were taken out of the room twelve or fifteen times?

A Yes.

Q Were you raped on each of these occasions?

A Every time.

Q You were forced to have intercourse with a Japanese against your will?

A I fought all I could, but I couldn't. After they beat me the first time, why, I lost all strength. I was -- I don't know. I was dizzy. I couldn't even think any more. They just came to the room and lighted me with their candles

and they just dragged me out of the room. They kept doing that the whole night. I couldn't even resist. I would stay in the room for two minutes, and here they come again and drag me out the whole night that way.

CAPTAIN HILL: You may cross examine.

CROSS EXAMINATION

Q (By Col. Clarke) Mrs. Moras, you stated that the Japanese who took you to the hotel wore an "anchor"; is that correct?

A I beg your pardon?

Q You stated that the Japanese who took you to the hotel wore an "anchor" on their uniform.

A Yes.

Q That they were members of the Japanese Navy or Marines?

A That is what my girl friend told me. She stated that they were from the Marines.

Q And you stated that there were 200 soldiers that were there?

A Yes.

Q Were they all dressed the same way?

A Yes.

Q They all wore the "anchor" on their uniform?

A Yes.

Q Do you know the difference between a Japanese and a Formosan?

A I couldn't tell.

Q You don't know whether these particular ones were Japanese or whether they were Formosans?

A No, I couldn't tell.

GENERAL REYNOLDS: What was your question?

COLONEL CLARKE: Whether she knew the difference between the Japanese and the Formosan.

Q (By Col. Clarke) Do you know the date that the machine guns were turned on the Manila Hotel?

CAPTAIN HILL: I object to that as not proper cross examination, sir.

GENERAL REYNOLDS: What is the purpose of the question?

COLONEL CLARKE: We believe, sir, that we can show that at the time this Bay View Hotel incident occurred there was fighting all around the vicinities.

GENERAL REYNOLDS: The objection is sustained.

COLONEL CLARKE: That is all.

REDIRECT EXAMINATION

CAPTAIN HILL: Just one more question.

Q (By Captain Hill) All of the Japanese that you saw in the Bay View Hotel, can you state to the Commission whether or not they were members of the Japanese armed forces?

A Well, I don't know. I guess so.

Q Did they wear the uniform of the Japanese armed forces?

A Yes; all of them.

CAPTAIN HILL: That's all.

GENERAL REYNOLDS: Is there further cross examination?

CAPTAIN REEL: No questions.

You have no further questions?

COLONEL CLARK: No.

CAPTAIN REEL: No further questions.

(Witness excused)

PRISCILLA GARCIA

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

DIRECT EXAMINATION

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

A Priscilla Garcia.

Q Can you speak out loudly so the Commission can hear?

A Priscilla Garcia.

CAPTAIN HILL: Did you hear it, sir?

GENERAL REYNOLDS: Just barely. A little louder, please.

CAPTAIN HILL: Do you want the speaker on?

GENERAL REYNOLDS: Let's try it without it.

Q (By Captain Hill) How old are you?

A 16. I was 15 when it all happened.

Q And where do you reside now?

A On 721 Calero Street.

Q With whom?

A With my father and mother.

Q Are you a sister of Esther Garcia Moras that testified here?

A Yes.

Q And were you among the group of girls that was taken from the Plaza Fergusson on the night of 9 February 1945 to the Coffee Cup Cafe?

A Yes.

Q And from the Coffee Cup Cafe where were you taken to?

A To the Bay View Hotel.

Q Can you speak up just a little louder?

A To the Bay View Hotel.

Q To which floor of the Bay View Hotel were you taken?

A The second floor.

Q About how many were in the room where you were taken?

A About 25 or 30.

CAPTAIN HILL: Can you hear, Colonel?

CAPTAIN REEL: No.

THE WITNESS: About 25 or 30 girls.

Q (By Captain Hill) Can you give the Commission an idea of the ages of these girls in that room?

A Well, I can; but some girls I don't know.

Q Well, were they 15, 16 or 25 or about what ages?

A One was 13, some were 15, 16, 17; some were 20, 25, 30.

Q At what time in the evening did you arrive at this room in the Bay View Hotel?

A About 9:30. 9:30 in the evening.

Q Were you under guard from the Coffee Cup Cafe to the hotel?

A Two Japs brought us there.

Q And did they have rifles or some other arms with them?

A They had guns.

Q And when they put you in this room in the hotel tell the Commission what they did.

A They brought us to the room and started talking for a little while and then left. After a half an hour they came back and started raping us.

Q How many came back?

A Two came back.

Q And did you recognize them as the same two that had brought your group there to the hotel?

A No. I recognized one whom I saw in the Coffee Pot.

Q And when these two came back what did they do there in the room?

A They pointed to me and my sister Evangeline, and he took us --

Q Tell the Commission just what he did to you there.

A He took me by the arm and pulled me and told me to come to him. At first I didn't want to go, but he started pulling me and slapping me. And what else could I do but go? He had a gun. So he dragged me to the door and after there he took me to the fifth floor, I believe it was, to a room facing Alhambra Street.

Q Speak up a little louder, please.

A He took me to a room facing Alhambra Street. And when we got to the room he took me to the window and pointed me to the other side of the river and told me that there were Americans on the other side of the river, but me and him wouldn't see them; we would all be dead.

GENERAL REYNOLDS: Will you repeat the last part of that statement, please?

Q (By Captain Hill) Will you please repeat the last part of that answer?

A He brought me to the window and told me that there were lots of Americans on the other side of the river, but he said that me and him wouldn't see it for we would all be dead; we would all die.

Q Was anyone else in this room where he took you to?

A No.

Q And was it furnished in any way?

A No. It had nothing but pillows on the floor and mattresses and, I don't know, hay.

Q Were there any lights in the room?

A No, there was nothing.

Q Now tell the Commission just what he did to you there in that room.

A He -- After that he told me to take off my clothes. Of course I didn't want to take them off. And he grabbed me by the arm and told me to take them off and not be silly. I didn't take my clothes off, so he took a hold of my blouse and tore it open and took it off. Then he shook me by the skirt and told me to take it off. I didn't want to. He took it off. And then I had my slip and my panties on and I still didn't want to take them off. And he took them off. After that I was in my panties and I didn't want to take them off, but he took them off.

He told me to lie down on the floor, and when we were there he took off all his clothes and he laid the bayonet on one side and the gun on the other side of me. And he wanted to -- Oh my God! He -- Then he started to try to do something to me, but he couldn't do anything. So he took his knife, cut me open, and then he finally succeeded. He had -- He had sexual intercourse. And he stayed about 20 or 30 minutes and he took me back to the room.

Q When you got back to the room can you tell the Commission your physical condition?

A I was bleeding very badly and I was feeling -- Oh, I was feeling bad. He took me by the arm and pushed me to the floor, and I fell down. And after that, I don't know; I

guess I fainted, or -- I don't know.

Q After that did any other Japanese come to the room and take you out?

A Yes. About 30 minutes later another Jap came. He was very, very young. And he took me by the arm and told me to "get up". He told me to get up and go with him. And I shouted and screamed and told him I had finished already. And he said -- He slapped me and kicked me, too, and he drug me out of the room. He took me in a room on the same floor facing Alhambra Street. In that room there was a bed. He didn't tell me to take off all my clothes. He just took my panties off and threw me on the bed. He was drunk -- completely drunk. He was so drunk that he tried to, but he couldn't do anything to me.

Q Did he make any threats towards you? Did he threaten to kill you or anything?

A No, he didn't. After getting on top of me -- After he finished he gave me some water and took me back to my home.

Q And after you got back to the room the second time did any other Japanese take you out of the room?

A Yes.

Q About how long afterwards?

A 30 minutes or 20 minutes afterwards another Jap came.

Q Can you speak up a little louder, please?

A About 30 minutes afterwards another Jap came and took hold of me and pointed me with his flashlight. And this time I started shouting and crying and I said I didn't want any more. He took his gun, pointed at the back of my back, told me to come. There was nothing else to do, so I went.

MAJOR KERR: Hold it up a minute.

CAPTAIN HILL: Wait until that plane gets over.

Q (By Captain Hill) Go ahead.

A After he took me to a room on the same floor facing to the boulevard, and there was nothing in that room except hay. And he told me to take off -- He took off my pants and he unbuttoned the front part and he started having sexual intercourse with me. And after that he took me back -- He took me back to a room thinking that it was our room, but when we opened the door there was a girl and another Japanese there. They were both dressed and they weren't doing anything. I know the girl and --

Q What was her name?

A Pilar Miranda.

Q Did you finally get back to the room where you had come from?

A Yes. He took me back to my room. It was the next room. You see, we got mixed up. He was drunk, too.

Q After this third occasion did any of the Japanese harm or molest you that night?

A Yes. The second one came in again and took me, and I started shouting but he took me just the same. He brought me to the same room, and this time I guess he was sober and he had --

GENERAL REYNOLDS: A little louder. A little louder.

A (continuing) He took me to the same room where he had taken me before. He pulled me to the bed and he -- He had sexual emission this time, and after that he let me go to the room by myself.

Q Was that the last time you were harmed by the Japanese that night?

A Yes.

Q And can you tell the Commission to what branch of the Japanese armed forces these three Japanese belonged?

A I think they were Marines and the third one had a band on his head with the Rising Sun on it.

Q Did you notice any insignia on the clothes of any of these Japanese?

A I was too nervous and excited to notice that.

Q Did you notice the manner in which any of them were dressed?

A They were, I guess, Marines or -- I don't know. I think they were Marines.

Q But you are certain that all of them were members of the Japanese armed forces?

A Yes, they were.

Q And after the first night at the Bay View Hotel what did you do?

A On the morning of the 10th I met my mother and we were with her all the time.

Q And were you harmed or molested any more after that first night?

A They tried to every night, but my mother covered me up with blankets and --

GENERAL REYNOLDS: I can't hear that.

Q (By Captain Hill) Speak up a little louder, please. Repeat that.

A They tried to every night, but they couldn't do anything

because my mother covered me with blankets and they couldn't do anything.

Q And you were able to remain with your mother throughout the rest of the time that you were held in the Bay View Hotel?

A Yes.

Q And on what day were you able to escape from the Bay View Hotel?

A On the 12th of February at about 4:00 o'clock in the afternoon.

Q And relate to the Commission how you were able to escape from the hotel.

A We were in the dining room and a --

Q Let me withdraw that question. I covered that. Did you leave the hotel at the same time your sister Esther left?

A Yes.

CAPTAIN HILL: That is all right. You may cross examine.

COLONEL CLARKE: None, sir.

CAPTAIN HILL: That's all.

Wait just a moment. I want to recall that witness for one question.

Q (By Captain Hill) After the fighting was all over did you have occasion to go to a doctor for an examination?

A Yes. I went to a doctor and he examined me.

Q And will you tell the Commission whether or not you had an infection as a result of your experience at the Bay View Hotel?

A Yes. I did have a small infection; slight, but that's all.

CAPTAIN HILL: That's all.

(Witness excused)

EVANGELINE GARCIA

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

DIRECT EXAMINATION

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

A Evangeline Garcia.

Q Can you speak up a little louder, please?

A Evangeline Garcia.

Q Are you a sister of Esther and Priscilla?

A Yes.

Q And you live with your parents here in Manila?

A Yes.

Q And in the early part of February of this year you were living with your parents out in the Ermita district?

A Yes.

Q Were you in the group of girls that were taken from the Plaza Fergusson to the Coffee Cup Cafe on the night of 9 February 1945 by the Japanese?

A Yes.

Q And then to the Bay View Hotel?

A Yes.

Q What time did you arrive at the Bay View Hotel?

A I can't remember.

Q About what time? Was it late in the evening?

A About 10:00 o'clock.

Q And after you arrived at the Bay View Hotel you were placed in a room there; is that right?

A Yes.

Q And did any Japanese come into that room after you were put in there?

A And then after about half an hour.

Q And how many Japanese came in at that time?

A Four or five.

Q And were they members of the Japanese armed forces?

A I don't know. All I know is that they were Marines.

Q They were Marines, you think. How do you know they were Marines?

A They told us.

Q They told you?

A Yes.

Q And can you tell the Commission how they were dressed?

A The color of the suit was olive green.

Q Did you see any insignia on their clothes?

A No.

Q Did any of these Japanese take you out of the room there that night?

A Yes.

Q About what time was that?

A About 10:30.

Q About a half hour after you had gotten there?

A Yes.

Q And how many took you out of the room?

A One.

Q Will you tell the Court now just what happened when this Japanese came into the room and took you out?

A He tried to pull me in. I tried to tell him not to take

me, but he just pulled me, grabbed me by the arm and brought me to a room on the fifth floor.

Q Was he armed in any way?

A He had a pistol and a bayonet.

Q And when you got to this room on the fifth floor was there anyone else there?

A My sister Priscilla.

Q She was with you?

A She was taken the same time.

Q Did they take you to the same room that they took Priscilla to?

A We were taken to the same room first, but they separated us.

Q Did they take you then to another room?

A Yes.

Q And was anyone in this room when you got there?

A No.

Q Was the room furnished in any way?

A No.

Q Can you tell the members of the Commission just what this Japanese did after he got you in this room?

A He tried to pull my dress off and I told him not to because I was sick. So he just lifted my skirt, and when he saw that I was in menstruation he just kicked me.

Q Tell the Court whether or not he tried to make an examination himself to see whether you were menstruating.

A Not the first one.

Q After that did he let you go back to your room?

A Yes. He brought me back.

Q And did any other Japanese come to your room that night to take you out?

A I had hardly time to sit down when another came and grabbed me.

Q Where did he grab you?

A Arm.

Q Was he armed?

A He had a bayonet.

Q And did he force you to go with him?

A Uh-huh, yes.

Q And where did he take you?

A He took me to a room on the fifth floor.

Q And tell the Commission what he did.

A He did the same as the first one, but he didn't believe. So he took a piece of cotton and stuck his finger in, and when he saw that it was really that, he just let me go by myself.

Q Were you taken out of the room any more that night by any of the Japanese?

A No more. The Jap left me by myself and I went to my mother.

Q You didn't go back then to the room where the group of girls was?

A No more.

Q And after that first night at the Bay View Hotel were you armed or molested by the Japanese?

A No more.

Q Did you see any girls harmed or molested by the Japanese?

A I didn't see, but I heard them crying.

Q Where were you when you heard them crying?

A We were on the second floor in the big room where everybody was.

Q How long did you remain on the second floor?

A Two days.

GENERAL REYNOLDS: Hold up a minute until the plane passes.

Q (By Captain Hill) Can you tell where these cries that you heard came from?

A Right from the big room.

Q From the room you were in?

A Yes.

Q Did you hear these cries at night or in the daytime?

A At night.

Q Could you tell what was going on there?

A I suppose they were raping the girls.

Q Could you tell what the girls were saying?

A They were calling their mothers and shouting.

Q Did you hear those cries each night that you were in there?

A Just the third night.

Q The third night?

A Yes.

Q And can you tell the Commission how many of those cries you heard?

A One after the other.

Q Just all night long, one after another?

A Yes.

CAPTAIN HILL: You may cross examine.

COLONEL CLARKE: None, sir.

(Witness excused)

GENERAL REYNOLDS: Major Kerr, is the testimony of the remaining witnesses merely corroborative or have you some new episodes of a similar nature?

MAJOR KERR: Sir, each one of the witnesses will identify a separate group of different number of those among them that were abused and in different ways. I believe that these witnesses have somewhat different testimony.

CAPTAIN HILL: Sirs, each of these witnesses had some particular experience themselves.

GENERAL REYNOLDS: How many more witnesses do you have?

CAPTAIN HILL: There will be six more witnesses. There will be five more witnesses, sir. Three have testified.

GENERAL REYNOLDS: Does the nature of the evidence indicate similar episodes in the same locality at the same time?

CAPTAIN HILL: In different rooms and in different hotels. The next witness was taken from the Bay View Hotel on the second day to the Alhambra Hotel, together with a group of women.

GENERAL REYNOLDS: How many more Bay View Hotel witnesses do you have?

CAPTAIN HILL: Yes, sir.

GENERAL REYNOLDS: How many?

CAPTAIN HILL: How many? There will be two more, sir.

GENERAL REYNOLDS: The Commission will forego listening to further witnesses with respect to the Bay View Hotel.

CAPTAIN HILL: Sir, one witness at the Bay View Hotel had a conversation with a Japanese officer and I should like

to have permission to put her on the stand just to relate that conversation.

GENERAL REYNOLDS: All right.

CAPTAIN HILL: She is not here right now, but I shall go ahead with the other hotels and then put her on if she comes.

VIRGINIA VELASCO

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

DIRECT EXAMINATION

Q (By Captain Hill) State your name, please.

A Virginia Velasco.

Q Can you speak up just a little louder, please?

A Virginia Velasco.

Q And how old are you?

A I am 18 years old.

Q Are you married or single?

A I am married.

Q What is your nationality?

A. I don't understand.

Q Are you a Filipino?

A I am a Filipino.

Q Where do you reside?

A I am --

Q On Alhambra Street?

A Alhambra Street in Ermita.

Q In Ermita?

A Yes.

Q Were you taken from the Bay View Hotel to the Alhambra

Hotel on February 12, 1945 by the Japanese?

A Uh-huh (affirmative).

Q Say "yes".

A Yes.

Q Can you tell the Commission how many women and girls were taken from the Bay View Hotel to the Alhambra on that day?

A The young girls were separated.

Q Were there a hundred or how many would you say were taken from the Bay View to the Alhambra?

A 200.

Q About 200?

A Yes. All young women and young girls.

Q All young women and young girls?

A Uh-huh (affirmative).

Q And when you got to the Alhambra Hotel will you tell the Commission what the Japanese did with you there?

A (No response).

Q Did they put you in a room?

A The first time the Japanese bring me in the Alhambra Hotel with 50 girls; all young girls; Spanish and Filipina girls, and I don't know what kind of other girls -- Russian. They bring them in the Alhambra Hotel.

Q Did they put all of this group of 50 girls in one room?

A No. He bring me down the stairs and bring me some food.

Q One Japanese did?

A I think that that is eight Japanese.

Q Did anyone else go with you downstairs to get food?

A No. All the girls sit down in the table and give them food.

Q They took all of the girls down?

A Two Japanese, and I think that one is an officer; three-star. I don't know what rank but he had three star.

Q And could you tell whether these Japanese at the Alhambra Hotel were soldiers or sailors or what they were?

A Oh, I think it is Marine.

Q Can you tell the Commission how they were dressed?

A They were dressed in fatigue, you know.

Q What color were their fatigue?

A I don't remember, but it is called "fatigue".

Q Did you see any insignia on their caps or uniform?

A Yes. "Anchor".

Q What time of day did you get to the Alhambra Hotel from the Bay View?

A The time they bring --

Q In the afternoon?

A No. In the night.

Q In the night?

A Night.

Q Late or early in the night?

A Early.

Q After they gave you food, then did they take you to a room upstairs?

A No. One of the Japanese, that is an officer, I think, came and select the girl. I have a short skirt and he bring me upstairs. The one guy bring me have no ears and he got a big -- What was that name?

Q A boil?

A Yes. And I think he has a sword.

Q A saber?

A Yes. He bring me in the room. The first time I go in the room and another girl go inside.

Q And what did this officer do in that room?

A Nothing.

Q Then after you had gotten to the Alhambra Hotel were you ever taken out of the room there away from the group by any of the Japanese?

A No, sir. That night, no.

Q Well, later on?

A Yes.

Q What night was that the first time?

A He just --

Q Was it the first or second night that you were in the Alhambra?

A The next night. The second night or third night. The second night.

Q Tell the Commission now about being taken out of the room by this Japanese and taken to another room. Tell the Commission what he did there.

A He did to me?

Q Yes.

A We go inside the room and I am laying down. I am sleeping. And then the Japanese told me "Wake up!" and then I said "What do you want?"

He got a flashlight and pointed at the girl and then he tickled me and then I sit down and I do like that (illustrating), and then the Japanese told me "Come on! You go with me and I bring you some food and everything you want!"

I said "I am sorry. I cannot go with you because I have got a husband".

And then the Japanese told me "Where is your husband?"

"My husband is in another department imprisoned with the other men. He is separated from me".

And then the Japanese told me: "O. K. You go with me. I will give you some food and everything you want. Clothes and everything".

I said "I am sorry. I don't like to go with you."

And then the Japanese told me "O. K. If you don't like to go with me, I'm the one to guard you. You had better come to me."

I said to the Japanese "Please!" I said "don't bring me!"

Then the Japanese told me "If you don't like to come with me, I come back and get your husband and kill him".

And then I was 'scared. I go with him.

Q Where did he take you?

A He take me in the room.

Q And did he force you to have sexual relations with him in that room?

A He don't hurt me, but I am just talking. I don't like to go. The Japanese said "If you don't like, I'm the one to guard this place".

I said "Oh, please! I got a husband."

"O. K. If you don't like, I'm sorry. I will kill your husband".

And then I go.

Q And did he have sexual intercourse with you?

A He held me, but I don't like it. That is why I am scared.

Q Was that the first night that you were at the Alhambra Hotel?

A That's the first night.

Q And after that during the time you were at the Alhambra Hotel were you harmed or molested in any way by this same Japanese?

A No.

Q By any other Japanese?

A No, I think that is the third day.

Q Afterwards?

A Yes.

Q Was that at night?

A Uh-huh (affirmative). One Japanese come -- two Japanese come around there. That's it. Two.

Q Come to your room?

A Uh-huh (affirmative).

Q Where the group of 50 women were?

A Yes.

Q And did he take you out of the room that night?

A I laid down and pretend I am dizzy. Two Japanese go inside the room and find some girl, and then I sleep and then that girl -- That Japanese wake me and then the Japanese told me "Come on, girl! You go with me!"

I said "Where?"

He said "Upstairs".

I said "I don't like to go".

Q Were you afraid not to go?

A I am afraid all the time. I am 'scared.

Q Did you go with him there?

A It is very hard to get me, but, I am sorry; I could not do nothing. That is why I didn't want to come with him.

Q And did he take you to another room in the hotel?

A Yes.

Q Did he force you to have intercourse with him?

A He held me, but I cannot do nothing. That is why.

Q And did he have intercourse with you?

A He did.

Q During the time that you were in this room in the Alhambra Hotel with these other women did you see any other girls taken out of the room?

A I see many, but I don't remember because --

Q You saw many girls taken out?

A But I don't remember who, because I got separated; in one room 50 girls or 20 girls like that.

Q Did you see the Japanese take girls out of that room every night?

A Yes.

Q Were many girls taken out?

A Oh, I don't know out of any other room. Just my room.

Q I mean out of your room.

A One night one and one night two, like that.

Q But you saw many girls taken out of the room by the Japanese?

A I saw -- I not see many.

Q How many would you say?

A Oh, one night the Japanese go there, I think that that

is an officer; he got Rosie. And one night another girl; he leave with Molly. That is a girl, a young girl. The Japanese take her. But the girls do not like it. The girls are crying and the Japanese told them "Come on! You go with me!" Then one Japanese come back and I think he is a bad Japanese. He do like that (illustrating). And even the girl is crying. That is all I seen.

CAPTAIN HILL: Cross examine.

CROSS EXAMINATION

Q (By Captain Sandberg) This Japanese who threatened to kill your husband, did he speak in Tagalog?

A No, sir.

Q What language did he speak?

A Japanese, sir.

Q Do you speak Japanese?

A You know, the Japanese say "If you don't know how to speak Japanese, you be sorry". That's why every girl learn the Japanese language.

Q Do you speak fluent Japanese?

A I not speak all; just only a little bit. That is all I understand.

Q Did this Japanese also have "anchors" on his uniform?

A I can't understand you.

Q Did this Japanese have "anchors" on his uniform?

A Yes. He have "anchors".

Q And were all the Japanese you saw similarly dressed with "anchors" on their uniform?

A That is all of them. All of them have got "anchor".

Q Do you know the difference between a Formosan and a

Japanese?

A I don't understand you.

Q Do you know what Taiwanese is?

A What is that?

Q Do you speak Taiwanese?

A Japanese.

Q Taiwanese.

A No, sir.

Q Have you ever seen a Taiwanese?

A I don't remember that. I don't remember the face. That is the same thing, I think.

CAPTAIN SANDBERG: That's all.

CAPTAIN HILL: That's all.

(Witness excused)

CAPTAIN HILL: This is the lady that I want to relate the conversation, sir.

GENERAL REYNOLDS: You will restrict it just to that part.

CAPTAIN HILL: Yes.

MARIA LUISA SOTELO

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

DIRECT EXAMINATION

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

A Maria Luisa Sotelo.

Q Will you speak a little louder?

A Maria Luisa Sotelo.

Q Where do you reside?

A Now?

Q Yes.

A 51 San Juan Street, Pasay.

Q How old are you?

A 24.

Q Are you married or single?

A I'm married.

Q What is your nationality?

A Filipino, sir.

Q You were one of the women held captive by the Japanese at the Bay View Hotel, were you not?

A I was.

Q In the early part of February of this year?

A Yes.

Q And during the time that you were in the hotel did you have occasion to have any conversations with any of the Japanese officers there in the hotel?

A I did.

Q Will you relate to the Court the conversations that you had with those Japanese officers?

A I was talking to an officer the day that they started separating the Filipino girls from the white women, and as soon as they took all the Filipino girls away I went to an officer and asked him what their idea was about separating us and asking him if we could go home. He told us that we couldn't go home because they were protecting us from the Americans. So I told him that we would rather go to our place and stay with them there. And he laughed at me and told me that they couldn't let us go home because they had orders to kill all the white women. So I begged him to do something for us, and

he said he couldn't do anything for us; that if they wouldn't kill us they would take us to the front lines and put us in front so the Americans wouldn't shoot at them. So that's all.

CAPTAIN REEL: Just a moment, please.

Sir, I shall ask that the part of the answer that had to do with the conversation with this unidentified source be stricken.

GENERAL REYNOLDS: Why?

CAPTAIN REEL: On the ground, sir, that it is hearsay; we don't know the source; we have no way of identifying, no method of cross examination. It is clearly incompetent, sir.

GENERAL REYNOLDS: The objection is not sustained.

CAPTAIN HILL: "Sustained"?

GENERAL REYNOLDS: "Not sustained".

Q (By Captain Hill) Did you know the name of this Japanese officer with whom you had conversation?

A No.

Q Do you know the name or names of any of the Japanese officers there in the Bay View Hotel?

A Yes. I knew an officer. He was a night officer.

Q What was his name?

A He told me his name was Kito.

Q And what rank did he hold, do you know?

A He wore a red band on his chest and told me he was a night officer. That is what he say. I don't know about that.

Q Did you have any conversation with him?

A Yes. I talked to him the first night we got to the Bay View.

Q Will you relate that conversation to the Commission?

A Well, when we got to the Bay View Hotel that night he took us to a room. I asked him what they were going to do with us there and he say that they were keeping us there because of the fire and things that were happening. And he -- I asked him what they were going to do with the rest of the girls and he said he didn't know. And I begged him not to let any Japanese come inside the room and take us away. And he said he couldn't help it.

Q After the first conversation with Kito did you have any further conversation with Kito? Did you later remonstrate to Kito about the treatment the girls and women had received?

A I talked to Kito all that day, several times that day.

Q That was the day following the first night at the hotel?

A Yes.

Q Just relate to the Court what you told him and what he told you on those occasions the following day.

A Well, I talked to him the next day and I was scared. And I asked him -- I always would ask him what they were going to do with us, and I told him about the things that these Japanese were doing to the young girls in that place. And he say that the officers and men, higher-ranking men out there could not do anything with the soldiers because they were fighting and they came over to that place to rest. So he said he couldn't do anything, but he would try and help us any way he could.

Q Back to the first conversation that I had you relate to the Commission, did I understand you to say that you did not know the name of the officer with whom you had that conversa-

tion?

A Yes.

CAPTAIN HILL: Cross examine.

CROSS EXAMINATION

Q (By Captain Sandberg) This officer with whom you had the conversation, do you know where he was a member of the Japanese Army or of the Japanese Navy?

A They were Marines.

CAPTAIN SANDBERG: That's all.

CAPTAIN HILL: That's all. Thank you.

(Witness excused)

MAJOR KERR: Sir, the witness who was just excused could have informed the Commission as to the total number of girls who were raped.

CAPTAIN HILL: I believe it is in the statements.

MAJOR KERR: That is all, then.

JOSEFINA RAMOS

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

DIRECT EXAMINATION

MAJOR KERR: Please be seated. Speak just as loudly as you can, so these gentlemen can hear every word you say.

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

A Josefina Ramos.

Q How old are you?

A Eighteen years old; single; house girl. 28 H. P. Santos Street, that is where I live now.

Q Were you one of the women, or girls, who were taken to the Bay View Hotel by the Japanese during the early part of this year?

A Yes, sir.

Q February, 1945?

A Yes.

Q And after you left the Bay View Hotel, were taken out of there by the Japanese, where were you taken to?

A The Bay View Hotel.

Q When you left the Bay View Hotel where did you go?

A At the Miramar Hotel Apartments.

Q How long did you remain at the Miramar?

A We stayed there for almost three days.

Q And how many women were taken to the Miramar Hotel by the Japanese from the Bay View Hotel?

A I think that is more than 60 something.

Q And where did they take you, or take this group, to, in the Miramar Hotel?

A I beg pardon?

Q Where did they take you in the hotel, to what part of the hotel?

A The second floor.

Q Did they keep this group together there?

A Uh-huh (affirmative).

Q During the time that you were there in the Miramar, did you see or know of any girls who were harmed or molested by the Japanese?

A Yes: Isabel Caro.

Q Isabel Caro?

A Yes.

Q Do you know of any other girls?

A My cousins, Corazon and Lourdes.

Q Any other girls?

A Inday, and another girl; I don't know her last name.

Q Do you have any idea of how many girls altogether in your group were harmed or molested by the Japanese?

A Around four of them.

Q Four of them?

A Yes.

Q And when you left the Miramar Hotel, what date was that?

A It was the 13th.

Q And tell the Commission where you went then.

A After we left the Miramar?

Q Yes.

A We went to the Luneta.

Q To the Luneta?

A To the Luneta.

Q And is that in the vicinity of the Bay View and the Miramar Apartments?

A Just a block.

Q When you arrived there, tell the Commission what you found.

A There were four Japanese.

Q Were there a lot of people gathered there?

A Yes.

Q And do you know why they were gathered there?

A We were gathered there because the Japanese told us to stay there.

Q In order to protect yourselves from shell fire?

A Uh-huh (affirmative).

Q And can you say how many people were there in the Luneta?

A More than 100.

Q Were they men, women and children?

A Just women and children, that is all.

Q And were most of them from the hotels in the vicinity there, do you know?

A Uh-huh (affirmative).

Q Were you harmed or molested by the Japanese there at

the Luneta?

A Yes.

Q Tell the Commission now just about what happened to you on that occasion.

A There were four Japanese, enlisted men, Marines, who went there and wanted to take girls from our room. But there was one lady by the name of Miss Linda Purganon, who knows how to speak a little Nippon-go, and she told them that if we could get a pass just to transfer and go back to our places where we used to be, but the Japanese said that if two of the girls would go with them to the officers, to the officer in charge of the passes, it would be all right for us to get a pass.

I was taking care of the baby. It was my sister's baby, and the Japanese picked on me and another girl by the name of Caridad. I don't know her last name. Then I told them I couldn't go with them because of the baby, but the Japanese said, "Just leave the baby" with my mother, and that we would stay about a few minutes, but if we wouldn't go with them they would kill us. So my mother told me to go with them.

They pulled us and brought us to a filling station. Then as we arrived there, one of the Japanese took me and brought me to a room. That was in the back part of it. He forced me down and lifted my dress -- and lifted my dress. While I was crying, begging, praying, he removed his trousers -- removed his trousers and took out his sexual organs -- (pause)

Q Did he have intercourse with you there?

A No.

Q Were you able to prevent him from having intercourse?

A Yes. I keep on struggling, twisting. I keep on struggling, twisting, but he keep on slapping my face, and he tried very hard but couldn't do anything because I keep on twisting my feet. That is all.

Q Were you able to get up then, from off the floor?

A Yes.

Q Did you go into the other room where your girl friend was?

A No. He just kicked me, and I stayed just where I was.

Q Where was your girl friend, Caridad?

A In the other room.

Q Do you know what happened to her?

A As I know, there were three Japanese who raped her.

Q Each one of these three Japanese raped her?

A Uh-huh (affirmative).

Q And were these Japanese that took you and your friend to the filling station members of the Japanese armed forces?

A Yes.

Q Do you know to which branch of the Japanese forces they belonged?

A I think they were Marines, that is all.

Q Can you describe their uniform or insignia that they wore?

A They have got a little insignia on their cap, and --

Q What kind of an insignia?

A Navy, something like that.

Q Is it an anchor?

A Uh-huh (affirmative).

Q Now, while you were in the Luneta did you see any other women or girls raped or harmed there by the Japanese?

A No.

Q Did you see any persons killed there?

A Yes. This Morales family, two kids and the mother.

Q How were they killed?

A They were brought to the other side, and they were killed there.

Q Who killed them?

A The Japanese, enlisted men.

Q How did they kill them?

A They bayoneted them.

Q By bayonet?

A Uh-huh (affirmative).

Q Do you know why they killed them?

A No.

CAPTAIN HILL: That is all.

CAPTAIN SANDBERG: No questions.

(Witness excused.)

ULIRAN PEDRO

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

MAJOR KERR: Please be seated right over here. Speak up as loudly as you can.

DIRECT EXAMINATION

Q (By Captain Hill) Will you state your name to the Commission?

A My name is Uliran Pedro.

Q And where do you live?

A At Pasong Tamo.

Q How old are you?

A I am 19 years old.

Q And what is your nationality?

A I am a Filipina.

Q And you were, in the early part of February, the 9th of February, taken to the Peralta Apartments and then to the Bay View Hotel by the Japanese, were you?

A Yes, sir.

Q And then after you left the Bay View Hotel you were taken by the Japanese to the Miramar Hotel, is that right?

A That is right, sir.

Q And what date was that?

A The date when --

Q When they took you to the Miramar Hotel.

A That was on the 10th.

Q On February 10th?

A February 10th.

Q At what time of the day was that?

A I think it is Saturday.

Q No. Was it in the day time, or in the evening, or at night?

A Night; at six o'clock.

Q And who took you to the Miramar Hotel?

A A Japanese soldier took me there.

Q One Japanese soldier?

A Yes, sir.

Q Did you learn his name?

A I don't know his name.

Q How many people were taken to the Miramar Hotel?

A There were many.

Q Would you say 100, or more or less?

A More than a hundred.

Q About 100?

A More than that.

Q Were they men, women or children?

A Women and children.

Q And what nationality were they, do you know?

A They were all Filipinos.

Q And after they took you to the Miramar Hotel what did the Japanese do with you there? Did they put you in a room?

A They put us in a room.

Q Did they put all of the group in one room, or in various rooms?

A Various rooms.

Q And how many were put in the room, where you were?

A We were about 18 or 16.

Q Sixteen or eighteen?

A Eighteen or sixteen in the room.

Q How long did you remain there in the Miramar Hotel as a prisoner of the Japanese?

A Two days.

Q Two days and two nights?

A Yes, sir.

Q And during that time were you harmed or molested by any of the Japanese?

A Yes, sir.

Q And which time was that?

A That was the night of the 10th of February.

Q That was the first night that you were there?

A Yes, sir.

Q Just tell the Commission what happened that night.

A That night when they came in the room a Japanese approached me. He took me by force. I didn't want to go out, but he had a gun with him, and I have to go with him. I was forced to go with him upstairs in a room. When we were in the room he was asking me to take off my clothes, and he wanted me to lie down on the bed. I refused, but he had a sword. He threatened to kill me.

Q Did this Japanese force you to have sexual intercourse with him?

A Yes, sir.

Q And after he had completed that what did he do with you, if anything?

A When he had completed that we stayed in that room the whole night.

Q And then the next morning did he permit you to go back to your room where the rest of the group was?

A Yes, sir.

Q During the time that you were a prisoner there in the Miramar did you see any other girls taken out of the room by the Japanese?

A Yes, sir.

Q About how many different times did you see girls taken out of the room by the Japanese?

A About four or five.

Q Just out of your room?

A Yes, sir.

Q Was that each night, or during the whole time that you were there?

A During the whole time I was there; I always see them going.

Q Did you see the same girl taken more than once?

A Yes, sir.

Q Can you give the names of the girls who were taken out of that room?

A So far as I remember, I just remember the name of Rosie.

Q Is that the only one?

A I don't know the names of the other girls.

Q And on what date were you able to make your escape from the Miramar Hotel, together with the rest of the women?

A That was the 12th of February.

CAPTAIN HILL: You may cross examine.

COLONEL CLARKE: No questions.

CAPTAIN HILL: That is all.

(Witness excused.)

GENERAL REYNOLDS: How many more witnesses?

CAPTAIN HILL: This is the last witness, sir.

ELOISA CHICOTE

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

MAJOR KERR: Please be seated over here. Please speak loudly so the Commission can hear you.

DIRECT EXAMINATION

Q (By Captain Hill) Please state your name to the Commission.

A Eloisa Chicote.

Q How old are you, Miss Chicote?

A Thirty-six years.

Q And where do you reside?

A 53 Ortega.

MAJOR KERR: Can you speak a little louder?

Q (By Captain Hill) What is your nationality?

A Spanish.

Q During the first part of February, or rather, the middle part of February, were you taken to the Manila Hotel by the Japanese?

A Yes. On the 14th we were taken from home and sent --

MAJOR KERR: Please speak a little louder. We can't hear you.

A (Continuing) -- we were sent to a little house where there were many tons of gasoline and many people, about 400 there, and they sent us, the women, about 200 women, to the Manila Hotel. We were in a room, in a big room.

CAPTAIN HILL: The Defense cannot hear.

GENERAL REYNOLDS: Won't you please talk louder?

A (Continuing) We were closed in a room, a big room. We were closed in a room, about 200 women and children, and every night they came, the Japanese came to take some women, about four or five women every night. We heard their screams every night.

Q (By Captain Hill) Did you see any of these women

after they returned to the room?

A No.

Q Did any of these women tell you what happened to them?

A No.

Q Did you ever see these women return to the room?

A Only one; a Russian woman. But she returned like an insane lady.

COLONEL CLARKE : We haven't been able to hear any of this so far.

GENERAL REYNOLDS: At the close of this witness' testimony we will have the reporter read it back.

Q (By Captain Hill) How long did they keep you a prisoner in the Manila Hotel?

A From the 14th until the 18th.

Q And during that time did you have any food or water there?

A Only what the Filipinos called "lugao." It was more water than anything. And the water was almost a green color.

Q Do you know where that water came from?

A I don't know. They told us there was no water, and they gave us green water.

Q Now, just prior to your release, were some of the Spanish and mestizo women located in a separate room?

A Yes.

Q How many of them?

A About 12 ladies.

Q And did you see the Japanese take any women out of this room?

A Only one, a young lady, a German-mestizo lady, young lady.

Q Do you know what they did with her?

A I don't know.

Q Did they take her by force?

A Yes.

Q Did you see her return?

A Yes.

Q Did she state to you, or any of the others, what had happened?

A No.

Q How long was she gone from the room?

A Some hours.

GENERAL REYNOLDS: What was that?

(Answer read.)

Q (By Captain Hill) Among the 400, about 400 women that you think were taken to the Manila Hotel, can you give the Court their various nationalities?

A There were many Chinese and Filipino women; mostly there were Chinese and Filipinos.

Q And among the women that were harmed or molested by the Japanese while you were all together in the group, can you tell the Court which nationality --

A There were some Filipinos and a young Chinese, good-looking ones, about eight or ten.

CAPTAIN HILL: You may cross examine.

CAPTAIN SANDBERG: May I ask that the last question be stricken. There is no evidence that these women had been harmed or molested, from this witness.

CAPTAIN HILL: You may cross examine.

GENERAL REYNOLDS: There is an objection.

We would like the record read back by the reporter, and we will rule on the objection.

(Record of testimony of Eloisa Chicote read by the reporter.)

GENERAL REYNOLDS: What is your objection?

CAPTAIN SANDBERG: The objection, sir, is that there is no evidence that any of these women were harmed or molested, simply that they were taken from the room.

GENERAL REYNOLDS: What is your motion?

CAPTAIN SANDBERG: The motion, sir, is that the question and answer be stricken.

GENERAL REYNOLDS: The last question and the last answer? Will you repeat that?

(The question and answer referred to were read by the reporter.)

CAPTAIN HILL: Taking them from the room, sir, by force, would be harming or molesting.

GENERAL REYNOLDS: Ask the witness if they were removed by force.

Q (By Captain Hill) The women and girls that you have testified about being taken from the room, were they taken by the Japanese by force?

A They were taken by force.

GENERAL REYNOLDS: Does Defense still wish that objection to stand?

CAPTAIN SANDBERG: Sir, I would like the record to show that the "harmred" or "molested" referred to in the question

simply refers to the fact that they were taken from the room by force.

GENERAL REYNOLDS: I think that is clear.

CAPTAIN HILL: But we can't tell; we are unable to tell what happened to them. I don't think that it is fair to put an interpretation like that on the question, or on the answer, sir.

GENERAL REYNOLDS: The matter will be considered closed.

CAPTAIN HILL: I have just one more question, please.

Q (By Captain Hill) When you were able to make your escape from the Manila Hotel, will you relate to the Court the circumstances surrounding your escape?

A On the 18th, about four o'clock in the afternoon, we heard a crash, and we feel the building all trembling like an earthquake, a great earthquake, and then a green smoke blow in the door, and then all the roof came over us, and I don't know any more. I was hurt. I had four wounds in my back. I don't know -- I fainted.

Q Were you permitted by the Japanese to leave the building?

A No.

Q Were there Japanese guards at the doors to keep the civilians in the building?

A Yes. They didn't want us to go out.

CAPTAIN HILL: You may cross examine.

CROSS EXAMINATION

Q (By Captain Reel) Do you know whether these Japanese were members of the Army or Navy, or the Marines?

A I think it was the Navy, because they had green

uniforms, dark green.

Q Green uniforms. Did you notice any other insignia, that you remember?

A No.

Q Did anyone tell you that they were Navy men?

A No. They wore like that (indicating Accused) --

Q They were not the color of these uniforms (indicating)?

A No; darker.

Q Now, on this last day of the Manila Hotel, when you heard the explosion that you just described, were there other explosions outside that you heard?

A No, only a great one, and then the smoke, the green smoke that came.

Q Was there some shelling, shooting of artillery shells going on at that time?

A No.

Q None?

A We heard the noise in our room.

Q What was that?

A We heard the noise over our room before the crash.

Q You heard a noise over your room?

A Yes. And they throw all the furniture out before --

Q Well, my question, Mrs. Chicote, had to do with whether you heard shelling, the sounds of shelling outside.

A No.

Q Did you hear that?

A No.

Q Do you remember what day this was in February, 1945?

A On the 18th.

Q The 18th day of February?

A Yes, sir.

Q Did you, on the 18th day of February, in the Manila Hotel, hear the sound of shooting outdoors?

A No. We were closed in the room.

Q You didn't hear any machine guns outside?

A No.

Q You left the Manila Hotel on the 18th of February?

A Yes.

Q Do you remember what time on the 18th of February?

A About four o'clock.

CAPTAIN REEL: That is all.

CAPTAIN HILL: That is all.

(Witness excused.)

CAPTAIN HILL: That is all of our witnesses, sir. I have some statements that I would like to introduce as exhibits.

(A statement was marked Prosecution's Exhibit No. 108 for Identification.)

CAPTAIN HILL: We offer in evidence as Prosecution's Exhibit No. 108 a statement of Zenaida G. R. Lyons relative to this case, made under oath before the investigating officer of the War Crimes Investigating Detachment.

GENERAL REYNOLDS: Has the Defense had an opportunity to study these statements?

CAPTAIN SANDBERG: No, sir, we have just received them.

GENERAL REYNOLDS: It will be considered, then, after the Defense has had an opportunity to study it.

CAPTAIN HILL: I will have each one of them marked and offered in evidence.

GENERAL REYNOLDS: You may have them marked and offered in evidence, and the decision will be made as to their admissibility after we have had a chance to look at them.

(A statement was marked Prosecution's Exhibit No. 109 for Identification.)

CAPTAIN HILL: We offer in evidence, as Prosecution's Exhibit No. 109, a sworn statement of Montserrat Iglesia Marzoni, taken under oath before an investigating officer of the War Crimes Investigating Detachment.

GENERAL REYNOLDS: It is accepted subject to the conditions stated. Both Prosecution's Exhibits 108 and 109 are accepted, under the conditions stated.

(A statement was marked Prosecution's Exhibit No. 110 for Identification.)

CAPTAIN HILL: We offer Prosecution's Exhibit No. 110, which is the sworn statement of Carmencita Veloso Ballesterus, taken under oath before an investigating officer of the War Crimes Investigating Detachment.

GENERAL REYNOLDS: The document is accepted under the conditions stated.

(A group of statements were marked Prosecution's Exhibits Nos. 111 to 116, inclusive, for Identification.)

CAPTAIN HILL: The Prosecution offers in evidence Exhibits 111, 112, 113, 114, 115, and 116, which are all sworn statements taken before an investigating officer of the War Crimes Investigating Detachment relative to the

incident under consideration. I offer them in evidence.

GENERAL REYNOLDS: They are tentatively accepted, under the conditions previously stated.

CAPTAIN SANDBERG: May we get the names on those, please, Captain?

CAPTAIN HILL: Yes.

Exhibit No. 111 is the sworn statement of Pilar Ubago Miranda;

Exhibit No. 112 is the sworn statement of Erlinda Querubin;

Exhibit 113 is the statement of Nadie Nesterenko;

Exhibit No. 114 is the statement of Lourdes Pedro;

Exhibit No. 115 is the statement of Gertrudes Narag del Casal; and

116 is the sworn statement of Pacita Tapia.

GENERAL REYNOLDS: Is there anything further?

CAPTAIN HILL: That is all, sir.

GENERAL REYNOLDS: The Commission will be in recess until ten minutes of 11:00, which is approximately an 11-minute recess.

(Whereupon, at 1039 hours, the closed session was adjourned.)