VOL. 11 YEAR 1945

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VOL. 20 YEAR 1945

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Yamashita, Tomoyuki, 1885-1946, defendant

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

UNITED STATES OF AMERICA	)	
	)	
-vs-	)	PUBLIC TRIAL
	)	
TOMOYUKI YAMASHITA	)	
	)	

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High Commissioner's Residence,
Manila, P. I.
7 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

I N D E X

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P R O C E E D I N G S

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

MAJOR KERR: Sir, all of the members of the Commission are present, the Accused and his Defense Counsel are present, and the Prosecution will proceed.

The first witness this morning will be Sister Candida Ocampo.

SISTER CANDIDA OCAMPO

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

Q (By Major Kerr) Will you state your name, please?

A Yes, sir.

Q Will you state your name?

A My name is Sister Candida Ocampo.

Q Your age.

A 45 years of age.

Q What is your nationality?

A I am a Filipina.

Q Of what order are you a member?

A I am a member of the Sisters of Charity of St. Vincent de Paul.

Q And where is the home town of that Order?

A My home town is Ermita.

Q Were you living in Intramuros in February, 1945?

A Yes, sir.

Q Did you have occasion to go to St. Augustine Church during that period?

A Yes, sir.

Q That was the first week of February in 1945, was it not?

A Yes, sir.

Q Will you describe the conditions which you found at St. Augustine Church when you were there in the first week of February, 1945?

A Well, in February or September?

Q February, please.

A In February I had to accompany the Mother Superior because she was so excited and we stayed at the sacristy from the very beginning of the bombing. On February 5th in the afternoon many people from different places of the Wall City were rushing into St. Augustine, taking into consideration that that was the place of safety, and priests from the Recoletos Convent and Capuchia Fathers also came and they were all rushing up to the place. Of course I went to the door of the St. Augustine Church and saw the people rushing and, of course, accompanied by many Japanese, and I saw an old woman even pushed because she could not enter.

Q Those were Japanese soldiers, were they?

A Yes; mostly Japanese soldiers.

Q Were they armed?

A They were armed; yes, sir.

Q Did you see any Japanese officers escorting these people to the church?

A I didn't quite distinguish whether they were officers or not, but I know there were plenty of them.

Q Describe how the Japanese treated the civilians.

A Oh, well, it was atrocious because, of course, the people were rushing. They wanted to be safe. They wanted to enter the Convent, and some of them were kicked and others were pushed. Just because some of them could not enter they were pushed this way (illustrating) out of the door.

Q So the Japanese pushed them into the church; is that correct?

A Yes, sir.

Q Did you spend the nights there at the church?

A Yes, we did. In fact, I stayed in the church since September.

Q How long were you in the church?

A Until February 23rd.

Q Until February 23rd?

A Yes, sir.

Q Will you describe to the Commission the treatment of the girls and women in the church by the Japanese?

A On the very night of the 5th of February some girls rushed to the sacristy where we were sleeping, because they said that some of them were taken by the Japanese and were brought to the second story of the convent where the Friars were sleeping. Of course we all got scared, too, because of course they were rushing to our aid and they said "Sisters, please help us out because we are afraid we will be taken in". So we placed them -- We told them to sleep in some corners of the sacristy, others under our beds and others under benches. And, of course, later on, the next morning, the story was told to us and some of them --

two of them were able to escape. They told us the story how the Father aided them in looking for escape. Two of them were able to escape through a winding stair at the back.

Q That was escape from whom, Sister?

A From the Japanese. However, the other two, of course -- One priest came to aid them and then he was asked -- The priest told him -- Father Polo was the priest who told them "Please do not hurt these girls". However, the Japanese said "You American spy. You are guerrilla". That's what the Father said. However, they began crying and crying, and later on, of course, I didn't know what happened to the other two, but two of them were able to escape.

Q Did you see the Japanese soldiers at night going around looking for girls?

A Yes, sir.

Q Will you describe how they conducted their search?

A You see, they had flashlights every night and they search for the girls, and it was so strange how is it that they knew the exact girls that they wanted to look for. Of course I think they selected the best ones, of course, that they wanted to.

Q Did you see the girls resist the Japanese?

A What is that?

Q Did you see the girls resist the Japanese?

A Well, you see, they were afraid and some of them, of course, had to go with them. That's what they said. I know two who were first sleeping in the sacristy, but

that very night before they would enter the sacristy they did not come to us. So I asked them the next morning why they did not come, and they told me it was because they were taken by the Japanese?

Q Did that happen every night?

A Not exactly. Well, most of the times, you see, -- Most of the times they took, because if they did not take some from the corridors of the convent they would take them also from the church themselves.

Q Did you see them take any of the girls out of the church and convent?

A Of course I didn't pay any attention to it. I only knew that the girls were rushing to our place because they were afraid. They were afraid that they would be sent. From that time on, of course, many of the girls were sleeping with us. Some of them were sleeping under the benches, others on top of the lockers, others protected by the bodies of some of the Sisters. But we had to protect them. We surrounded them and we slept in such a way that these girls were covered by the Sisters.

Q Do you know whether or not any of the Catholic Sisters were mistreated by the Japanese?

A Yes, sir.

Q Will you describe that?

A One afternoon at 2:00 o'clock a Japanese came wanting to take one of our girls, Pacita Seguenza. Of course she was first sitting beside me. She was sewing at the machine because we lost everything and we were trying to fix everything up. The Japanese wanted to take her out, and of

course I rushed right away and looked for Captain Irada and requested that would they please intercede for us because we didn't like the Japanese to take this girl out. And I tried to protect Pacita from the Japanese grabbing the girl from us and Sister Pilar received the slap. She was slapped. Another Sister by the name of Sister Carmena, an old Sister, approached and interceded. She was beginning to cry "Please!" and she said "Do save this girl. We do not like you to take her away". And of course the hood was taken away. Of course the intention of the Japanese is indescribable in the code of the Sisters, insisting that this girl should be given to him. Of course the other Father also came nearby and tried to find out. Of course I asked the Captain and he said "Oh, Sister. We can't intercede because they think that these girls are American spies". Of course we can't do anything. So I went around to look for another interpreter, I not knowing Japanese, and of course the brother of Dr. Seguenza approached, but he couldn't do anything either. And when I returned, of course that thing happened already and fortunately I think when the Japanese saw that there were that many around he left. And of course one of our companions changed the dress to an old woman, put a towel around her head and we placed her at the corner. We gave her a black dress pretending that she was an old woman and a towel on her head, and from that time on she was at the corner protected by the Sisters.

Q Did you see a hand grenade thrown at the altar of the church?

A Yes, sir.

Q Will you describe that?

A One morning -- that was inside the church near the altar -- we had a commotion. I was there then under the choir and then the people at the altar began shouting, and I said "There is an accident came," and then of course I went also and I went right away to the place where the people were shouting and were running from one place to another. And of course they told me, you see, these Japanese were passing by, two of them were laughing. They were laughing at what they have done. They threw the hand grenade to the altar, and, of course, the church itself was filled with plenty of people. They could hardly move from one place to another because we were thousands of them. But, you see, the Japanese were laughing at what they said. They said that they wanted to experiment how the people would -- would show themselves at the hand grenade that was thrown. Of course one was wounded.

Q You say one civilian was wounded?

A Yes, sir.

Q Was that a man or a woman?

A A nun was wounded.

Q A nun?

A Yes. A woman, I said.

Q Do you recall her name?

A I have forgotten her name.

Q Did you see the convent portion of the St. Augustine compound burned?

A Yes, sir.

Q Will you describe the burning of that area?

A The burning started at 1:30 in the afternoon.

Q Of what day was that?

A Of the 7th.

Q The 7th of February?

A Yes, sir. Of course the men were taken on the 7th in the morning, all the men from St. Augustine.

Q So this was after the men had been taken away from the church?

A Yes. The men were taken in the morning and the fire started at 12:30 or 1:00.

Q Did you see the fire start?

A Yes, all over.

Q Will you describe to the Commission how the fire was started?

A Of course we could see the fire all over Intramuros, but the nearest fire that started near the convent was at General Luna just beside the convent church. And of course we tried salvaging some of the things that belonged to the priests which were then in the second story, but then when we saw that the fire was terrible we went down, and what I did was to ask permission from the Captain to go to Santa Isabel, which is just across the road, to save also some of our things. And from there -- Of course there were Japanese in the streets, mostly; many of them. And of course we were allowed to pass for the first time. And I told the Sisters that the Mother Superior was so sickly and so nervous that she told me to tell all the Sisters and the people in our college to go to Santa Rosa, being the only place that we could -- that we thought was the safest.

Q Did you see what the Japanese did with respect to the fire in the convent?

A Well, the Navy men -- You see, the college was partly occupied by the Navy and we thought that the Navy was helping putting out the fire. However, when we pass by we smelled the gasoline. They were throwing -- We thought that it was water that they were throwing in the windows and other parts of the convent, but then when the sisters passed by they saw that -- they smelled the gasoline. They said, "Well, this is not water. This is gasoline".

Q So you thought as you passed by the burning convent that the Japanese were throwing water upon it?

A Yes, sir.

Q Actually they were throwing gasoline; is that correct?

A Yes, sir.

Q Did you see Japanese officers in the church and convent while you were staying there?

A Yes, sir.

Q Were there very many of them?

A Oh, sometimes we could see ten officers, but there were always around 50 of these soldiers; 50 or 60 of them.

Q Do you know whether or not people died in the church and convent?

A Yes, sir.

Q Do you know the causes of their deaths?

A (No response).

Q Do you know why they died?

A Well, some of them because of the hand grenade thrown by the Japanese.

Q Hand grenade?

A Yes. Others, of course, because of the shelling.

Q Did any die of starvation or disease?

A Many of them died by starvation and disease and we had to bury them just at the other side of the patio of Santa Rosa.

Q Who buried those bodies?

A We women.

Q You women then buried the bodies; is that correct?

A Yes, sir.

Q Do you have any idea of approximately how many bodies you buried there?

A During our stay? I think there were some of them -- We had sometimes three deaths every day, sometimes two. Approximately, I think, there were twelve.

Q Twelve?

A Yes.

Q Did they include women and children?

A Of course, the children -- Yes, yes.

(Photograph of people killed on 22nd of February was marked Prosecution No. 226 for identification.)

Q (By Major Kerr) I hand you what has been marked 226 for identification and ask you if you know what that is.

A This was -- These people were killed on the 22nd of February.

Q In St. Augustine Church?

A In St. Augustine Church, in one of the galleries.

Q And those are their bodies; is that correct?

A Yes, sir.

Q Do you recognize any of them?

A Yes. One of them is Miss Cecelia Ascona, one of our pupils.

MAJOR KERR: If the Commission please, I offer this photograph in evidence as Exhibit 226.

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

(Prosecution Exhibit No. 226 for identification was received in evidence.)

Q (By Major Kerr) When did you leave the church?

A On February 23rd.

Q After that did you have a conversation with a Japanese soldier?

A Before that.

Q Before that?

A Yes. That was -- We had a conversation during -- That was, I think, on February 18th; something like that.

Q February 18th?

A Yes.

Q Where were you at the time?

A We went to the ruins of Santa Isabel because we were short of water and we couldn't take a bath, neither could we wash our clothing. So we got permission -- We got permission from Captain Irada.

Q Who are "we", please?

A Of course we always go -- Two sisters must go together. We never go by ourselves alone.

Q Thank you.

A And of course I got the permission and I was there,

and fortunately -- I don't know whether it is fortunately or unfortunately, but there were Japanese going to the place where we were and I met three of them who knew Tagalog and one began talking with some of our old women. Then he said "Well, you know, --

CAPTAIN REEL: Sirs, if the witness is going into a conversation with an unnamed Japanese soldier we object to it. I wish to point out, Sir, that we have been quite indulgent in the examintion of this witness and out of deference to the wishes of the Commission we have not hitherto objected to the hearsay and the opinion evidence. But in the interest of saving time and preventing any more evidence that has no probative value from coming before the Commission, we wish to object now to any further testimony of conversations with unnamed persons.

MAJOR KERR: I submit, sir, that the conversation which this witness will relate will have probative value and will be of great interest to the Commission in connection with the issues which it must determine.

CAPTAIN REEL: But it is entirely incompetent, sir, on any ground.

MAJOR KERR: It is merely a matter, sir, of whether or not the Commission desires to hear the conversation. It relates upon the issues in this case.

GENERAL REYNOLDS: The objection is not sustained. Proceed.

Q (By Major Kerr) Will you proceed, Sister?

A They told me that they were able to escape from the Santa Ana district because the Americans were already at

that place and that the Filipinos were "bad people".

Q The Filipinos were "bad people"; is that what he told you?

A Yes, sir.

Q And did he explain that statement?

A Yes. "Because", he said "the Filipinos were the ones showing the Americans where the hideout of the Japanese" and he himself said that we Filipinos are -- we were 75 per cent pro-American and the 25 per cent hypocrites.

Q 75 per cent pro-Americans and 25 per cent hypocrites; is that right?

A Yes, sir.

Q When did you finally leave St. Augustine?

A On the 23rd.

Q On the 23rd?

A Yes, sir.

Q And after that time you were rescued by the American forces; is that correct?

A Yes, sir.

Q Was this Japanese who told you that the Filipinos were all "bad people" in a military uniform?

A Yes, sir. He told me that he was a captain or something like that.

Q A captain?

A Yes. Because he had this long saber with -- with gold on the handle.

MAJOR KERR: Your witness.

CROSS EXAMINATION

Q (By Captain Reel) Just a couple of questions. Do

you know whether these Japanese military persons whom you saw were members of the Army or Navy?

A The Army, I think. It was the Army.

Q Well, did you see any Naval men there at all?

A Of course, yes, because they were living in two wings of the college.

Q And isn't it true that practically all of the men whom you saw in that area were members of the Japanese Navy?

A Yes. But this man, of course, just came escaping. He told us that he escaped from Santa Ana.

Q So that when you say "Japanese Army" you are speaking only of this particular soldier?

A Yes, sir.

Q Who escaped from Santa Ana?

A Yes, sir.

Q One more question. Do you understand the Japanese language?

A I don't understand, sir.

CAPTAIN REEL: That's all.

MAJOR KERR: Thank you very much, Sister.

THE WITNESS: Not at all.

(Witness excused)

RENEE PENA

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

DIRECT EXAMINATION

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

A Renee Pena.

Q Your age?

A 23.

Q What is your address? Where do you live?

A Right now?

Q Yes.

A I live at 68 Andrea Vitan Street.

Q Where were you living during the month of February, 1945?

A In the Walled City.

Q That is the so-called Intramuros, is it?

A I beg pardon?

Q That is the Intramuros?

A Yes, sir.

Q And that is in the City of Manila, is it not?

A City of Manila.

Q Are you married?

A No, I am single.

Q During the first week of February, 1945, did you go to the St. Augustine's Church, together with your family?

A Yes, sir.

Q How many were there in your family?

A In the family we were about -- we were eleven.

Q Eleven?

A No, ten.

Q Will you speak a little louder, please? Do you recall the date on which you and your family went to the church?

A That was on February 5.

Q February 5?

A Yes, sir.

Q Why did you go to the St. Augustine's Church?

A Why?

Q Why?

A Because the Japanese told us to go over there; we were taken by the Japanese.

Q How long did you remain in the church or convent?

A About 19 days, from the 5th to the 23rd.

Q From the 5th to the 23rd of February?

A Yes, sir.

Q What happened to your father and brother?

A They were taken on the 7th.

Q They were in the church with you?

A They were in the church with us, and were taken on the 7th.

Q Describe the taking of your father and brother away from the church.

A That was early in the morning. My father went up to take some water for us, and when he came down the Japanese went around calling for all the men, and after awhile -- we didn't have time to say goodbye -- and my father was taken in single file with other men and marched to Fort Santiago.

Q Was your brother taken, too?

A Yes, and my brother was gone, too.

Q Have you ever seen your father or your brother since?

A I haven't seen them since then.

Q Did the Japanese at any time permit or order you to go out from the church?

A Never.

Q Did they at any time search your possessions?

A Oh, yes, they did; I remember.

Q Will you describe that, please?

A That was on the 13th of February, when about between 9 and 10 in the morning, we were told, everybody, the people in the church were told to fall in single file and leave the church without bringing anything, and then we were taken to the ruins and debris, with American airplanes overhead and shelling taking place, and we were exposed there for about more than 3 hours. There were shrapnels and bullets falling all around us, and I was watching a sentry. The shelling would stop for a while, and then the Japanese sentry would go to the corner of the street and give a shot in the air, and then the shelling would start all over again. And after more than 3 hours, we were taken back to the church.

Q What did you find when you returned to the church?

A We were fortunate; we didn't lose anything. But I have heard of many who complained losing jewelry and food and some other things.

Q You heard the people complain of the Japanese ramsacking their possessions, is that correct?

A I beg pardon?

Q You heard the people complain that the Japanese had taken things from their possession, is that correct?

A Yes, sir.

Q While you were there in the church, did the Japanese mistreat any of the girls?

A I have seen how a Japanese took two girls away, but I can't say what he did with them. And besides, I have seen two Japanese slap a Sister and take the head covering of another Sister, because these two Sisters were shielding a girl that the Jap soldier wanted to take away.

Q Did the Japanese come around at night, looking for girls?

A Yes, sir, every night.

Q Describe that to the Commission.

A On the very first night we were there, there were Japanese going around taking out girls. A Jap soldier came to our place and pointed a gun at my mother, and he laughed and went away. After a while he was back again. That is when I rushed under the bed. The Japanese was pointing a gun at my sister, and took away two girls, friends of ours, who were sitting beside my sister. And after that, we girls crossed to the Sisters' place and hid there for the night, and there were girls being taken out from hiding with the Nuns, or hiding under the bed; my mother would drop us blankets and pillows, and we would keep still until the next morning.

Q How often did the Japanese search for women in that manner?

A Oh, every night. That was every night, sir.

Q Did you see the Japanese install or put any military weapons or guns in the church or convent?

A Yes.

Q Will you describe that, please?

A We had anti-aircraft guns on top of us, and machine guns in the door, and trench mortars at the wells, and beside the church.

Q The wells are located within the church compound, are they not?

A Yes, sir.

MAJOR KERR: Your witness.

CROSS-EXAMINATION

Q (By Captain Sandberg) Now, you stated, am I correct, that when the Japanese took you outside the church you were exposed to shellfire and bullets, is that correct?

A I beg your pardon?

(Question read)

A Yes.

Q And there were American planes flying overhead, too, is that right?

A Yes, American planes.

Q It was a pretty dangerous place to be, wasn't it?

A Yes, sir, pretty dangerous.

Q And you were glad to get back into the church, weren't you?

A Yes, sir, I was very glad.

Q In fact, the church was about the safest place to be at this time, wasn't it?

A Oh, yes, because we had a roof over our heads.

Q And when the Japanese took you to the church, they told you they were taking you there for your own protection, didn't they?

A Yes, they did.

Q Do you know whether any of those shells were incendiary shells, shells that caused fires?

A I beg your pardon?

Q I will withdraw that question. Did you see that the shells caused any fires?

A Fires?

Q Fires?

A Yes.

Q You saw a lot of buildings on fire?

A Yes.

Q And you saw that those buildings were put on fire as a result of the American shells?

A American shells -- I don't know whether they were American shells or Japanese shells.

Q But they were shells which landed in Intramuros?

A Yes, right in the church, too.

Q Now, do you know whether the Japanese you saw there were members of the army, the navy or the marines?

A Some were marines, I guess so, because they were wearing -- their uniforms were like that one (indicating in the direction of Defense); that skunk over there!

Q You say "anchors"?

A What?

Q Did you say you saw anchors?

MAJOR KERR: Let us have the answer read.

(The answer referred to was read by the reporter as follows: "Some were marines, I guess so, because they were wearing -- their uniforms were like that one (indicating in the direction of Defense); that skunk over there!")

Q (By Captain Sandberg) That led you to believe they were marines?

A Yes.

CAPTAIN SANDBERG: That is all.

MAJOR KERR: Thank you very much.

(Witness excused)

LAURENTINO de PABLOS

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

DIRECT EXAMINATION

Q (By Major Kerr) Please state your name.

A (Through the Interpreter) Laurentino de Pablos.

Q Your age?

A 53 years old.

Q What is your nationality?

A Spanish.

Q Where do you live?

A General Solano, 167.

Q Where were you living in February, 1945?

A At St. Augustine's Church.

Q When did you first go to the St. Augustine's Church in February, 1945?

A On February 5, 1945.

Q Why did you go to the church at that time?

A Because we were ordered by the Japanese.

Q Where were you living before you went to the church?

A On the street.

Q How long did you remain at St. Augustine's Church in February, 1945?

A We remained there until February 7, 1945.

Q Where did you go on February 7?

A All men above 14 years old were ordered out of the convent.

Q Who ordered them out of the convent?

A The Japanese officers.

Q Where did you go from the church at that time?

A They took us to Fort Santiago.

Q While you were going from the church to Fort Santiago on the 7th, what was the condition of the buildings in the Intramuros?

A Completely well. They were in good condition.

Q So the buildings were in good condition on February 7?

A Completely good condition.

Q How long were you in Fort Santiago?

(Question read)

A Two or three days.

Q When did you leave?

A On February 9, 1945.

Q And where did you go from the Fort on the 9th?

A They took all of the Spaniards with whom I was, back to St. Augustine's Convent.

Q Were you still under guard by the Japanese soldiers?

A Yes, sir.

Q How many returned with you from Fort Santiago to the church?

A Approximately 140.

Q How many had gone with you from the church into Fort Santiago?

A About 2000.

Q Do you know what happened to the men that did not return with you from Fort Santiago?

A I have had news that they had bodies there, but I have not seen any of them.

Q When you returned from Fort Santiago to St. Augustine's Church, what was the condition of the Intramuros then?

A Completely destroyed.

Q How long did you remain at St. Augustine's Church after you returned from Fort Santiago?

A Up to February 18, 1945.

Q Are you acquainted with Father Belarmino de Celis?

(Question read)

A Yes, sir.

Q What happened on the 18th of February?

A On February 18, 1945, about 5 o'clock in the afternoon, we were called by Doctor Siguenza, under orders of the Japanese militarists, that those above 12 years old, including those sick persons, that they line up inside the St. Augustine's Church.

Q Then what happened?

A After that order, they took away or were withdrawn from the lines, about 4 persons who were sick and were left in the church, and all the rest of us were taken back to

Fort Santiago, on the way to Fort Santiago. When we reached the place where the Santa Clara Convent was, we were ordered to stop. Thereafter we were ordered to enter a warehouse, where they was plenty of merchandise. Once inside the warehouse, a Japanese officer stood over a chair and told us not to worry, because we were going to stay there for about three days without being harmed.

Q How many of you were there together then?

A 132.

Q Did you count the number yourself?

A Yes, sir.

Q How long did you remain in the warehouse?

A From the Sunday night up to six o'clock in the afternoon of next Monday.

Q Was Father Belarmino among those men in the warehouse?

A Yes, sir.

Q Where did you go from the warehouse?

A We were ordered out of the warehouse and they formed a group of around 80 men. From there we were ordered to walk in the direction of St. Augustine Church. In reaching Plaza McKinley near the fire station we were ordered to stop. At the right side there were two air raid shelters near some walls of Spanish foundation or built during the Spanish regime. There we were ordered to enter into an air raid shelter, telling us that it was for our protection, because at that time there were planes flying about, and we were told they were American planes.

In the first shelter 63 were put in, but they had the idea of putting all the 80 persons inside the first shelter, but as there was not enough space the rest of the 80 men were taken to the second shelter. It was in the second shelter where I got in with the 17 men. Once inside the shelter a Japanese officer came in and handed me a small bag which he told me to keep it for him and that he was coming back for it after awhile. As I was hungry then, soon after the Japanese left I tried to put my hands inside the bag, but I was not able to open it and find anything to eat, because the bag was completely closed.

Trying to touch the bag to look for something to eat I happened to touch the point of a piece of wire that was inside the bag. Then I told the companion, named Emilio Carceller, that probably there was something inside the bag.

Q Did you notice any wires leading from this bag outside the shelter?

A Yes, sir.

Q What did the Japanese do after the officer handed you this bag with wires leading from it?

A I saw them going around and throwing some things which I suppose were wires.

Q Did the Japanese run away then?

A They were in haste leaving the place.

Q Proceed and tell what happened after that.

A After that my companion, Emilio Carceller, and myself, cut with the knife that my companion had at that time, the wire that was connected with the sack, and in a few seconds after two Japanese officers arrived and asked for the sack and inquired why that sack did not explode? We replied that it was probably because we cut the wire.

One of the two officers which appeared to be higher than the other one took out his revolver and fired to death my companion, Emilio Carceller, and the son of him that was near him.

Q What was the name of this son who was hit by this shot?

A Emilio, Jr.

Q Then what happened?

A The next thing they did was to put their barrel at the entrance of the shelter and throw grenades through the holes that appeared in the upper part of the shelter. Because of those grenades the rest of the men inside the shelter died and I was the only one who survived.

THE WITNESS (without aid of Interpreter): No.

(Addressing Interpreter in Tagalog.)

A (Continuing through Interpreter) We were seven who survived.

Q (By Major Kerr) Did you see who put the barrel in front of the entrance to the shelter?

A Yes, sir.

Q Who was it?

A The officer who handed me the bag.

Q That was a Japanese officer?

A Yes, sir.

Q How many grenades dropped down into the shelter through these ventilation holes?

A About four to six grenades.

Q You said that 17 men were put in this small shelter originally. How many of those 17 men survived?

A Seven.

Q Did you hear any explosions at the adjacent nearby shelter?

A Yes, sir.

Q Was Father Belarmino in the small shelter with you?

A No, sir. He was in the big shelter.

Q Name some of the men who were in the shelter with

you and who did not survive.

A Father Castillo; Emilio Carceller, father and son. I know all of them, but I don't remember their names at this time. Brother Cavanna of the Augustinian Order, and another gentleman by the name of Cucullu. I don't remember the names of the others.

Q Name some of the seven men, or six men, other than yourself, who did survive.

A Epifanio Gutierrez and his son; Eduardo Carceller and Jose Luis Carceller; Father Jose Maria Barrulo, and a Brother of the Franciscan Order of whom I do not know the name.

Q Was the name Brother Manjabacas?

A Jose Maria Vargas.

MAJOR KERR: Repeat the question.

(Question read.)

THE WITNESS: No. Jose Maria -- I know that his name was Jose Maria, but I don't remember his family name.

Q (By Major Kerr) Did the Japanese try to cover the ventilation holes while you were in the shelter?

A No, sir; because they were pouring through the holes air, probably with the idea to asphyxiate us.

Q How did you get out of the shelter?

A We opened the entrance and took away all the ground that they put at the entrance of the shelter, and it was about three o'clock in the morning of Wednesday, February 21, 1945.

Q Who took the dirt away from the front of the shelter?

A Father Gaudencio Castrillo.

Q Where did you go from the shelter after you got outside?

A We went to the direction of the cathedral crawling through the ground. Once inside the cathedral Father Barrulo, who was founder, told us that there was a well somewhere at the back of the cathedral with some water, and there we went to drink some water.

Q You were finally rescued by the American forces, were you?

A Yes, sir. It was sometime later. It was on February 24, 1945.

Q Did you see any of the wounded or dead men in the shelter while you were there?

A Yes, sir.

Q How badly wounded were they?

GENERAL REYNOLDS: There will be a recess for ten minutes.

(Short recess.)

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

MAJOR KERR: Will you read the question, please?

(Question read.)

A There were not but three hurt.

Q (By Major Kerr) I am speaking now of the men in the air raid shelter whom you left there. What was their condition when you left the shelter?

A All of them were almost dying, and the majority were dead. I saw Father Cavanna agonizing.

MAJOR KERR: Your witness.

CROSS EXAMINATION

Q (By Captain Reel) Between the 7th and the 9th of February when you were in Fort Santiago there was some shelling going on outside, is that correct?

A I don't think so. I am not very sure. I think it was an airplane that was flying about.

Q Well, in other words, then, what you mean is that there were bombs coming from airplanes during that time, is that right?

A There was apparently no bombing from the planes, and it was, on the contrary, the people from the ground that were firing to the airplane.

Q And the planes that were fired at didn't drop any bombs?

A In Intramuros I don't believe so.

Q And you mean to tell this Commission that between the 7th and 9th of February in Intramuros there was no shelling, and there was no bombing?

A I believe not.

Q And I suppose when you went to the air raid shelter on the 18th of February there was no shelling and no bombing, either?

A Yes, sir.

Q There was shelling and bombing on the 18th, is that right?

A Yes, sir, there was.

Q And while you were in the air raid shelter you heard many explosions from the shells and the bombs, is

that correct?

A Within this shelter we could not hear anything.

Q Didn't you hear any explosions at all when you were in that air raid shelter?

A Yes, sir; but very near.

Q So you did hear some explosions nearby while you were in the air raid shelter? Now, is that correct?

A Yes, sir.

Q And you heard quite a number of those explosions, didn't you?

A In the night about four explosions I heard within interval of ten minutes.

CAPTAIN REEL: (Addressing Interpreter) Something about "in the night" was there, wasn't there?

INTERPRETER VILLA-REAL: Yes, in the night. "It was during the night that I heard four explosions at intervals of ten minutes."

CAPTAIN REEL: Please tell us what he said.

INTERPRETER VILLA-REAL: "It was during the night that I heard four explosions at intervals of ten minutes."

Q (By Captain Reel) And those were the only explosions that you heard while you were in that shelter, is that right?

A Yes, sir.

Q You couldn't see the result of those explosions from where you were?

A No, sir, I could not see, but I believe that it was on the other shelter that these explosions were taking place.

Q So you couldn't see those explosions, but you believe that they came from another shelter? Now, is that correct?

A Yes, sir.

Q Who told you that you were to believe that those explosions came from another shelter, that you couldn't see?

A Nobody told me, but I am 32 years old, and I think at this age I have a sense to think or hold some beliefs.

Q So, just to finish up this, do we understand that you are now telling this Commission that because you are 32 years old you believe that the explosions that you heard came from another shelter that you couldn't see?

MAJOR KERR: If the Commission please, may I inquire as to the utility of this cross examination? I submit that he is merely badgering the witness.

GENERAL REYNOLDS: There is a taint of browbeating the witness. There is no objection to your seeking to develop the point that you have introduced, and you may proceed with caution as to the framing of your questions.

CAPTAIN REEL: Yes, sir. There is no intention to browbeat the witness, and I think that the point I was driving at has been amply brought to the attention of the Commission.

In answer to the Prosecution's statement as to the purpose of this examination, it is of course going to the

credibility of this witness.

Q (By Captain Reel) Could you see outside this shelter at all?

A No, sir.

Q And you couldn't see who threw the grenades, could you?

A I have seen the grenades that were thrown inside the shelter, but not those that were thrown out of the shelter.

CAPTAIN REEL: Will you repeat my last question to the Interpreter, and let him repeat it to the witness?

(The question was read by the reporter and thereafter translated to the witness by the Interpreter.)

A (Through the Interpreter) No, sir.

Q (By Captain Reel) Now, relative to this bag; as I understand it, a Japanese soldier came in and he gave you a bag and told you to hold it, is that right?

A Yes, sir.

Q Was it a leather bag?

A No, sir, it was not a leather bag; it was an ordinary bag, it was a jute bag.

Q Do I understand that you tried to open this jute bag and couldn't do it?

A Yes, sir.

Q Why didn't you open this jute bag?

A Because the sack was sewn.

Q And sometime later, a Japanese soldier came in and said, "Why didn't this bag explode?" Is that right?

A He did not ask me this. He asked me for the bag only.

Q Didn't you testify on direct examination that a Japanese soldier came in and said, "Why didn't that bag explode?"

A The inquiry was made between the two officers, not me.

Q But that question was asked by an officer, is that correct?

A I suppose it was, because they were talking in Japanese and I do not understand Japanese.

Q So you don't understand Japanese, and you didn't know what these men said, is that correct?

A It was not that I understood, but I supposed that it was the question made by the other officer, because after the question was made the other officer took off his revolver and fired.

Q So that every time that you have told us from this stand what any Japanese said, you are merely telling us what you suppose he said, is that a correct statement?

A Yes, sir.

Q All right. Now, when this question was asked relative to the bag exploding, as I understand it, either you or your companion said, "It is because we cut the wires," is that right?

A To me and my companion they did not ask why the sack did not explode. It was between the two officers. To me, the only thing that they asked was the return of the bag.

CAPTAIN REEL: Read the question, please, and have the Interpreter ask the witness the question, and see if we can get a responsive answer.

MAJOR KERR: I suggest, sir, that Counsel ask the question again, so the record will show the repetition of the question. It is not regular to have the reporter repeat the question itself except when it has not been stated to the witness.

GENERAL REYNOLDS: Well, in this case the reporter may read the question and the answer.

(The question was read by the reporter as follows: "Q Now, when this question was asked relative to the bag exploding, as I understand it, either you or your companion

said, 'It is because we cut the wires,' is that right?")

CAPTAIN REEL: Just the question is sufficient. If the Commission wishes, I will ask the question again.

GENERAL REYNOLDS: You will get better results through the Interpreter if you will state it more briefly.

Q (By Captain Reed) When the statement was made about the bag exploding, did either you or your companion say, "We cut the wires"?

A No, sir, I didn't say anything of that sort.

Q Did anyone say anything about cutting wires?

A Not one of those present in the shelter, I think, understand Japanese, and because of that not one of us answered or said anything about cutting the wires. The only thing is that they asked for the return of the sack.

Q Yes. Now, you are sure that there were wires leading from this sack outside, are you?

A Yes, sir.

Q When did you first notice those wires leading outside?

A Two minutes after the bag was handed to me, because the Japanese were moving around and it was then I noticed that there were wires connected with the bag.

Q So that you did see wires; you are sure you saw wires coming from that bag, and you saw those wires before the Japanese left the shelter, is that right?

A Yes, sir.

Q And yet you took this bag, jute bag with wires running outside, that you saw before the Japanese left the shelter, and you tried to open this bag after the Japanese left the shelter, to get some food because you were hungry,

is that correct?

A Just as soon as the bag was handed to me, I tried to open it.

Q And the reason you tried to open it was to get some food, because you were hungry, is that correct?

A Yes, sir.

CAPTAIN REEL: That is all.

MAJOR KERR: One further question, sir.

REDIRECT EXAMINATION

Q (By Major Kerr) When you returned this bag to the Japanese officer, what did he do with it?

A When this sack was taken from me, the two officers talked to each other, and from what they were talking I supposed that they were talking about the cutting of the wires, and so suddenly the other officer took out his revolver and fired.

Q Describe exactly, now, how the two officers acted after they received the bag.

A It was simply handed from my hands to their hands.

Q Then exactly what did they do when they received it from you?

A I don't know, because just as soon as they received the bag from me they closed the door.

MAJOR KERR: That is all.

CAPTAIN REEL: One question.

GENERAL REYNOLDS: Very briefly.

CAPTAIN REEL: Yes, sir.

RECROSS EXAMINATION

Q (By Captain Reel) After they received the bag from

you, as I understand it, they shot your companion; is that right?

A Yes, sir, the father and the son.

Q They didn't shoot you?

A To me not, because I withdraw from the side, towards the inner part of the shelter.

CAPTAIN REEL: That is all.

MAJOR KERR: That is all.

(Witness excused)

MAJOR KERR: Call Mariano del Rosario.

MARIANO del ROSARIO

recalled as a withess on behalf of the Prosecution, having been previously duly sworn, was examined and testified further as follows:

MAJOR KERR: You have testified previously in this proceeding, have you not?

THE WITNESS: Yes, sir.

MAJOR KERR: I remind you that you are still under oath .

THE WITNESS: All right, sir.

DIRECT EXAMINATION

Q (By Major Kerr) Did you have occasion in the latter part of February, 1945, to go to the air raid shelter near McKinley Plaza for the purpose of burying bodies?

A Yes, sir.

Q Describe what you found at those air raid shelters.

A When Major David Binkley of the 37th Division Infantry and myself arrived, together with a Spaniard by the name of Mr. Miguel Blanco, we found three air raid

shelters, sir; two small ones and one big one.

Q Did you excavate those shelters?

A Not completely, sir.

Q What did you find in or around those shelters?

A In two separate holes, near the air raid shelters, we saw clerics and priests still with their clerical robes, with their hands tied behind their backs, and all of them dead, sir.

Q Approximately how many bodies of that sort did you find?

A Around the neighborhood of 45 dead bodies, sir.

Q Were other bodies covered by dirt that you did not completely excavate?

A They were partly -- I mean to say, they were visible to public view, sir.

Q You did not completely excavate the two shelters, or the three shelters, is that right?

A Completely, no, sir. We only took those that were exposed to public view.

(A photograph was marked Prosecution Exhibit No. 227 for identification.)

Q I hand you what has been marked for identification as Exhibit No. 227, and ask you to state what that is.

A This picture was taken and shows the two places wherein we found the priests in their clerical robes, upon arrival in this section, sir.

Q Does that correctly represent the scene as it was at that time?

A Yes, sir.

Q Who are the three men shown in that picture?

A The two gentlemen here in uniforms are two American officers belonging to the War Crimes Office, sir.

Q And the third one?

A That is myself, sir.

MAJOR KERR: If the Commission please, I offer in evidence as Exhibit No. 227 the photograph just identified.

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

(Prosecution Exhibit No. 227 for identification was received in evidence.)

(A photograph was marked Prosecution Exhibit No. 228 for identification.)

Q (By Major Kerr) I hand you what has been marked for identification as Exhibit No. 228, and ask you to state what that is.

A This is the place where we buried the dead bodies, found in the shelters, and around those two holes I just showed in the other picture, in the vicinity of the old Governor General's Palace.

Q Did you note the condition of the bodies which you have mentioned?

A Yes, sir. The clerics and all those dead bodies outside of the shelters were all tied behind their backs.

Q Were there any bayonet wounds?

A Yes, sir. They were all bayoneted and some of them had gunshot wounds.

Q Did you notice the condition of the bodies in the shelters?

A In the shelters, no, sir.

MAJOR KERR: If the Commission please, I offer in evidence as Exhibit No. 228, the last photograph just identified by this witness.

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

(Prosecution Exhibit No. 228 for identification was received in evidence.)

Q (By Major Kerr) Did you also have occasion to go to St. Augustine's Church for the purpose of burying bodies?

A Yes, sir, I did, sir.

Q Do you remember approximately the date of that visit?

A I do not recall exactly the date, sir.

Q What part of the month -- or, rather, what month was it?

A It was in the month of February, sir.

Q The latter part of February?

A Yes. I think it was around the latter part of February, sir.

Q Describe the scene you found in the church or in the vicinity of the church at that time.

A When we entered the St. Augustine's Church, we found dead bodies in the interior. There was a sort of a garden inside the church. There were civilians who had been tied and bayoneted. There must have been around 45 in that St. Augustine's Church, sir.

Q Were they men, women or children, or all?

A They were mostly men, only; no children, sir.

Q Were there any women?

A Yes, sir.

Q Did you have occasion to go to Santo Domingo Church for the same purpose?

A Yes, sir, I did, sir.

Q And what did you find there?

A The same scene, sir, with about 25 dead bodies around Santo Domingo Church.

Q And were they men, women or children?

A They were mostly men, sir.

Q These bodies that you have described; were they all civilians?

A In the two churches I just mentioned, that is, St. Augustine's and Santo Domingo, were civilians, but the ones I referred to as with their clerical robes were apparently all of a religious order, sir.

Q Were any of these bodies that you have mentioned those of soldiers?

A No, sir.

MAJOR KERR: Your witness.

CROSS-EXAMINATION

Q (By Captain Sandberg) Now, these dead bodies that you saw in the shelters, you say that the evident cause of death were bullet holes and bayoneting, is that correct?

A Yes, sir.

Q Were those the only causes of death that were in evidence?

A The way I saw them was enough to make me come to the conclusion that that was the apparent cause of death, sir.

Q That is, the only apparent causes of death were

bullet holes and bayoneting?

A Yes, sir.

Q And you saw no evidence there of anyone ever having been killed by hand grenades?

A Yes, there were.

Q Well now, I just understood you to say that the only cause of death that was evident -- and you were very emphatic about it -- was bullet holes and bayoneting; is that right?

A Yes, sir.

Q Do you want to change that statement now?

A No, sir.

Q Now, did you see any dead Japanese soldiers in the vicinity of the shelter?

A No, sir.

Q Did you see any dead Japanese soldiers anywhere in the vicinity of these locations that you have described?

A I saw Japanese soldiers -- and we put them away, sir -- around the vicinity of Fort Santiago, and more into the interior of the Walled City, but not around the area which I just described, sir.

CAPTAIN SANDBERG: That is all.

REDIRECT EXAMINATION

Q (By Major Kerr) Referring again to the bodies within the air raid shelters, did you note the apparent causes of death there?

A The air raid shelters were multiple wounds, sir.

Q Could you tell what had caused those multiple wounds on the bodies inside the shelters?

A Well, to me what was most striking, sir, was the bayoneting and gunshot wounds, but the hand grenade wounds were not so penetrating to make me come to the conclusion that they may have been the cause of death.

Q Did you see hand grenade wounds on those bodies inside the shelter?

A Yes, I did, sir.

Q Now, the bodies outside the shelters, what apparently caused the death of those men?

A They also had multiple wounds, but I still believe that the immediate cause of death was the wounds caused by the bayonets and the gunshot wounds, because they were through and through, sir.

Q And you are referring now to the bodies outside the shelters?

A Yes, sir.

MAJOR KERR: That is all.

RECROSS EXAMINATION

Q (By Captain Sandberg) Now, referring to these multiple wounds which you have just brought forth, do I understand you to say that these people were bayoneted, shot, and also had hand grenade wounds, the same corpses?

A Shall I answer, sir? Not each and every one, sir.

Q That is, some of the corpses were bayoneted, some were shot, and some had grenade wounds?

A Some didn't have hand grenade wounds. For example, those priests outside didn't have hand grenade wounds, sir. All those priests with their clerical robes, they were hand-tied, they were bayoneted and had gunshot wounds.

Q Now, referring to the corpses inside the shelters, do I understand that they had gunshot wounds, bayonet wounds, hand grenade wounds, all on the same corpses; or that the different kinds of wounds were found on different corpses?

A Yes, sir.

Q In other words, where there were grenade wounds there were not multiple wounds?

A Repeat that question, sir, please.

Q Where there were grenade wounds, were there also bullet wounds?

A Those that were in the air raid shelters had grenade wounds, whereas in those clerics outside the air raid shelters, they didn't have no hand grenade wounds.

Q Now, I understood you to testify that within the shelters you found persons who were killed by bullets, by bayoneting, and by hand grenades?

A That is right, sir.

Q So there were persons inside the shelters who had evidence of those three causes of death?

A That is right, sir.

Q Now, let us get an answer to my question. Within the shelter, did these corpses bear evidences of all three kinds of deaths, or did different corpses each have a different cause of death?

A Some corpses had the three wounds together, but only several of them didn't have the three of them, sir. I mean to say, not everybody that I found in the shelter had all the three wounds.

Q I see. Now, taking one of these corpses that was both bayoneted, shot and killed by hand grenades, did such a corpse have its hands tied behind its back, too?

A No, sir; only those clerics that I am referring to had their hands tied behind their back, sir.

Q Do I understand that the persons in the shelters did not have their hands tied behind their backs?

A No, sir.

CAPTAIN SANDBERG: That is all.

MAJOR KERR: That is all. Thank you very much.

(Witness excused)

MAJOR KERR: If the Commission please, we desire at this time to offer in evidence two sworn statements, together with a photograph which is identified in the second of the sworn statements.

(The statement was marked Prosecution Exhibit No. 229 for identification.)

MAJOR KERR: The first sworn statement, marked for identification as Exhibit No. 229, is the sworn statement of Brother Jose Ma Manjabacas, Order of St. Francis, dated 2 October 1945. It relates to the experiences and observations of that gentleman in St. Augustine's Church and in one of the air raid shelters. This is one of the men named by Mr. --

GENERAL REYNOLDS: To save the time of the Commission, will you read it, please, so we may all hear it at the same time?

MAJOR KERR: The entire statement is as follows:

"BROTHER JOSE Ma MANJABACAS, Order of St. Francis, after having been duly sworn, testified at San Francisco Church, San Francisco del Monte, Quezon City, P. I., on 2 October 1945, as follows:

"Q What is your name, residence and occupation?

"A Brother Jose Ma Manjabacas, San Francisco Church, San Francisco del Monte, Quezon City, P. I. I was a monk at the San Francisco Convent in Intramuros before it was destroyed.

"Q When and where were you born and of which country are you a citizen?

"A I was born April 19, 1874, at Ciudad Real, Spain. I am a citizen of Spain.

"Q How long had you been at San Francisco Convent?

"A Forty years.

"Q Were you there when the Japanese first came?

"A Yes.

"Q From that time until the Americans returned, how were you treated?

"A I was not personally molested by the Japanese until February, 1945.

"Q On or about February 9, 1945, were you one of a group of people who were taken from the Saint Augustine Church to Fort Santiago?

"A I went there with all the others but I do not remember the exact date.

"Q What were the conditions in Fort Santiago?

"A In Fort Santiago the Spaniards were separated from the Filipinos and even a Filipino Franciscan Brother who

was with us was placed with the Filipinos. Nobody cared for us and we were not given any food that day. I am not so positive but about 130 or 140 people were in the room with me. Food was brought for us by the wives of the men imprisoned with us. It was given to the Japanese guards, but they did not deliver it to us.

"Q After about three days were you taken with the others to the Church of St. Augustine?

"A Yes.

"Q Were you molested during the time you stayed at Saint Augustine?

"A No, not personally.

"Q Did you have food while at St. Augustine?

"A Yes, what we received from Augustinian Fathers.

"Q How long did you stay at St. Augustine?

"A Certainly several days; around eight days.

"Q Then one day were all the people brought together by the Japanese?

"A Yes, all were collected in the church.

"Q Did a Japanese officer tell you where you were going?

"A We were not told where we were going but I noticed that the officers were talking among themselves.

"Q Where were you taken?

"A We were taken to the storehouse in front of Santa Clara.

"Q How long did you stay there?

"A We went in the night without supper and then the following night we were taken out.

"Q When you were taken out, what did they tell you?

"A I only heard that we should line up.

"Q Were you divided into two groups?

"A Yes. We were divided into two groups because there were two shelters. In my group there were about sixteen.

"Q Were they all Spaniards in your group?

"A As far as I know, yes, though I could not see very well.

"Q In the original group at St. Augustine, how many Brothers were there?

"A I am not so sure, but I would have guessed about forty Priests and Brothers.

"Q Were they taken to the storehouse and dugout where you were?

"A Yes.

"Q How deep was the dugout?

"A I could see very little but it was very small and not very deep. About one meter deep. It was dark and you could not stand up. When we reached the dugout the Japanese informed us that it was not ready. We believed they were placing explosives in it.

"Q What happened in the dugout that night?"

CAPTAIN SANDBERG: We request that the last sentence of the last answer be stricken as having no factual basis.

GENERAL REYNOLDS: We will hear the remainder of the affidavit, then we will entertain objections.

MAJOR KERR: (Continuing)

"A I heard an explosion. I could hear somebody say someone was killed. The following day we discovered there were five dead. Nothing except the explosions and Japanese

firing guns into the shelter could have killed them.

"Q Was the explosion inside the dugout?

"A Yes. Through the air hole at the top they threw earth and one could hardly breathe.

"Q How do you know there were five dead?

"A Because I could see them. They were around me. I know Father Gaudencio Castillo, age 72 and Brother Tomas Lopez, age 71, were among the dead. They were both Spaniards.

"Q Were they members of your community?

"A The Father was Augustinian and the Brother was Franciscan.

"Q During the night, did you get air from any source?

"A Only a little through a small hole in the ceiling through which the Japanese were throwing earth and the Japanese blocked the entrance with an oil drum. I do not know whether or not it was full but we were able to move it in the night time.

"Q The next day was it light enough in the dugout for you to see?

"A Sufficient to distinguish the different bodies.

"Q What happened from then on?

"A Some young people argued like this: 'Anyhow we are going to die, so let us try to remove some of the stones and escape in the darkness.'

"Q Did you know any of the young people?

"A I saw them and they were Spaniards but I do not remember their names.

"Q Did they open a hole?

"A Yes.

"Q How large a hole?

"A I do not know. It was large enough to crawl out.

"Q Now as I understand it, you were in the dugout one night and one day and escaped the second night?

"A Yes, if I am not mistaken.

"Q And you left five dead behind you?

"A Yes, five dead that I could see. There was little light.

"Q Did you see any more Japanese?

"A There, no, but when I reached the San Francisco Church there were Japanese there I was trying to hide from them. In going to the garden I confronted many Japanese and I said to myself, 'I am lost. They have seen me. No chance left. I had better present myself now.' I approached them and they were Americans who embraced me. One American was talking to me in English. As I could not understand him, he called for another who could speak Spanish. I told him, 'Brother, I am dead of hunger and thirst.' He told me to go to the Red Cross but I argued that I did not know where the Red Cross was and he kindly accompanied me. Meeting an American in a car, the soldier beckoned to him and put me in the car. They transferred me three times to another car and then they gave me plenty of food and cold water.

"Q Did you find the Americans on the day after you escaped?

"A No, I had been hiding two days at San Francisco Church. I was hiding under shops and in dugouts.

"A Yes.

"Q How many left the first shelter with you?

"A Several.

"Q But you did not see them again?

"A No, I did not see them again at that time. I have since seen Father Barrulo, who escaped.

"Q When you first went to the shelter, did you see others going to another shelter?

"A Yes, because I was following them. We were going in line.

"Q Did they fill one shelter first, then the other?

"A Yes. When there was no more room in the first shelter they said, 'Now the rest in the other shelter.'

"Q These two shelters were close together?

"A Yes, about two meters apart.

"Q Do you believe that all of the group of about 130 or 140 Spaniards who started out with you were all put in the two shelters?

"A Yes, because I was at the end of the line and I was the last to enter.

"Q Do you know the name of any of the Japanese who committed these crimes?

"A No, sir.

"Q Do you know who the Japanese commander was in Intramuros?

"A No, sir.

"Q Did you ever hear of a Japanese captain named Kashima?

"A I heard people talk of him but I did not know him.

"Q Do you know the organization or unit of the Japanese around Saint Augustine in February, 1945?

"A No, sir.

"Q Do you know any one who does know the name of any Japanese officer or soldier or any unit to which any of the Japanese belong?

"A No, sir.

"Q Do you have anything further to add to your statement?

"A No, sir."

Signed "Jose Ma Manjabacas".

"COMMONWEALTH OF THE PHILIPPINES)
"SAN FRANCISCO DEL MONTE)
"QUEZON CITY, P. I.)

"I, JOSE Ma MANJABACAS, being duly sworn on oath, state that I had read to me and understood the translation of the foregoing transcription of my interrogation and all answers contained therein, consisting of four pages, are true to the best of my knowledge and belief.

s/ Fr. Jose Ma Manjabacas.

t/ JOSE Ma MANJABACAS.

"Subscribed and sworn to before me this 2d day of October, 1945.

s/ Cecil Weil, 2d Lt. C.E.

t/ CECIL WEIL, 2nd Lt., CE
Investigating Officer, War Crimes Investigating Detachment.

"COMMONWEALTH OF THE PHILIPPINES)
SAN FRANCISCO DEL MONTE)
QUEZON CITY, P. I.)

"I, RICARDO DE CASTRO, residing at 72 Valenzuela, Santa Mesa, Manila, Philippine Islands, being duly sworn

on oath, state that I truly translated the questions and answers given from English to Spanish and from Spanish to English respectively, and that after being transcribed, I truly translated the foregoing deposition containing four pages, to the witness; that the witness thereupon in my presence affixed his signature thereto.

s/ Ricardo De Castro

t/ RICARDO DE CASTRO

"Subscribed and sworn to before me this 2d day of October, 1945.

s/ Cecil Weil, 2d Lt. C.E.

t/ CECIL WEIL, 2nd Lt., CE
Investigating Officer, War
Crimes Investigating De-
tachment."

Now, sir, it is my understanding that Brother Ma Manjabacas is ill. For that reason, I have not endeavored to call him to this proceeding.

I now offer as Exhibit 229 the sworn statement which I have just referred to.

CAPTAIN SANDBERG: In addition to the general objection, sir, we ask that the last sentence on page 110, the ninth group of questions from the top, reading as follows: "We believed they were placing explosives in it" be stricken, inasmuch as there is no factual basis for the witness's statement; it is a pure matter of belief, unsupported.

GENERAL REYNOLDS: The objection is sustained, and that particular sentence will be stricken.

CAPTAIN SANDBERG: Now, in the next group of questions

thereafter, we ask that there be stricken the last sentence of the answer reading as follows: "Nothing except the explosions and Japanese firing guns into the shelter could have killed them," for the same reason; there is no statement by the witness that he saw Japanese firing guns into the shelter. There is no factual basis for that. It is simply a surmise on his part.

GENERAL REYNOLDS: The objection is sustained. That sentence in the answer will be stricken.

CAPTAIN SANDBERG: In the last group of questions and answers on that page, we similarly ask that the first sentence be stricken, reading as follows: "Only a little through a small hole in the ceiling through which the Japanese were throwing earth and the Japanese blocked the entrance with an oil drum". There is no statement by the witness that he saw the Japanese or that it was a Japanese who blocked the entrance with the drum. It was a conclusion.

MAJOR KERR: Sir, that is a statement of fact, so stated as a statement of fact. There is nothing in the exhibit which shows it was anything but a statement of fact, as he saw it.

CAPTAIN SANDBERG: There is no foundation as to his knowledge as to how the entrance was blocked or whether he was in any position to see.

MAJOR KERR: In asking a question of that sort, sir, it is not necessary to lay a foundation as to what he saw.

GENERAL REYNOLDS: The question was, "During the night, did you get air from any source?" His answer is, "Only a little through a small hole in the ceiling." We

will place a period after the word "ceiling", and strike the rest of the answer.

CAPTAIN SANDBERG: Now, we ask that on page 112, the third group of questions and answers from the top, reading as follows: "Do you know the name of any of the Japanese who committed these crimes?" And his answer, "No, sir" -- we ask that that be stricken, since there is no evidence in the statement that there were any crimes committed by any Japanese.

GENERAL REYNOLDS: The objection to that question and answer is not sustained. Subject to the objections stated, the document is accepted in evidence.

(Prosecution Exhibit No. 229 for identification was received in evidence.)

(A statement was marked Prosecution Exhibit No. 230 for identification.)

MAJOR KERR: At this time, sir, I offer in evidence a sworn statement marked for identification as Exhibit 230. This also is a sworn statement by Brother Jose Maria Manjabacas. I offer this in evidence for the purpose of identifying a certain photograph that is referred to in this statement.

If the Commission desires, I will read this very short statement.

"Brother Jose Maria MANJABACAS, Order of Saint Francis, after having been duly sworn, testified at San Francisco Church, San Francisco del Monte, Quezon City, P.I., on 23rd October, 1945, as follows:

"Q What is your name, age and residence?

"A Brother Jose Maria MANJABACAS, age 71 years, residing at San Francisco del Monte, Quezon City, Philippine Islands.

"Q Are you the same Brother MANJABACAS who was confined by the Japanese with 16 other persons in an air raid shelter at Plaza McKinley, Intramuros, Manila, on 19th February , 1945?

"A I am.

"Q Are you also the same Brother MANJABACAS who previously testified in this investigation on 2 October, 1945?

"A I am.

"Q I show you Exhibit 'H' marked for identification and ask you what it is?

"A This is a picture of Col. Walsh and myself taken at the small air raid shelter, Plaza McKinely, Intramuros, Manila, where I was confined by the Japanese on 19th February, 1945. The body lying in the middle of the picture is that of our Father Superior. The other body at the extreme left is that of another Father but I could not identify it as it was lying face down. The picture correctly represents the shelter as it appeared early in March, 1945."

Signed "Jose Ma. Monjabacas."

I offer this document in evidence.

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

(Prosecution Exhibit No. 230 for identification was received in evidence.)

(A photograph was marked Prosecution Exhibit No. 231 for identification.)

MAJOR KERR: I now offer, sir, as Exhibit No. 231, a photograph, together with the sheet to which it is attached, being the photograph identified as Exhibit "H" in the statement of Brother Manjabacas just received in evidence, and ask that the same be received as an exhibit.

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

(Prosecution Exhibit No. 231 for identification was received in evidence.)

GENERAL REYNOLDS: The Commission will recess for approximately 10 minutes.

(Short recess)

GENERAL REYNOLDS: The Commission is in session. You may proceed.

MAJOR KERR: If the Commission please, at this time I desire to offer into evidence three sworn statements of three young ladies. Each statement relates to the raping of that young lady in the St. Augustine compound or Church. For obvious reasons I prefer not to state the name of the affiant and desire not to read the statement.

At this time I offer in evidence a sworn statement which has been marked for identification as Exhibit No. 232.

GENERAL REYNOLDS: The statement is quite long. We will give the Defense an opportunity to study it and we will rule upon it at the opening of the session this afternoon.

MAJOR KERR: I also offer in evidence a sworn statement which has been marked for identification as Exhibit 233.

GENERAL REYNOLDS: The same will apply to this statement.

MAJOR KERR: I offer in evidence a sworn statement marked for identification as Exhibit 234.

GENERAL REYNOLDS: The same ruling applies to Prosecution Exhibit 234. Those three, then, constitute Prosecution Exhibits 232, 233 and 234. Is that correct?

MAJOR KERR: Yes, sir.

(Sworn statements, three in number, were marked Prosecution Exhibits 232, 233 and 234, respectively.)

GENERAL REYNOLDS: We will give the Defense an opportunity to study them and the ruling will be made at the

opening of the Commission session this afternoon.

MAJOR KERR: I call as the next witness Mr. Keys.

GENERAL REYNOLDS: Do you have copies, Colonel?

COLONEL CLARKE: Yes, sir.

HENRY KEYS

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

DIRECT EXAMINATION

Q (By Major Kerr) Will you state your name, please?

A Henry Keys; K-e-y-s.

Q Your age?

A 35.

Q What is your home address?

A I haven't got a home address, but my military address at present is care of AFWESPAC, Public Relations, APO 707.

Q What is your occupation, Mr. Keys?

A Correspondent.

Q For what newspaper or newspapers?

A London Daily Express.

Q How long have you followed that occupation?

A I have been about 15 years a correspondent, the last four years a war correspondent.

Q Did you come into Manila with the American troops in February, 1945?

A Yes.

Q Did you enter the Intramuros area with those troops?

A Yes. On February 23rd in the afternoon when they put up a foot bridge I walked over it.

Q Please describe to the Commission what you observed

within the Intramuros area at the time you entered it.

A. Crossing the foot bridge to the steps of the mint I saw hundreds of refugees from Intramuros. They were ragged. Some of them were very shell-shocked. Many of them bore various wounds. Some, I don't doubt, were from shells. There were many others, however, who were being carried on litters by Chinese litter bearers who had masks over their faces, and they bore what I could recognize as bayonet wounds and some were saber cuts. Others were very emaciated, starved, skin just hanging to their arms. There weren't enough litters to go around.

I met a Lieutenant who said "Come along to the St. Augustine Convent if you really want to see something". So I followed him and some Chinese litter bearers upon a narrow street which was heavily mined. The Lieutenant stepped backward and forward carefully and we stepped through the mines and then I went into the courtyard of the St. Augustine Convent. There was a statue -- I forget what statue it was, but there was a statue that had been battered and around it built up on chairs and other pieces of furniture were some crazy shelters made roughly of corrugated iron. They were about waist-high. I knelt down and I looked inside and the first thing I saw was a dead girl. One of her feet was crushed to pulp and her mouth was broken and a lot of blood had come from it.

From there I went over behind the statue into the column veranda of the convent, and on my right I saw a body of a little boy in a kneeling, crouching position with a

bullet hole through the base of the skull. It was quite definitely a bullet hole. Then I looked to the left and it took me some time to realize what it was, but it was a pile of bodies just thrown carelessly together, more or less, I suppose, to get them out of the way and in one place. And they were covered with a fine gray ash and a lot of dust.

Some of these I saw were covered with -- bore bayonet wounds. Others had other wounds which I did not recognize but which I assumed might have been caused by grenade or shell-fire or something like that.

Then a little bit beyond that I saw two other people; two women. They were just lying there like animals, one woman lying back, her eyes wide and starry. She was alive but no movement. And the other was lying under a blanket and she was looking at us, but no movement either.

Then further beyond that there was some more rubbish and sticking out of it I suddenly saw a hand, just the hand, move and I drew the attention of some medics or soldiers who were there to it.

Then I followed the Lieutenant inside the convent to another hallway running behind the veranda and there was another Lieutenant kneeling against a girl whose mouth had been shattered by blows with something, I don't know what. It could have been a rifle butt, but it was certainly something solid. And she bore other wounds on her body and was barely breathing. The Lieutenant gently patted her lips and was dropping water into her mouth.

You see, there weren't enough medics or anybody around with any experience to do anything for these people

other than to give them what little relief was possible with virtually nothing.

Q Excuse me. Was that an American Lieutenant?

A Yes. They were all Americans.

Then a little bit to the right of her there was another doorway and I went inside there. It seemed like a room which might have been a meeting room or a living room. It was in a pretty bad shape. And just to the left of that there seemed to be a kitchen, but in this living room section was a beautiful Filipina girl lying on her back and a soldier called me over and he said "Look at this!" He said "She told us that a Jap hacked her feet off", and he lifted a blanket that was lying over her feet. Her feet had been cut off and the stumps tied with what I took to be handkerchiefs.

I didn't feel very good at that and I didn't look very long. And lying almost feet to feet with her was a Japanese soldier. He was the only decent, whole piece of humanity in the place; the only clean piece of humanity. He was dressed in a white singlet on the shirt and some pants. He was lying there like an animal and I was told that he had been there some weeks, having been brought in when he was ill and cared for by the nuns.

My feelings, of course, were very mixed and I don't suppose it mattered. But from there there were other women there, too, some of them bearing wounds of one kind and another. I walked back out into the corridor and the Lieutenant said "Come here! This is alive!" And there crouched in some rubble and mortar was a girl very emaciated,

very thin, and you could hardly recognize it as a human being or that it lived. And only every so often, minutes perhaps, the whole body would convulsively shudder.

Well, the flies were all over her as they were all over all these other wounded and dead. We brushed them away and didn't know just what to do to move her, but we went away looking for some medics to try and assist her.

Well, that was practically all that I recall vividly of the St. Augustine Convent except that when I went out to the gate I saw some Chinese litter bearers and I asked them to go into the convent and get this girl with her feet cut off. They did. And they passed me at the gate, and as they carried her out head first on the litter, shoulder high, she lifted her left hand with a "V" sign -- a very effective sight!

After that, at the request of the Lieutenant, I crossed the river. I found a Colonel in charge of the medical detachment and told him of the serious plight that there was over the plaza of Intramuros, with all the dead and wounded, and asked for more litters. He sent more litters over.

Q I believe you stated that many of the bodies which you saw bore bayonet wounds; is that correct?

A That is correct.

Q And were these bodies which you referred to those of civilians?

A They were all civilians. And I might mention that I only saw one man in this particular convent courtyard. There may have been others, but I didn't expect to see

others. I was surprised to see him.

MAJOR KERR: Your witness.

CROSS EXAMINATION

Q (By Captain Reel) Did you see the bodies of any Japanese military men in that area?

A Not in the convent. Outside, yes.

Q And were there quite a few dead Japanese bodies outside?

A No, there were not.

Q Did you anywhere in the Intramuros area see a large number of dead Japanese?

A No. I didn't see a large number of Japanese, no.

Q Of those Japs that you did see dead were they in uniform?

A I think they were. My recollection is not clear on that.

Q Could you tell us to the best of your recollection whether they wore Navy uniforms?

A No. I don't know whether they were Army or Navy.

Q I see. Where were you during the battle for Intramuros?

A Well, I watched it for a couple of weeks from the National City Bank Building while we were shelling the place. We didn't bomb it for fear of indiscriminate dropping of bombs, but we were shelling what we believed to be military objectives where Japanese had guns, and so on, in an effort not to hit more civilians than we could help.

Q And you say this shelling lasted about two weeks?

A Something like two weeks. It may have been a little more than that.

Q And would you describe it as "point-blank" artillery fire?

A Well, not "point-blank." The guns were quite a way back, most of them up in Grace Park several miles back.

Q So that it wasn't "point-blank" but normal artillery fire several miles away?

A Normal artillery fire several miles away with the O. P. in the National City Bank Building.

Q Do you know what other weapons were used to reduce Intramuros?

A The guns, as much as 240 millimeter guns. They were used on the second last days against the wall to breach the wall from the mint to the public market.

Q How many guns were used altogether, if you know?

A No. I couldn't say the number of guns, but I can tell you that on the day on which we bombarded the wall we pumped in something like ten thousand rounds.

Q That was in one day?

A That was in an hour.

Q Ten thousand in an hour?

A Yes, sir.

Q Do you know of any other weapons besides the artillery guns that were used?

A There were some mortars. The Japanese used a lot of mortars in and out of Intramuros when we were approaching it and also inside. While I was in there they were using some mortar and rifles.

Q And we used mortars, too?

A Yes. We were using mortars from outside.

Q And what other weapons were used?

A Rifles, carbines, and so on.

Q Any flame throwers?

A I didn't see any flame throwers.

Q Any machine guns?

A Oh, yes; machine guns.

Q And you say this lasted about two weeks?

A About two weeks.

Q Pretty fierce battle?

A I beg your pardon?

Pretty fierce battle, yes. It was pretty fierce.

CAPTAIN REEL: That's all.

REDIRECT EXAMINATION

Q (By Major Kerr) One further question, sir. When you entered the Intramuros area you did so as a war correspondent, did you not?

A As a war correspondent, yes.

MAJOR KERR: Thank you very much, Mr. Keys.

(Witness excused.)

MAJOR KERR: That, sir, concludes the evidence at this time on the five items in the Bill of Particulars: 61, 62, 63, 64 and 65.

CAPTAIN HILL: Sir, the Prosecution now desires to present Item No. 2 of the Bill of Particulars.

Mr. Hartendorp.

A. V. H. HARTENDORP

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 A. V. H. Hartendorp.

Q Speak a little louder. Where do you reside, Mr. Hartendorp?

A Manila.

Q What is your present address in the City of Manila?

A 1011R Hildago Street.

Q How old are you?

A 52.

Q What is your nationality?

A American.

Q Did you reside in Manila prior to the war?

A Yes, sir.

Q For how many years have you resided in the City of Manila?

A Since 1917. No, in the City of Manila since 1919.

Q What is your business or occupation?

A Newspaperman; editor.

Q Prior to the war was that your occupation?

A Yes, sir.

Q And what publications were you connected with at that time?

A I was publisher and editor of the Philippine Magazine.

Q During the occupation of the Philippines by the Japanese and particularly the City of Manila where did you reside?

A In Santo Tomas.

Q Do you mean Santo Tomas Internment Camp?

A Yes, sir.

Q How long did you reside as an internee in that camp?

A From January 10, 1942 to the liberation.

Q On what date was that?

A February 3.

Q Of what year?

A 1945. 9:00 o'clock p. m.

Q Did you hold any official position among the internees in that camp?

A No, sir.

Q During your internment?

A No official position.

Q Did you hold any unofficial position?

A Yes, sir.

Q Among the internees?

A Yes, sir.

Q Tell the Commission what that was.

A Well, the first central committee of internees appointed me official historian of the camp, but I declined that appointment because I didn't want to have an official connection. I wanted to be independent and I didn't want my name in the records. So I told the committee that I intended to do the work anyway, and they seemed to be satisfied with that. And I had quite free access to all records and was given information as to what went on openly.

I am sorry I have a little cold. Can you hear me?

CAPTAIN HILL: Can you hear, Colonel?

COLONEL CLARKE: Yes.

CAPTAIN REEL: Yes.

Q (By Captain Hill) Continue. Speak just as loudly as you can, please.

A Well, I think that that is finished. I --

Q Did you then during the period of your internment in Santo Tomas record the various events as they took place there during those years?

A Yes, sir.

Q And did you during that time have access to the records that were kept by the internee committee and various other administrative agencies of the internees?

A Yes, sir. I think I got everything.

Q Just as a background for the Commission I wish that you would briefly state to the Commission the general administrative setup there in Santo Tomas Internment Camp on the part of the internees themselves.

A From the beginning?

Q Well, yes; just briefly.

A The first chairman was Earl Carroll and he was selected by the Japanese because he was among the first three hundred people to come into the camp on Sunday afternoon, the 4th, I think, of January, 1942. There was a Japanese Lieutenant there who asked that group of 300 people who their leader was, and it happened that we had what we called the American Coordinating Committee established some months before the war in Manila to take such steps as might be necessary in case of an emergency. We were expecting trouble here. And this coordinating committee appointed leaders for various parts of Manila and Carroll happened to be the leader for South Malate.

So when these 300 people were asked who their leader

was, why, they pointed to Earl Carroll and the Lieutenant then said that he would hold him responsible for the behavior of the people in the camp there, and he instructed him to pick out a leader for each room. At that time ten rooms had been opened.

Q Subsequent to that time tell the Commission what kind of a government the internees set up there in the camp.

A Well, the first committee was composed of Earl Carroll and such people as he selected to help him in keeping order and sanitation of the camp, and so forth, was more or less a "pick-up" committee. He appointed people whom he happened to know and who were there. And the different "monitors", as we called them, for the rooms were also members of this committee. But later on when so many rooms came to be opened there were too many monitors to be included in this committee, so they elected a chief monitor and he became a member.

Well, that went on for four or five months. Earl Carroll wanted to resign and wanted some older man to take his place.

Q Just tell the Commission briefly the kind of a government that was set up there and that continued throughout the period of the internment camp. You did have an election, didn't you, among the internees?

A Not at the beginning.

Q Well, you did have, though?

A Yes.

Q And tell the Commission what kind of a government was set up there among the internees by that election.

A Very early we began electing the monitors of the rooms, but the Japanese would have objected and, in fact, did object to holding any general elections. But finally, I think in June or July, 1942, -- Let's see. Oh yes. It came about this way:

At first the Japanese did not supply any funds or food to the camp. The first six months everything came from the Red Cross and from what we could get in from the outside. But in June the Japanese decided to furnish funds to the camp and they appointed a committee called the Supply and Finance Committee of which Carroll was made the Chairman by the Japanese. Carroll tried to decline this; said that he had enough to do on the other committee, but the Japanese said that they wanted him on the new committee.

So then he made the suggestion that they hold an election, and elect a new central committee.

Q Let me interrupt you. I don't want to take up the Commission's time with too much of this foundation, so let me ask you questions. You did hold an election at that time?

A Yes.

Q Tell the Commission what kind of a body was elected to govern the camp.

A It was not a completely free election because the commandant said he wanted to appoint the chairman himself. So we held the election and Mr. Grinnell was appointed Chairman from among those who were elected.

Q How many men were elected then among the internees to govern the camp?

A I think there were about seven.

Q And did that form of self-government continue throughout the remaining period of internment?

A Up to February, 1945 when the Army took over.

Q You mean 1944?

A 1944.

Q And at that time did this committee of internees continue to function?

A No. The Japanese abolished it.

Q Then in October, 1944 did you have any kind of self-government among the internees there in the camp?

A We had as much as we could manage.

Q Well, did you have it?

A A new committee was appointed by the Japanese Commandant and it was supposed to exist only to transmit the orders of the Commandant to the internees, but actually they really refused to consider themselves only the tools of the Japanese and on one occasion when Commandant Yoshie made a public speech in the camp he accused the internee committee of opposing everything he wanted them to do, which for the camp was a pretty good recommendation for the committee.

Q For the period October 9th to the date of the liberation do you know what part or what branch of the Imperial Japanese Forces had supervision over the Santo Tomas Internment Camp?

A Up to that time it was the Department of Foreign Affairs under Mr. Kurozaki of the military administration.

Q For that time is what I want you to tell us: for the period from October 9th to the date of the liberation.

A Oh. The War Prisoners Department directly at headquarters, headquarters at the Far Eastern University.

Q During that period of time can you tell the Commission who the commanding officer among the Japanese in charge of the camp was?

A Outside the camp? The commanding officer?

Q No.

A General Ko I believe is the name that we heard, but we never could get any definite information.

Q Within the camp who was the Japanese commanding officer?

A The Acting Commandant at that time was Onozaki.

Q And did he act as Commanding Officer for that entire period from October 9, 1944 to the date of the liberation?

A No. We had two commandants during that time: one, Lieutenant Colonel Yoshie, and after him Lieutenant Colonel Hayashi, who was killed at -- What was that out here?

Q Now, during the period that I have just referred to, which is the period of Yamashita's command, did the internees in the camp have duly elected internee agents pursuant to the Geneva Convention?

A Yes, sir.

Q And I want you to tell the Commission now briefly about the election of these internee agents and their attempts just during the period from 9 October 1944 until the liberation to function pursuant to the Geneva Convention.

A Well, when the internee committee was abolished by the Japanese in February --

Q Of '44?

A -- '44, at the last meeting of the committee some covered reference was made to the desirability of electing agents under the terms of that Convention. We had not done that before because in a sense the executive committee was an elected body and we really didn't think we needed them. Also at the beginning we didn't have a copy of the Geneva Convention and we didn't know just what our rights were. We asked for copies of any treaties or conventions that might govern the case, but we never could get it. But finally we were able to smuggle in a copy of this treaty and we learned just what these agents were and what their functions were, and so forth.

So that after the creation of this committee we held an election to the monitors council, as we called it, and Mr. Pond and Judge DeWitt and former Consul-General Harrington of the British government were elected.

Q Did this duly-elected internee committee pursuant to the Geneva Convention attempt to perform their duties as agents of the internees under the Convention?

A Yes, sir.

Q And can you tell the Commission whether or not the Japanese Commandant and others in authority permitted those internee agents to so function?

A No, they didn't. In fact, when we decided to elect these representatives we didn't call them "agents" and said nothing about them being elected according to the terms of this Convention. The Commandant did give permission for us to hold an election to elect internee representatives. That was with his consent. But he didn't know that we intended

to afterward claim that these men were our agents under this Convention. And when we tried to do that, why, he said that he couldn't recognize them as such.

Q What Commandant told you that?

A Onozaki.

Q And when was that?

A June or July. I could look it up.

Q Of '44. Did either of the two Commandants who served after October 9, 1944 recognize the internee agents under the Geneva Convention?

A No, sir.

Q Were attempts made by the internee agents to get recognition?

A Yes, sir.

Q Tell the Commission about that and confine your answer to the period after October 9, 1944, please.

A It is very difficult to compress so much information over such a long period of time. The agents made many protests but none of them were answered or even acknowledged.

Q Do you know whether they made these protests in writing or not?

A Yes, sir.

Q And to whom did they make the protests?

A To the Commandant.

Q And what did these protests concern?

A Some were addressed to the government in Tokyo and we doubt that they ever got through the camp.

Q What did the protests concern?

A Oh, various points.

Q Tell the Commission what they were.

A The poor diet, the forced labor, the prohibition on cooking in the shanties, which was a very serious thing. Many of the protests were repetitions of earlier protests; I mean, dealing with more or less the same causes.

Q Did the Japanese in charge of the internment camp there at any time between 9 October 1944 and the date of the liberation acknowledge these requests as being pursuant to the Geneva Convention?

A No, sir.

Q Can you tell the Commission what, if anything, they said about recognizing these protests as being under the Geneva Convention?

A I am trying to think of the events that led up to the direct repudiation. These agents had been elected for three-month terms and the first ones had been elected for nine, six and three months. So when the re-election came up for one of the members Mr. Pond was re-elected and tried to -- We informed the Commandant of that fact and also that point, and in connection with the new Commandant coming into the camp the agents asked permission to pay their respects to him, which was simply a means of trying to get recognition.

Well, after that it was Onozaki who came out and made the statement to Mr. Stanley, the translator, that the Japanese didn't recognize the Geneva Convention and that therefore he could not receive the committee agents. Mr. Onozaki told Grinnell this. Grinnell reported it to the internee committee and the agents, they decided then to get

a written statement from the Commandant, if they could, to that effect.

Q Did they get such a written statement?

A They did. They wrote the statement themselves and tried to write it as innocuously as possible, but bringing out the fact that the Geneva Convention was not recognized and that the camp was being governed under rules from Tokyo, which we couldn't get. We asked for copies of those rules and they said there were none available, so we didn't really know what rules we were under.

Well, the Commandant kept this letter for two or three weeks and then he signed it and returned it to the committee. He didn't sign it in pen and ink, but he put his "chop" on it.

Q And what was the substance of that answer or reply that he made?

A The substance was that the Geneva Convention was not recognized by Japan and that the camp was governed or conducted under regulations laid down in Tokyo.

Q During the period 9 October 1944 to the liberation did the Japanese furnish any medicine or medical supplies for use by the internees there in the camp?

A After October?

Q From October 9, 1944 to the date of the liberation.

A I think we were given an opportunity to buy a few --

Q I asked you if the Japanese furnished to you --

A None were furnished.

Q Did they give you an opportunity to purchase with your own money any medical supplies during that period?

A We had run out of some of the sulfa drugs and were able to buy a small amount.

Q Did they permit you to purchase an adequate amount of medicine and supplies for use in the internee hospital there at that time?

A No; no, sir; then or at any other time.

Q Were any Red Cross supplies from the United States or any other nation received in the camp, during that period of time, by the internees, from October 9, 1944, until the liberation?

A No, sir. We received Red Cross supplies only three times during the three years. The last was at Christmas, 1943.

Q Now, during the period which I have previously referred to, and which I want to restrict your testimony to -- October 9, '44, to the date of the liberation -- tell the Commission something about the food situation there in camp, the source of supply.

A From October -- (pause)

Q That is right.

A It is a very awkward division point, because it doesn't quite fit the facts. The new system of feeding the camp began in February, 1944 --

Q That is all right.

A Up to that time we had --

Q And was that same system then in effect during the period of time which I have referred to?

A Yes, sir.

Q Well, go ahead, then, and tell the Commission about that system of feeding the camp on the part of the Japanese.

A Up to the time that the military took over directly, and after the first six months, when we got nothing, the Japanese furnished the per diems in cash; it started with 70 centavos and finally running up to 150 for about

a month, on which the camp was fed by our own committee. This money had to cover, of course, more than food: It had to cover water and electric and gas bills and sanitation expenses, and so forth. Only about half of it could be used for food. We really never got enough food on the line, not for three years, even with the money that was furnished. And such food that really enabled us to carry on was either bought by the committee extra or was brought into the camp by friends, and so forth, from the outside. We had a package line, and daily large quantities of food came in, either bought or as gifts. In February the Japanese started to feed the camp instead of paying this per diem, and they laid down a certain diet: 100 grams of fish, 400 grams of cereal, rice or corn, or camotes; 200 grams of vegetables, 20 grams of cooking oil, 25 grams of sugar -- no, 25 grams of salt, 20 grams of sugar, and 1 gram of tea. That would have furnished perhaps around 1200, or a little more -- maybe about 1500 calories, which is only about half enough. But we were still allowed to use our camp funds to buy supplementary food.

Q Now, when you say "camp funds", what was the source of those camp funds? Was that money that came from the individual internees themselves?

A No. We got a number of funds from the American Red Cross, quite sizable amounts, but they didn't go very far under the prices we received. A great deal of that money was borrowed in Manila.

Q Then it came from the internees themselves through

loans that they were able to negotiate?

A Yes, sir. Now, that original diet which was established was immediately cut down. I mean, 100 grams of fish was, even before it could get started, cut down to 50 grams, and cooking oil was cut in half in about a month; and very often the food wasn't furnished at all. I have the figures, but I can't remember them. That was the regular diet.

Q Now, the quantities which you have given us here, did those constitute the ration which the internees were receiving during the month of October, 1944?

A They had already been cut down considerably by that time.

Q Below the figures that you have given us here?

A Yes.

Q How much had they been cut down, if you know? Just give it to the Commission in percentage.

A I think about 1100 calories. In August, the camp doctors had published, or had made a report to the committee, in which they stated that the health of the children -- they made a survey during June and July -- that the health of the children was alarming, and half -- 95 per cent -- the physical condition of 96 per cent was said to be unsatisfactory, and more than half of them were under weight, and about one-eighth were very seriously under weight. More than half of them had teeth defects. Now, that was in August. The condition of the adults at that time was even worse, because the camp from the very beginning gave the children perhaps two or three or four

times the diet that the adults got -- I mean, not calories, but in value; whereas, in the hospital, too, we gave the patients about three times the value of the food that the ordinary internees got. There were no actual health reports made on the adults until later, but the situation was all very bad. The first thing that happened in October was the reduction of the meals from three a day to two. There was a big argument about that, and finally the Commandant agreed to three servings, but of only two meals.

Q Who ordered that cut from three to two meals a day?

A The Japanese in the camp.

Q The camp Commandant?

A One of the lieutenants.

Q That had charge of the feeding of the internees?

A Yes. They had a --

Q Did he give any reason for that cut at that time?

A None that I remember, except that they wanted it cut.

GENERAL REYNOLDS: The Commission will recess until 1:30.

(Whereupon a recess was taken until 1330 o'clock, 7 November 1945.)

AFTERNOON SESSION

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

GENERAL REYNOLDS: The Commission is in session. We will proceed with the first order of business, which is the introduction of the affidavits.

MAJOR KERR: Sir, all the members of the Commission are present, the Accused and Defense counsel are present, and we will proceed.

Is the Commission ready to rule now on the admission of the three exhibits that I offered before the noon recess?

GENERAL REYNOLDS: That is what we announced. Let us introduce them at this time.

MAJOR KERR: Sir, all three of them have been offered in evidence, and I believe that the Commission afforded an opportunity for the Defense counsel to study them to determine whether or not they had any objection.

GENERAL REYNOLDS: Taking first the Elisa Beliso document, the first one, are there any comments to be made by counsel on the Elisa Beliso document?

CAPTAIN SANDBERG: On page 246, the last question-and-answer group, the last answer, the last three sentences of the answer carrying over to page 247 are not within the witness' knowledge, and we ask that it be stricken.

GENERAL REYNOLDS: The last two sentences of that answer which appear at the first two complete sentences on page 247 are stricken from the record.

CAPTAIN SANDBERG: On page 249, the sixth group of

questions and answers from the bottom, we ask that the third sentence be stricken as not within the knowledge of the deponent.

GENERAL REYNOLDS: You must mean the seventh question from the bottom.

CAPTAIN SANDBERG: The sixth.

GENERAL REYNOLDS: Page 249, was it?

CAPTAIN SANDBERG: 249. I believe it is the sixth.

GENERAL REYNOLDS: You ask that which sentence be stricken?

CAPTAIN SANDBERG: The third sentence reading:

"I heard the Japs shot him."

GENERAL REYNOLDS: The third sentence, reading:

"I heard the Japs shot him",

is stricken.

CAPTAIN SANDBERG: That is all on that statement, sir.

GENERAL REYNOLDS: Take the next one, which is 233, which pertains to the statement of Remedios Huerta Beliso.

Is that correct?

MAJOR KERR: That is correct, sir.

CAPTAIN SANDBERG: We have none except the general objection to this statement.

GENERAL REYNOLDS: Prosecution's Exhibits 232 and 233 are accepted in evidence, subject to the exceptions stated.

(Prosecution Exhibits Nos. 232 and 233 for identification were received in evidence and so marked.)

GENERAL REYNOLDS: And finally 234, which is the statement of Conchita Huerta.

CAPTAIN SANDBERG: On this statement, on page 270, the first answer at the top of the page, we ask that the second sentence be stricken as double hearsay.

GENERAL REYNOLDS: It is the sentence reading:

"According to the men who came back, they received food the first day only, and it was very meager, although we had sent a great deal of food."

Is that correct?

CAPTAIN SANDBERG: That is right.

GENERAL REYNOLDS: That sentence is stricken from the record.

CAPTAIN SANDBERG: Page 271, the third question-and-answer group from the bottom, the second sentence of the answer:

"Most of the cases were hushed up, I am sure."

We ask that that be stricken.

GENERAL REYNOLDS: The sentence is stricken from the record. Subject to the objections stated, the document is accepted in evidence.

(Prosecution Exhibit No. 234 for identification was received in evidence and so marked.)

GENERAL REYNOLDS: The Prosecution will now proceed.

A. V. H. HARTENDORP

the witness on the stand at the time of recess, resumed the stand and testified further as follows:

DIRECT EXAMINATION (resumed)

Q (By Captain Hill) Mr. Hartendorp, during the period from 9 October '44 until the liberation about how many

people were interned at Santo Tomas Internment Camp here in Manila?

A About 4,000.

Q And were those men, women, or children?

A About half of them were women and girls.

Q And the remainder were men and boys?

A Men and boys.

Q Can you tell the Court about the percentage as to the nationality of the internees?

A About a third of them were British and most of them were Americans except, oh, 50 or 60 Hollanders and some Poles -- 30 Poles -- and a few free-Frenchmen. That is all.

Q Were all of the internees there civilians?

A Yes, sir.

Q Do you know where they had been taken into custody by the Japanese?

A All of them came from somewhere in the Philippines. Most of them from Manila.

Q During the period of time to which I have referred, did the Japanese permit the internees to purchase any food supplies outside of the camp?

A The camp administration was permitted to spend a certain amount of money.

Q From October, '44, until the liberation?

A Yes. But the buying was done by the Japanese for the committee.

Q And were those expenditures made for the purpose of supplementing the ration which the Japanese commander had

set for the camp?

A Yes, sir.

Q During October of 1944 I believe you testified this morning just before the adjournment that there was a cut in the rations allowed by the Japanese for the camp in October. Will you tell the Commission whether or not there was another cut subsequent to October, '44?

A There were many.

Q When, after October, '44, was the next cut made?

A May I refer to this?

Q I will ask you, What is that that you have in your hand?

A This is the memorandum I made a few minutes ago.

Q And what is the source of the information contained on that memorandum?

A Another longer memorandum which I prepared before for my book.

CAPTAIN HILL: With the Court's permission, I should like to have the witness be permitted to use that for purposes of testifying.

GENERAL REYNOLDS: Very well.

CAPTAIN REEL: Sir, if the witness has the longer memorandum that he refers to from which these notes were made, we suggest that that be the memorandum, and that we be given the opportunity to cross examine on the basis of the original notes, not on any memorandum made simply this noon.

GENERAL REYNOLDS: The Commission is willing to grant that if it will serve any material purpose.

THE WITNESS: These are mostly --

CAPTAIN HILL: I think, sir, by the use of that, it will just shorten up his testimony somewhat. It will save him the time of having to stop and think and refresh his recollection. That is the only purpose.

CAPTAIN REEL: Sir, we don't object to a witness refreshing his recollection, but we feel that his recollection should be refreshed by his original notes, and not by anything made after a noon recess when he has been on the stand.

GENERAL REYNOLDS: Does he have the original notes convenient?

THE WITNESS: I have them in my pocket.

GENERAL REYNOLDS: All right. Use the originals.

THE WITNESS: I merely picked out a few of the figures from this and put them here, because they will be easier to read.

CAPTAIN HILL: Go back and read the question about the ration cut.

(Question read.)

A The meals were reduced from three a day to two, in October. Then on November 20th our own rice reserves which we had in the camp became exhausted.

Q (By Captain Hill) Were those rice reserves purchased by the internees themselves?

A Yes, sir.

Q With their money?

A Yes, sir.

Q Go ahead.

A And we had been allowed to supplement the Japanese ration with a certain number of grams a day from our own rations. Now, when our ration was exhausted, why, we were entirely dependent on the Japanese ration, which was 225 grams of rice per capita a day.

Q After November 20th were there any other further cuts in the rations allowed by the Japanese?

A There were two cuts in December.

Q What were the dates of those cuts?

A One on December 20th, when the cereal ration was cut to 187 grams, which is equal to 41/100 of a pound.

Q That was per day per person?

A Yes, sir. And later in the month -- I haven't got the exact date --

Q The month of December, 1944?

A In the month of December, 1944.

(Continuing) -- it was cut to 161 grams, or 35/100 of a pound. I might say that a 300-gram ration is about what a laborer gets in the Philippines for one meal.

Q All right. After December, '44, and before the liberation, were there any further cuts in rations there?

A Yes, sir. On January 4th the cereal ration was cut to 145 grams. I have only the figures for the cereal ration, but it was very important, because it was practically the only ration we had. The fish ration had long since disappeared as an actual, edible thing. And vegetables, too, all came, what we did get, mostly from our own garden.

In November, for instance, we got no cooking fat,

no sugar, and very little fish. Practically everything we had was either rice or corn, or some camote. So the cereal ration is very important, because it is practically the only thing we had. It was reduced to 145 grams on January 4th.

Q After that were there any further ration cuts by the Japanese?

A Yes, sir.

Q When were they?

A Well, on January 12th the ration for the day was for 4,000 people 250 kilos of rice. A kilo is two-tenths pounds. 250 kilos of corn, and 500 kilos of camotes, making a total calories of 567 as against 3,000 normal.

Q That was on what date?

A January 12th.

Q And was that ration further cut after January 12th and before the liberation?

A Yes, sir.

Q When was that?

A For several days, from the 21st to the 23rd we were getting 250 kilos of rice, 250 corn, and 300 kilos of soya beans; a total of 800 kilos.

On January 24th that was cut to 700 kilos in all, namely, 200 kilos of rice, 200 of corn, and 300 of beans. 700 kilos for 4,000 people.

Q Prior to your internment, Mr. Hartendorp, what was your normal weight?

A Around 170.

Q And in October, 1944, how much did you weigh, if you know?

A Probably around 130.

Q And at the time of the liberation, how much did you weigh, if you know?

A The exact figures don't amount to much, because of the edema I was suffering from. My lowest weight was about 106 to 107 pounds.

Q About what date was that?

A Oh, two weeks before release. I finally got beri beri, and suddenly my weight increased by water content, which, again, was a loss rather than gain.

Q Now, can you give the Commission, from your observation and from what figures you have compiled, an estimate of what the average loss of weight among the adult internees in Santo Tomas camp was during the last four months of their internment?

A The figures were compiled, but I couldn't find them, but as I remember them, they were around -- the weights were not taken at the camp; it would be useless, anyway, because half of the people had beri beri and were heavier on the scales than they really were -- but the earlier report, if I remember right, the loss was around 30 pounds.

Q Were those for the last four months?

A The adults, yes.

Q Can you give the Commission your judgment as to the average loss of weight among the adult persons in the camp, covering the entire period of internment?

A I could only make a guess. It was at least, I should say, a fourth of the body weight.

Q During the last four months, did the Japanese furnish any doctors or dentists or nursees, or other medical personnel to the internees in the camp?

A No, sir. We had our own doctors.

Q You own doctors; do you mean by that, internees?

A Yes, sir. There were three military doctors, U. S. Army doctors, who were allowed to come in from Bilibid.

Q Were they prisoners of war of the Japanese?

A Yes, sir.

Q During the period which we have referred to, did the internees maintain a hospital there at the camp?

A Yes, sir.

Q Who paid the whatever operating expenses there were at that hospital?

A The camp -- there really were no operating expenses. No salaries were paid.

Q Was that hospital maintained solely by the internees themselves?

A Yes, sir.

Q Can you give the Commission the approximate number of persons that died from starvation during the last four months in Santo Tomas internment camp?

A On the actual death certificates, starvation was given in only eight cases, but the Japanese ruled

against the use of those.

Q Were there other persons --

CAPTAIN REEL: Just a moment. We will ask that everything prior to the word "but" remain in the answer, but that everything after the word "but" and starting with the word "but" be deleted.

GENERAL REYNOLDS: Why?

CAPTAIN REEL: This witness has no personal knowledge of any of the matters to which he has testified in that latter part of the answer. Furthermore, he is not yet qualified, as I understand, as a physician able to give an expert opinion on this matter.

GENERAL REYNOLDS: The Prosecution may develop further the information source on which he bases the reply to the question.

CAPTAIN HILL: Yes, sir.

Q (By Captain Hill) Mr. Hartendorp, you have stated that the death certificate of eight persons during that time showed the cause of death as being starvation.

A In January.

Q Were there any other persons, to your knowledge, who died, during that period, of starvation?

CAPTAIN REEL: I object.

CAPTAIN HILL: He can answer that "yes" or "no," and I will --

GENERAL REYNOLDS: The objection to the question in the phraseology used is sustained.

Q (By Captain Hill) Mr. Hartendorp, did you have occasion to talk with the doctors, the internee doctors

in the camp, during that period of time, relative to the health conditions generally, and particularly about the causes of death?

A Very frequently.

Q And will you tell the Commission with which doctors you had occasion to discuss those things?

A Dr. Fletcher, Dr. Bloom, Dr. Stephenson, Dr. Howard.

Q And will you tell the Commission the information that you gained from these sources, relative to the causes of death among the internees in the camp at that time?

CAPTAIN REEL: Defense objects.

GENERAL REYNOLDS: The objection is not sustained. Proceed.

A While the doctors all seemed to agree that malnutrition, starvation, were contributory causes, in very few cases did they want to put down "starvation" as a direct cause. Beri beri always affected the heart, and a man would die of heart trouble; that would be the certificate.

Q (By Captain Hill) Was there any rule or regulation on the part of the Japanese controlling the camp, with respect to the doctors placing "malnutrition" or "starvation" upon the death certificate as the cause of death?

CAPTAIN REEL: I object.

GENERAL REYNOLDS: The Commission asks the Prosecution whether or not any of the doctors who were interned in Santo Tomas are available in the Manila area?

CAPTAIN HILL: There is one, sir.

GENERAL REYNOLDS: Had you contemplated calling

him?

CAPTAIN HILL: I had not, sir, because the figures that this gentleman has are figures compiled there by all of them together, and show the picture and true situation.

GENERAL REYNOLDS: The objection is sustained.

The Commission directs the one available physician be summoned as a witness.

CAPTAIN HILL: Yes, sir.

Q (By Captain Hill) Did you know four men by the name ofGrinnell, Johnson, Duggleby and Larsen, that were internees in the camp, Mr. Hartendorp?

A Yes, sir.

Q Do you recall anything taking place within the camp during the last of December or first of January, with reference to these four men?

A On December 23, Johnson was arrested and --

Q What was Johnson's first name, if you know?

A I don't recall.

Q Go ahead.

A He was connected with the Maritime Commission, Washington.

GENERAL REYNOLDS: Will the witness speak a little louder, please.

A (Continuing) Johnson was taken out of camp that afternoon, and Grinnell, Duggleby and Larsen were arrested and placed in the camp jail, held there, supposedly incommunicado.

Q Were these three men subsequently taken out of the

camp?

A Yes, sir, on January 5.

Q Did you ever see any of these four men that I have named -- Grinnell, Johnson, Duggleby and Larsen -- after they were taken out of the camp?

A No, sir.

Q At the time of the liberation by the Americans, in what part of the camp were you located?

A I was in the Education Building.

Q And will you tell the Commission what transpired there in the Education Building, with reference to the surrender of the Japanese?

A On Saturday night, January 3, we heard a lot of shooting north of the camp, and when we tried to leave the building, we were stopped by the Japanese. It was then around 7 or 8 o'clock. They had sentries at all of the doors. At 9 o'clock, approximately 9 o'clock, American tanks burst through the "Sawale" gate, in front --

Q How many American tanks?

A Four.

Q Proceed.

A There was great excitement in the camp, but the 200 people in the Education Building couldn't share in it much because they were held in, whereas those in the main building came out.

Q Were you one of those 200?

A Yes, sir.

Q Continue.

A Later on we heard shouts outside, stating that

there would be firing upon the Education Building, and American officers from outside shouted to us to move to certain parts of the building and to lie down on the floor, because there was going to be firing. There were 40 or 50 Japanese in the building on the lower floor, and we learned they were refusing to surrender. The Commandant and his staff and the guard at the gate.

Q Had the internees, the 200 internees that you have referred to -- did they make any effort to get out of the Education Building at that time?

A Yes, we wanted to get out before to sort of join in the celebration on the grounds, but we were not allowed to.

Q Who wouldn't allow you to leave?

A Japanese sentries.

Q And did they tell you why they wouldn't permit you to leave the building?

A No.

Q Go ahead and tell the Commission what happened then.

A Well, the shooting began around 11 o'clock. Three of the tanks came up right to the front of the building in sort of a semi-circle and fired directly into the building, lower floor; that is where the Japanese were. The Japanese had the entire lower floor and one-half of the second floor, which they were using for offices and quarters after the bombing began. The internees were in the east wing of the second floor, and the whole of the third floor. After the first shooting, which lasted 10 or 15 minutes, there was quite for a while, and we were

told to move out of certain rooms into certain other rooms.

Q Who told you to do that?

A And to lie down. Officers yelling in from outside.

Q American officers?

A Yes, sir.

Q Proceed.

A They knew approximately where the Japanese were, or they guessed about where they were in the building, and then they wanted us out of that part of the building when the shooting went on. While the second shooting was on the third floor -- on the second floor, and finally while we were lying down in the front rooms on the third floor, in the room where I was a Japanese officer and two men came in through the door from the hall, and, stepping over the bodies of the internees who were lying on the floor, they fired their rifles out of the window upon the tanks outside.

Q You mean they were firing over the heads of the internees that were there in that room?

A Yes, sir. Then the Americans began shooting at the third floor, naturally, from where their shooting came, and six or seven of the internees were wounded. One was shot through the thigh as he lay on the ground. One old negro was not actually hit, but his mosquito net caught fire, and he was an old, weak man, and he died of heart failure before he could get out of the bed, the cot. Well, when those casualties were communicated to the men outside, they quit shooting, and about 2 o'clock that morning we were told that we should go to

bed and sleep.

Q Who told you to do that?

A Army officers from outside. We also had some internees who knew the wig-wag system, and they were having some sort of a communication that way.

Q Were there still Japanese sentries to prevent you from leaving the building?

A Oh, yes, they had machine guns on the landings. You see, there were only two stairs available at the ends of the building, and they had machine guns at these ends, and they controlled the whole corridor of the third floor; impossible to do anything. Some of the internees escaped during the night on rope ladders, about 20 of them. The next day, Sunday, 7 more escaped by way of ladders -- rope, rather. Some of them were rather old men, and they hurt themselves when they landed; some of them were quite seriously injured. They weren't strong enough to support their weight. Well, we sat there all Sunday while negotiations were going on for the surrender of these men, and on Monday morning at 7 o'clock they marched out. Some agreement had been arrived at the night before, and we got out of the building later, 9 o'clock. The Japanese were allowed to leave with their arms, but without machine guns or hand grenades, which were not allowed. They were conducted, I was told, to the rotunda and released there.

Q Then you and the other internees in the Education Building were held there from Saturday night until the next morning by the Japanese, and subjected --

A Saturday night until Monday morning.

Q Until Monday morning, and subjected to shell fire and the firing over your heads on the part of the Japanese?

A Yes, sir.

(A photograph was marked Prosecution Exhibit No. 235 for identification.)

Q (By Captain Hill) I will hand you Prosecution's Exhibit No. 235, Mr. Hartendorp, and ask you to state what it is, if you know.

A It is a plan of the camp site and the buildings on it, and so on.

Q Of Santo Tomas?

A Yes, sir.

CAPTAIN HILL: We offer in evidence Prosecution's Exhibit No. 235, sir.

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

(Photostatic copy of sketch of Santo Tomas grounds was received in evidence and marked Prosecution Exhibit No. 235.)

Q (By Captain Hill) After Grinnell, Duggleby, Larson and Johnson were taken out of the camp was any action taken on the part of the internees to procure the return of these men to camp?

A Yes. Members of the internee committee mentioned it to the Commandant for several times, asked for information and finally wrote him a letter asking for the return of these men or, if they could not be returned to the camp, for information as to what had become of them.

CAPTAIN HILL: Mark that, please.

(Copy of letter from Carroll and Lloyd was marked Prosecution Exhibit No. 236 for identification.)

Q (By Captain Hill) I will hand you Prosecution's Exhibit No. 236 and ask you to state what that is, if you know.

A This is a letter signed by Mr. Carroll and Lloyd.

Q That is a copy of the letter, you mean?

A A copy of it. I beg your pardon.

Q How do you know that that is a copy of the letter which was sent by the committee to the camp commandant?

A I saw the letter that Carroll wrote to him.

Q You saw the original letter and made a copy of that letter?

A Yes, sir.

Q I notice that the caption and the signatures are deleted from this copy. Will you state to whom the original communication was addressed?

A It was addressed to the commandant.

Q And by whom was it signed?

A Carroll and Lloyd.

Q And who were Carroll and Lloyd?

A They were the two remaining members of the three-member internee committee. Grinnell was one of the members and the chairman.

CAPTAIN HILL: We offer in evidence Prosecution's Exhibit No. 236.

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

(Prosecution Exhibit No. 236 for identification was received in evidence.)

Q (By Captain Hill) As a result of that communication to the camp commandant were these men returned to camp?

A No, sir.

Q Did the camp commandant make any statement after the

receipt of this letter concerning the four men?

A I was told by Mr. Carroll that he said that he had no information, that he would try to find out. We never heard anything.

CAPTAIN HILL: You may cross examine.

CROSS EXAMINATION

Q (By Colonel Clarke) Can you give us the names of the various camp commanders and the dates during which they were camp commanders?

A I'm sorry. I couldn't do that from memory. I could give it to you later.

Q Can you give an approximate list and date?

GENERAL REYNOLDS: Does that not already appear in the record, referring to the names?

COLONEL CLARKE: I think the names appear, sir, but not the periods of time during which they were camp commanders.

CAPTAIN HILL: The names of the camp commanders under Yamashita's period appear, I believe, sir.

GENERAL REYNOLDS: That is the Commission's impression. Is it material as to the exact dates?

COLONEL CLARKE: As to the date of the commanding officer who was there during Yamashita's regime, yes.

A In October the commandant was Lt. Col. Hayashi.

Q (By Colonel Clarke) When did he first arrive?

A He followed Lt. Col. Yoshie and it must have been June or July that Hayashi came in.

Q And when did Col. Hayashi come in as camp commander? Do you remember that?

A Who?

Q Yoshie.

A Yoshie? I think it was May. April or May. Onozaki was the acting commander before that.

Q Was Onozaki an officer or a civilian?

A I understood that he was a civilian.

Q So that Col. Yoshie came in the early part of '44; is that correct?

A Yes, sir.

Q And Lt. Col. Hayashi --

A Hayashi --

Q -- took over in July, 1944?

A Yes, sir. I could check that for you later.

Q That is close enough. Thank you. The internees had a committee known as the internees committee; is that correct?

A Yes, sir.

Q Which was abolished in February of 1944?

A Well, the committee which was abolished we called the "executive committee". It was the Japanese-appointed committee which we called the internee committee, or they called it.

Q What committee did you speak about which was elected by the internees?

A The executive committee.

Q Is that the same committee that was abolished in 1944?

A Yes, sir.

Q In February. You stated that you were able to

smuggle in a copy of the provisions of the Geneva Convention?

A Yes, sir.

Q When?

A About the time of the evacuation to the United States. Let me see. About the middle of 1943.

Q After the executive committee was abolished was there any other committee elected?

A No, sir. There were no other officials elected except the internee agents, as we called them.

Q And when were these internees agents elected?

A February.

Q February of what year, sir?

A '44.

Q Was the election held for the purpose of electing agents under the terms of the Geneva Convention?

A Yes, sir. That was our purpose.

Q In February of 1944?

A Yes, sir.

Q Then what happened after the election of the agents?

A They were introduced to the commandant, Onozaki at that time, and he received them as representatives of the internees but not as representatives elected under the Convention.

GENERAL REYNOLDS: The Commission interrupts. It is believedthat similar questions have been asked in almost every particular and identical answers given by the witness. Is there some reason for repeating the questions which already appear in the record?

COLONEL CLARKE: The questions may have been answered,

sir, but I am not so certain that these specific dates were given. We hope to tie these dates in with certain portions of the cross examination along the defense lines.

GENERAL REYNOLDS: The only interest of the Commission is to prevent waste of time. Proceed.

Q (By Colonel Clarke) Who was the officer who stated that the Japanese did not recognize the Geneva Convention?

A Mr. Onozaki.

Q And after Onozaki did any other commanding officers make that same statement?

A No, sir.

Q So that the statement which was made that the Japanese did not recognize the Convention was made sometime between 1943 and early 1944?

A No. It was made in 1944.

Q 1944. Is this the time when the agents requested to pay their respects to the commanding officer as the agents elected by the committee?

A No. That was immediately after the elections before the agents had been making any protests. It was the protests which they filed which seem to have made the trouble.

Q And when was that protest filed?

A Oh, there were many. I don't remember all the dates.

Q When was the protest filed that caused --

A Sir?

Q When was the protest filed that caused the commanding officer to refuse to see them?

A I don't recall. I think that happened in the case when there was a protest against the refusal to allow private cooking.

Q Who was the --

A The commanding officer would accept the committee, allow the committee to talk to him, but not the agents. I think that was Yoshie.

Q And about what time of the year was that?

A Probably April.

Q Of 1944?

A Yes, sir.

Q Before October '44 at least; is that correct?

A '44; yes, sir.

Q You stated that the agents prepared written protests to be forwarded to Tokyo?

A Yes, sir.

Q To whom were those protests delivered?

A The commandant.

Q Who was the commandant?

A Oh, whoever he happened to be at the time the protest was made.

Q When were those written protests made?

A All the way through from the beginning; from the time they were elected.

Q By the statement "all the way through" --

A Yes, sir. Up to --

Q You mean from the time the agents were elected?

A From the time the agents were elected.

Q The agents were elected?

A Yes, sir.

Q Until --

A The last protest I think was about the use of the

tower as a signal station and the use of the grounds as a dump for Army supplies.

Q And when was that?

A That was in early October or late September, if I remember right.

Q Early October?

A Or late September.

Q Or late September?

A Yes, sir.

Q Do you know who the commandant was to whom these were delivered?

A It was Hayashi.

Q But you are not certain whether it was late September or early October?

A No. But I could easily check it with a little time.

Q It could have been before the 9th of October, 1944?

A It could have been.

Q You stated in your direct examination that medical supplies were not furnished to the internees.

A Yes, sir.

Q When were these medical supplies not furnished? During what period of time?

A During the whole three years.

Q So that medical supplies were not furnished prior to October 9, 1944 as well as thereafter?

A Yes, sir.

Q And the statement was made that you ran out of sulfa drugs. When was that?

A Possibly around October and November.

Q Did you have sufficient sulfa drugs before that time?

A Sir?

Q Did you have sufficient sulfa drugs before that time?

A Yes, sir.

Q Didn't you state on your direct examination that you never had had enough sulfa drugs then, meaning after October, or at any other time?

A No. I think I said that of general medical supplies. We got a good shipment of supplies in the Red Cross shipment in '43, which was abundant for a while, but it didn't last.

Q So that prior to October, 1944 your medical supplies had deteriorated to the extent that you didn't have any medical supplies by September or October of that year; is that correct?

A Yes, sir.

Q Were any Red Cross supplies distributed within the camp?

A After October?

Q At any time.

A Oh yes.

Q When?

A Small shipments, or a small shipment from South Africa Red Cross in December, 1942 and a small shipment from Canada in January, 1943. It wasn't enough to give everybody even one carton of supplies. I think we divided each carton by two men. Two men shared a carton. In Christmas, 1943 we received a considerable shipment.

Q Is that the last --

A That came on the "exchange ship" which took that

group of internees, 150, to the United States.

Q Was that the last --

A In September, 1944. That was the last shipment. Yes, sir.

Q That was the last shipment of Red Cross supplies that you received?

A Yes, sir.

Q In December of 1943?

A Yes, sir.

Q So that prior to October, 1944 you had not received any Red Cross supplies for over ten months?

A Yes, sir.

Q You stated that you had an internees' fund; is that correct?

A Yes, sir.

Q And that it was accumulated through moneys given to you by the Red Cross and moneys borrowed in Manila?

A Yes, sir.

Q How much money was given to you by the Red Cross?

A I would have to look that up. We got funds through Tokyo.

Q What percentage of the moneys in this fund came from the Red Cross and what percentage came from borrowed moneys?

A I should say probably most of it was borrowed; more than half anyway.

Q When was the last money from the Red Cross received that you recall?

A I believe in November, '44.

Q November, '44?

A (Nodding affirmatively).

Q After October, 1944?

A Yes, sir.

Q One ration which you stated contained one hundred grams of fish, four hundred of cereal, two hundred of vegetables, twenty of cooking oil, twenty-five of salt, twenty of sugar, and one of tea. Is that correct?

A That was the promised ration, sir.

Q When was it promised?

A At the beginning in February.

Q Of what year?

A '44.

Q February of 1944?

A Yes, sir.

Q Was that a change from a previous ration prior to February, 1944?

A No, sir. Because before we did our own buying and made up our own ration. They changed from money support to the camp to food supply.

GENERAL REYNOLDS: The Commission interrupts. All those questions are well understood by the Commission, and unless there is some purpose unclear to the Commission we suggest that you go into something else.

COLONEL CLARKE: I was going into the deterioration of the ration.

GENERAL REYNOLDS: The Commission understands the deterioration of the ration. We have heard it and we understand it thoroughly and we are perfectly willing to have you go on with the repetition of it if it will serve

a purpose, but to get the picture of the testimony the Commission does not need the repetition.

Q (By Colonel Clarke) Do you know what the Japanese ration was at the time of this ration and of the later rations?

A Pardon me. Will you please repeat that?

Q Do you know what the Japanese soldier's ration was at the time that you received this ration and the later rations?

A No, sir. But I know it was considerably larger because they looked much better than the internees.

Q But you don't know the actual grams?

A No, sir.

Q When the ration began to deteriorate was the ration supplemented by any gardens in the compound?

A Yes, sir. We had our own gardens.

Q Was the ration supplemented by any poultry within the compound?

A No, sir. We had no poultry. We had some ducks -- but they also starved to death.

Q But you were given an opportunity to raise whatever you could raise in order to supplement your rations?

A I beg your pardon?

Q You were given an opportunity to raise whatever you could raise in order to supplement the ration; is that correct?

A Yes. As far as we could on the limited acreage.

Q When was the large issue of ration made to the internees, if you know?

A The issues were made daily, sir.

Q Was there a large issue made at any time?

A No. They were all daily issues and they were never large.

Q Do you remember any issue made on the 7th of January, 1945?

A 7th of January?

Q Yes, sir.

A Did I mention that date?

Q No, sir.

A I don't know what you mean. You go ahead. The 7th of January?

Q The 7th of January, 1945.

A It couldn't have been any different from any other particular day. Was it?

Q Do you actually know or is it that you didn't have an opportunity to look?

A No. I could look it up. I know I have got it in my book, but I don't have it in my mind.

Q And in that case, if I were to tell you that the 14th Corps G-2 report contained a statement that "The enemy apparently did not intend to make a defensive stand north of Manila and informed the internees of that particular stand on January 7th and stated they were going to leave the city in order to avoid bloodshed and they were giving to the Santo Tomas internees seven tons of cornhusks, two tons of soya beans, one and a half tons of casaba, and that the food should suffice for fifteen days or from January 7th until subsistence arrived from American sources in February, is that correct? Did you ever hear of that?

A I don't know as to the exact amounts, but there is

a confusion there. The stuff was brought in from outside into the camp and put in the Japanese bodegas and sometimes in considerable quantities like 50 tons of rice at a time. But that was under the control of the Japanese and we didn't get it into the camp. It was not issued to us except from day to day in these small amounts that I have mentioned.

Q So that in so far as that statement is concerned, that it was given to the internees, you don't know whether it was or not; is that correct? You think it was given to the Japanese?

A I could look up what came in on that particular day.

Q Do you remember being told on that date that the Japanese were making that distribution to the internees?

A On January 7th?

Q Yes, sir.

A Oh, I remember that date now. That was the date that they were going to pull out. It seems to me that instead of bringing in very much they took out some, but I would have to check that. I know that they took out their own stuff. A lot of their own supplies they took out. How much they left in the bodega I would have to check.

Q So you don't know now. When was the physical examination made from which a report was given to you concerning the physical condition of the children in the internment camp?

A The survey was made in June and July and the report is dated August.

Q So that the survey and the report were made and issued prior to October, 1944?

A Yes, sir. And the doctors then definitely stated that the Japanese food policy was one of starvation.

Q You have no actual knowledge, no personal knowledge of what happened to Grinnell and the other three men, have you?

A I attended the funeral.

Q But you knew they left and sometime later you attended a funeral; is that correct?

A Correct.

Q That is all you know about that? You don't have any personal knowledge in between?

A No; no personal knowledge.

Q Do you know what the food situation was at Manila during the period of time from February, we will say, 1944 until the liberation?

A Yes, in a general way.

Q What was it?

A To the common people it was very bad.

Q Sir?

A I understood that for the common people it was bad, but those who had money could still get enough to live on, but not plenty. The Army always had plenty and the Army was supposed to feed us.

GENERAL REYNOLDS: The Commission interrupts. If it is the desire of counsel to show the food situation of the people living in Manila there are far better ways of getting it than this individual who spent all these years in Santo Tomas, unless there is some particular reason for asking him the question.

COLONEL CLARKE: It is simply a contrast to the food situation and the deterioration. The internees did have contact outside of Santo Tomas and I thought he may have personal knowledge or knowledge from at least what some person who had contact told him.

THE WITNESS: I might say this: I know that in Christmas, 1944 large quantities of food were turned away at the gate which the people wanted to bring in to us as Christmas gifts. Hundreds of people with baskets and bags were driven off.

GENERAL REYNOLDS: The Commission will recess for approximately ten minutes.

(Short recess)

GENERAL REYNOLDS: The Commission will be in session, and the Defense may resume.

COLONEL CLARKE: No further questions.

REDIRECT EXAMINATION

Q (By Captain Hill) Mr. Hartendorp, in cross examination you testified that at Christmas time in 1944, citizens of Manila were driven away from the gates when they came there with baskets for the internees. Who drove them away from the gates?

A Japanese guards at the gate.

Q And were any of these baskets or presents from the citizens of Manila permitted to come into the camp to the internees?

A No, sir.

CAPTAIN HILL: That is all, sir.

(Witness excused.)

DAVID BOGUESLAVE

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 David Bogueslave.

Q Where do you reside, Mr. Bogueslave?

A At present in the AFWESPAC Press Camp, Santa Mesa, Manila.

Q Where did you reside prior to the outbreak of the war?

A In Manila.

Q How long had you resided in Manila?

A Since September, 1923.

Q And with whom did you reside here in Manila?

A Alone, until I was married. Later, with my wife.

Q And you were married prior to the war?

A Yes, sir.

Q How old are you?

A I was 50 on the 19th of last June.

Q What is your nationality?

A American.

Q What is your business or occupation?

A I am a newspaperman.

Q Are you engaged in that business now?

A Yes, sir.

Q In what capacity?

A As correspondent for the Chicago Sun.

Q During the occupation of Manila and the Philippine Islands by the Japanese where did you reside?

A In the Santo Tomas Internment Camp, Manila.

Q Was your wife in that camp with you?

A Yes, sir.

Q On what date were you and your wife interned?

A We were brought to Santo Tomas on the 7th of January, 1942.

Q And did you both remain there until you were liberated by the Americans?

A I did. My wife was permitted to leave the camp on one occasion for a month, because of an illness, in 1942.

Q Other than that you both remained there until February 3, 1945, is that right?

A That is right, yes, sir.

Q Can you tell the Commission how much you weighed at the time you were interned in the camp?

A About 163 pounds.

Q Can you tell the Commission how much you weighed during the first part of October, 1945?

A October? About 129 or 130, thereabouts.

Q And can you tell the Commission how much you weighed at the time of your liberation from Santo Tomas?

A 114-1/2.

Q Can you tell the Commission how much your wife weighed at the time of her internment in 1942?

A 126.

Q And how much did she weigh during the first part of October, 1944?

A I don't remember; somewhere around 90 to 92 pounds.

Q And how much did she weigh at the time of the liberation?

A 86 pounds.

Q Can you give the Commission your judgment as to the average loss of weight among the adult internees in the camp, covering the period from October 9th to the date of the liberation?

CAPTAIN REEL: Sir, we object to this question. We know that Mr. Bogueslave is a most excellent correspondent, but we don't think he has yet been qualified as a medical expert.

GENERAL REYNOLDS: The question will be read.

(Question read.)

GENERAL REYNOLDS: The objection is not sustained.

A I can't give my own judgment, sir, but I can repeat a conversation I had with Captain, now Major Noell, of our medical staff.

Q Was he an internee in that camp?

A He was brought down from Cabanatuan, the war prison there.

Q Was he there in October, 1944, until the liberation?

A Yes, sir.

Q Will you give the Commission that conversation?

CAPTAIN REEL: Sir, we object. We believe the Commission has already ruled on this matter and has asked the Prosecution to produce the medical witness.

GENERAL REYNOLDS: That is correct. To save time, we can develop that point when you procure the Commission's witness.

CAPTAIN HILL: Yes, sir.

Q (By Captain Hill) Do you have any personal knowledge, Mr. Bogueslave, of internees dying during the period from October 9, '44, to the liberation, in Santo Tomas, from starvation or malnutrition?

A Yes, sir; in particular during the month of January, 1945.

Q And from your own knowledge, do you know the number of persons that died from starvation during that period of time?

A There were 32 deaths in the camp in January, 1945, which the medical staff described as due to malnutrition and starvation.

GENERAL REYNOLDS: The last part of the reply will be stricken from the record.

Q (By Captain Hill) Mr. Bogueslave, during the period of time that we have mentioned, did you have a detail or a duty to perform within the camp?

A Yes, sir.

Q Tell the Commission what that detail or duty was?

A I was orderly in the isolation hospital at the camp.

Q And in that position did you have an opportunity to observe the patients coming and going to the hospital?

A Yes, sir.

Q And can you give the Commission your judgment as to the number of persons that were taken care of in the hospital during that period of time?

A No, sir, because the bulk of the patients, ordinary cases, went through Santa Catalina General Hospital. I was on duty in what we call the "isolation hospital," which was the place for tubercular cases and chronic cases.

Q That was separate, apart, from the general hospital?

A Yes, sir.

Q Do you recall the Japanese using the grounds of the Santo Tomas Internment Camp for any other purpose besides the camp, during the period from October, '44, to the liberation?

A Yes, sir.

Q Will you please tell the Commission about that?

A On about the 9th of October the Japanese began moving supplies into the camp and stacking them on the

front campus.

Q What kind of supplies were moved in there to the camp?

A Well, there were packing cases, looked as if they contained rations. There were other cases that we couldn't identify. There were long, narrow crates, which we later found contained belly tanks for aircraft. One of them broke, and we saw it. We saw six pieces of field artillery wheeled in with the barrels wrapped in gunny sacks. They looked like three-inch pieces. And there were large stores of heavy wire screening in rolls, among other things, and a great deal of what looked like heavy machinery in crates.

Q During the period that I have mentioned before, was your ration or food supplied to you by the Japanese sufficient to sustain you?

A No, sir.

Q And were you able, during that period of time, to supplement the ration furnished you by the Japanese by purchases on the outside, or from any other source?

A As individuals we were not able to buy anything outside the camp or have any contacts with anything outside the camp. As a camp, I was told by Mr. Carroll, who was our chief of the supply section, that by a special arrangement with one of the Japanese officers, a Lieutenant Komatsu, there was a little graft at the back gate, and some supplies were permitted to come in by paying off the right people.

Q And do you know what became of these supplies that

did come in?

A They were used. According to Mr. Carroll they were used to supplement the diet in the hospitals and for the younger children and the older folks, the aged people.

Q But in spite of this supplemented diet that was able to be smuggled into the camp, you lost the weight, and your wife lost the weight which you testified about, is that true?

A We didn't get any of that supplementary diet.

Q You didn't?

A No, because I was on regular duty; I was not a patient in the hospital.

Q Is your wife living today?

A No, sir.

Q When did she die?

A On the 23rd of July, 1945.

Q Where?

A In the Marine Hospital, San Francisco.

Q And were you advised by the doctors as to the cause of her death?

A Yes, sir.

Q Will you tell the Commission about that?

A The doctors at the U. S. Marine Hospital told me that her death was due primarily to a heart condition, which was aggravated by malnutrition over a long period of time. And when she was brought to the Marine Hospital, though she looked as though she might recover, she actually had no chance.

CAPTAIN HILL: You may cross examine.

Q (By Captain Sandberg) Isn't it a fact, Mr. Bogueslave, that the internees at Santo Tomas were permitted by the Japanese to leave the internment camp and go out into the City of Manila at certain intervals?

A Up to about the first of February, 1944, that was true in a few cases.

Q Well, wasn't it the policy to permit the internees to go into the City one day a week?

A No, sir.

Q There was no set policy on that?

A There was a policy early in the internment, to allow what we call our "buyers," the internees who were entrusted with the task of buying food supplies for us, and medicines, to go in on what we call "service" passes once or twice, or possibly three times a week, but only for a selected few who had that detail.

Q Now, you testified that your wife was permitted to leave the camp for a period of one month. Wasn't that in pursuance to the policy I have just described?

A That was in the case of the very ill who could not be treated in the Santo Tomas Hospital, and up to the first of February they were permitted to receive treatment in Manila hospitals outside. After February 1st there were very few allowed to go out to the hospitals.

Q And while your wife was in the hospital were you permitted to visit her there?

A I was, about once every two weeks. There were so many people in the hospitals we had to take our turn with

the hospital bus pass, we called it; it was on every other Wednesday.

Q I see. Now, with reference to this equipment which was moved into the camp grounds on or about the 9th of October, when was it moved out?

A It wasn't entirely moved out. They moved some of it out before the liberation on February 3rd, but there was a great deal of it there when the First Cavalry came in on the night of February 3rd.

Q Isn't it a fact that they started moving it out almost immediately after moving it in?

A No, sir.

Q When did they start moving it out?

A Let me see -- it came in in October; they kept piling it in there for all of a month, and it was another two or three weeks before they started moving it out, a little at a time.

Q They started moving it out two or three weeks after they completed moving it in?

A More than that. About five weeks. Because they piled it up there and we were barred from that part of the campus for a period something like a month and a half.

Q Would that be your outside estimate, that they started moving it out at the latest in five weeks after they had completed moving it in?

A About that, sir.

Q Now, I would like you to look at this plan, Prosecution's Exhibit 235, and tell the Commission exactly where the equipment was stored.

A In the area marked "Basketball and Baseball Field," to the left of the shanty area and to the right of the oval with the two pavilions (indicating); just north of the pack shed, right in the area here (indicating), and a good deal was piled along this way (indicating). The shanty area didn't extend quite to the road. The wire screen was piled up here to about level with the center of the Education Building (indicating); the field pieces were right down here (indicating), near the gate, and all the other supplies were piled up here (indicating), the other supplies.

Q Thank you. Now, do you have any recollection of the camp commandant calling in the internees on or about the 7th of January, and telling them that the Japanese Army was going to evacuate Manila?

A Yes, sir -- not quite that, sir; it wasn't quite as broad as that.

Q Well, will you state exactly --

A I can only tell you what Mr. Carroll told us after he had been held in the commandant's office about eight hours. He told us the story.

Q How does the story differ from the way I have described it?

A Well, what Carroll told us, Carroll and Sam Lloyd, who represented the British community there, and Mr. Stanley, who was the interpreter, were called into the commandant's office with Lieutenant Colonel Hayashi, Lieutenant Habeko, and a civilian in uniform named Ohashi, and Lieutenant Takeda, and two or three others I don't

remember; Carroll and Lloyd were told that -- that is, the commandant told them, through an interpreter, that the Americans were coming into Manila; that, to avoid bloodshed in the camp, he was withdrawing the guard, and he was going into the hills to fight with the Army, and he gave them very strict warnings that they were to take charge of the camp, see that everything was carried on as it should be, and when he returned to the camp he expected to find everything as he had left it.

Q When he said "take charge of the camp," whom did he refer to?

A To Carroll and Lloyd.

Q To the Americans?

A Yes, sir.

Q That is, he turned over the control of the camp to the Americans?

A That was the statement he made to them.

Q Now, did he make any statement with reference to food supplies for the period after the camp was turned over to the Americans on January 7th?

A He said something to the effect that there would be sufficient food supplies left in the camp storehouse to maintain the camp. I don't recall that he said how much.

Q Did he give any estimate as to the period of time it would take for the Americans to reach Manila?

A The impression I got from Carroll's story was that he expected them in the next day.

Q I see. Did he say that he was leaving enough food

to last the internees for the period of time before the Americans would arrive?

A I don't remember that, sir. All that I remember was that he said there would be enough food left in the camp to maintain the camp, but gave no time.

Q Now, were you housed in the Education Building?

A Yes, sir.

Q You spoke of a Japanese by the name of Ohashi. What was his capacity at Santo Tomas?

A As I recall, we always knew him as sort of an assistant commandant. He had a desk in the office, and before they closed all passes he would give passes to such internees as he selected for the privilege, and in general he was sort of a liaison man between the Japanese-speaking officers and the Americans.

Q Did he work in what was called the "Internees' Affairs" section?

A I don't remember, sir. I am not sure of the departments of the commandant's office. They had about twelve of them.

Q Well, is it a correct statement of his function to say that it was his function to act as liaison between the civilian internees and the Army authorities to present complaints from the civilian internees to the Army authorities, and in general to maintain communications?

A Not towards the end, sir. In the beginning, when he first came there -- oh, sometime in 1943 -- that was his function. But since the Japanese Army took over control of the camp he lost a good deal of that function;

he was very much of a figurehead from then on.

Q During the period of his operation, would you describe his attitude towards the internees as hostile, or as friendly?

A Quite friendly.

CAPTAIN SANDBERG: That is all.

REDIRECT EXAMINATION

Q (By Captain Hill) Did the Japanese abandon Santo Tomas Camp on January 7, 1945?

A About 20 men and one officer left the camp with a truckload of supplies, but the commandant did not leave, the other officers did not leave, and the ones that did leave came back the next day.

Q Then after the next day, all of the Japanese that had been there prior to the 7th were back in the camp the same as they had been before?

A Yes, they were all back.

Q And did the Japanese turn the camp administration on January 7, 1945, over to the internees themselves?

A No, sir.

Q The Japanese after that continued to administer the affairs the same as they had before?

A Yes, sir.

Q And on January 7th and the days following, did you notice any increase in the rations and food there?

A January 7th --

Q 1945,

A No, sir.

Q Do you know of your own knowledge of any food or

rations of any kind that the Japanese left there on the 7th?

A They didn't leave anything there, because they didn't leave anything; they just stayed where they were, and the warehouse remained as it was, under Japanese guards. There were two warehouses: one, the Japanese supply room, and the other was our storehouse. The Japanese would give us our rations every morning for the day, and that is the way it continued right up to when the Americans came in.

CAPTAIN HILL: That is all.

(Witness excused.)

DR. A. G.SISON

recalled as a witness on behalf of the Prosecution, having been previously duly sworn, was further examined and testified as follows:

DIRECT EXAMINATION

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

A Antonio G. Sison.

Q And you are the same Dr. Sison that previously testified before this Commission in this hearing?

A Yes, sir.

Q And you are the Director of the Philippine General Hospital here in Manila?

A Yes, sir.

Q During the latter part of December, 1944, Doctor, were you taken into custody by members of the Japanese armed forces?

A Yes, sir.

Q And what date was that?

A It was the evening of the 21st of December, sir.

Q And how long did you remain in the custody of the Japanese at that time?

A The first time, sir, about ten days.

Q When were you released?

A I was transferred first to another prison in Cortabitarte, released on the 6th of January, 1945, sir.

Q And during the time that you were held in custody by the Japanese did you see a man by the name of E. C. Johson?

A Yes, sir.

Q And do you know whether Johnson had been an internee

in the Santo Tomas internment camp?

A Yes, sir.

Q Where did you see Mr. Johnson?

A I saw him in the doctors' hospital.

Q No. I mean during the time you were in custody, where did you see him?

A Oh. I saw him over at the Cortabitarte, but before that time --

Q Well, just a minute. You mean in a house on Cortabitarte Street?

A It is not a house; it is a garage, sir.

Q And what was that property being used for at that time?

A It was used as a prison, sir.

Q As a prison?

A Yes, sir.

Q By the Japanese?

A Yes, sir.

Q Do you know what branch of the Japanese armed forces?

A I think the military police, sir.

Q And tell the members of the Commission the circumstances under which you saw Mr. Johnson at that time?

A Mr. Johnson and I -- I did not know that I was with him, because when we were taken in custody the first time I was blindfolded for ten days, and then on the evening of the 31st of December we were transferred, and I knew that I was with somebody else in the car. We were taken to a house. My blindfold was removed, and I noticed that my companion then was Ernest Johnson. That is the

first time I saw him, because my blindfold was removed then and I recognized him because I saw him before.

Q Did you have occasion to talk with Mr. E. C. Johnson or Ernest Johnson at that time?

A Just when we were already inside of the prison in Cortabitarte, sir.

Q And did you learn then whether or not Mr. Johnson had been hurt or injured in any way?

A He was telling me that they broke one of his ribs.

CAPTAIN REEL: In so far as conversations with Mr. Johnson, we object.

GENERAL REYNOLDS: Objection not sustained.

A (Continuing) He was by my side, and at moments in which we were not being looked at by the guard, he knew me as a doctor and he said, "You feel my bone. They broke one of my ribs." I tried to feel his ribs, and I could feel something wrong with one of his ribs.

Q Did he tell you who it was that had broken his rib?

A He did not tell me how, but he said that while we were in the first place where we were confined he was hurt there. That is the time when he was tortured there.

Q And where was that?

A According to him, that was Fort Santiago.

Q Was he injured in any other way?

A I could see a small blister on his skin, and he told me that it was a burning cigar that was purposely done to hurt him.

Q Did you learn of any other injuries?

A No other injuries except those two that I have

seen, sir.

Q And had you known Mr. E. C. Johnson prior to that time?

A Yes, sir. The first time was a few months before the outbreak of the war. That was in Malacanan. He was visiting President Quezon. The second time was when he was confined as a patient in the Doctors' Hospital. That was about the middle of the year 1942.

Q Did you have occasion then to attend him professionally?

A I was called in for consultation, sir.

Q So you knew Mr. Johnson in person?

A I knew him personally, sir.

Q How long did you remain in this house, in this military police headquarters, with Mr. Johnson?

A Just two days, sir.

Q And were you both taken out of there at the same time?

A No, sir, I was taken ahead.

Q When you left Mr. Johnson was still in that house?

A Was still in that garage, sir.

Q And have you seen or heard of Mr. Ernest or Mr. E. C. Johnson since that date?

A Several days after former Chief of the Manila Police, Antonio Torres, told me that my companions in that prison, Cortabitarte, were executed.

CAPTAIN REEL: Sir, we will ask that that be stricken as not responsive and hearsay.

GENERAL REYNOLDS: The objection is sustained.

CAPTAIN HILL: You may cross examine.

CAPTAIN REEL: No questions.

(Witness excused)

GENERAL REYNOLDS: The Commission will be in recess for approximately ten minutes.

(Short recess.)

THOMAS W. POOLE

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 Thomas Wilson Poole.

Q Where do you reside, Mr. Poole?

A At 1420 Abreu Street in San Miguel in Manila.

Q How old are you?

A 32.

Q What is your nationality?

A American.

Q Are you married or single?

A Married.

Q Do you have any children?

A One child, five years of age; male.

Q Boy or girl?

A Boy.

Q Where did you reside prior to the outbreak of the war?

A In the Manila Hotel.

Q How long had you resided in the Philippine Islands?

A Since April 9, 1939.

Q And by whom were you employed here in Manila prior to the war?

A General Electric Company.

Q Are you employed by that same company now?

A Yes.

Q And during the occupation of Manila by the Japanese where did you reside?

A At the Santo Tomas internment camp.

Q Were the members of your family, including your wife and five year old son, there with you?

A Yes.

Q Were you acquainted with C. C. Grinnell?

A Carrol Grinnell was the manager of the -- the Far Eastern manager of the International General Electric Company. He was my immediate superior.

Q And was he interned in Santo Tomas internment camp?

A Yes.

Q Were you acquainted with Mr. A. F. Duggleby?

A Very well.

Q Will you tell the Commission something about Mr. Duggleby?

A Mr. Duggleby was a geologist. He was the vice-president of the Benquet Consolidated Mining Company, one of the biggest mining companies in the Philippines. He was a man of about 45 years of age, I should judge; in good health, very active, and an acknowledged executive and leader.

Q Was he interned in the Santo Tomas internment camp?

A Yes.

Q And did you know Mr. E. E. Johnson?

A Not as well as I did Mr. Duggleby, but I knew him.

Q Can you tell the Commission something about Johnson?

A Mr. Johnson was the representative in the Philippines

for the Maritime Commission -- United States Maritime Commission.

Q How old a man was Mr. Johnson, if you know?

A I think about the same age: About 45.

Q And was he interned in Santo Tomas camp?

A Most of the time.

Q And did you know Mr. C. L. Larsen?

A Very well.

Q Tell the Commission something about Mr. Larsen.

A Clifford Larsen was a younger man, approximately 30 years of age. He was a commercial engineer with the Atlantic Gulf Pacific Company.

Q Was he interned in Santo Tomas camp?

A Yes.

Q Do you recall the day or days that these four men were taken into custody at Santo Tomas?

A Yes. That was the 23rd of December, 1944. I remember it well.

Q What time of the day?

A They were called to the office of the Commandant sometime just shortly before noon, I believe. It was so common for them to be called there that we didn't think anything of it at the time. Then they started to make a thorough search of the offices, and we knew that something unusual was occurring. They were then later in the afternoon put into the camp jail and were never released.

Q Were these men taken into custody by the Japanese who were administering the affairs of the camp?

A No. They were taken into custody by the Japanese that

came in from the outside.

Q And do you know to which branch of the Japanese armed forces that they belonged?

A The civilian Japanese interpreters told us that they were the Japanese military police.

Q Did you see the Japanese military police take these men into custody?

A Yes.

Q And did you see what they did with them there in camp?

A I saw them put into the jail. While they were in jail we could not see them.

Q What time of the day were they put in jail?

A Late in the afternoon. I don't know what time it was.

Q Did you have occasion to talk with any of these four men after they were put into the camp jail by the Japanese military police?

A Regularly.

Q How often?

A Every day.

Q How long did they remain there in the camp jail?

A Until the 5th of January, 1945.

Q Tell the Commission the substance of your conversations with these four men during the time they were in the camp jail.

CAPTAIN REEL: Objection.

GENERAL REYNOLDS: Not sustained.

CAPTAIN HILL: Proceed.

A We asked them if there was anything that they needed. We were allowed to take them food, and we supplement:-

ed it as well as we could. We asked if we could take their clothes and wash them for them. We told them what was going around camp as much as we knew. We asked them what happened to them, and they said that they had just been questioned. We asked them if the questioning indicated what was behind it all, and they said that they had no idea. And until they were taken out, neither did they or we know why they were incarcerated.

Q Were all four of these men confined in the camp jail at the same time?

A No. Just Larsen, Grinnell and Duggleby. Johnson was taken to the front gate the first afternoon. We think he was taken out of camp.

Q When you say "the front gate," what do you mean by the "front gate"?

A That is the main entrance to the camp.

Q And what was located at the front gate?

A The Japanese guard house and their quarters.

Q Did you know when Johnson was taken out of camp?

A We saw him down there the following day, and the last time we saw him was in the afternoon of the 24th of December, 1945.

Q There in the camp?

A At the front gate. They didn't bring him back into camp. They had him at the front gate outside of the inner fence.

Q And did you see Johnson after that?

A Not alive.

Q Did you see anyone take the other three men, Duggle -

by, Grinnell and Larson, out of the camp at a later date?

A. Yes.

Q And on what day was that?

A At about 3 o'clock in the afternoon of the 5th of January, 1945.

Q Relate to the Commission the circumstances of the taking of these three men out of camp at that time.

A A car drove up with three Japanese, presumably military police, in a Chevrolet sedan. They went first to the Commandant's office; then they drove to the front of the main building, entered the jail and took them out; did not allow them to take anything with them.

Q When they were taken out were they tied in any manner?

A No.

Q And do you know where they were taken to?

A No. We tried to find out. Every day, every chance I got I asked the Japanese that I had become acquainted with, and none of them seemed to know. Whether they knew or not, they wouldn't tell.

Q Did you ever see any one of those four men that you have told us about after they were taken out of the camp alive?

A No. I saw them all dead but not alive.

Q Where did you see them all dead?

A In a vacant field between Rizal Stadium and the residence of Dr. Valdamir A. Roxas on Cortabitarte.

Q Was that the residence that was used as military police headquarters by the Japanese?

A Yes, sir.

Q How far did you see these bodies from the military police headquarters?

A About a hundred yards.

Q And tell the Commission about your efforts and your search for the location of these four bodies?

A Besides being my superior, both in company and camp organization, Grinnell was my closest friend, and I was very anxious to find out where he was and to help him if I could. And as soon as we were released I made every effort to find them. I presumed that they were all together. We first of all went to Mary Chiles Hospital. We assumed that they were being well taken care of. We went to the places where we thought they might be. On the 7th of February, Dr. Torres, the Director of the St. Luke's Hospital, said that he had heard that Carrol Grinnell had been taken to the Philippine General Hospital. I went with the First Cavalry and stayed with them until they took the Philippine General Hospital, but found that Grinnell was not amongst the several thousand people that had taken refuge there.

I did find out from Dr. Sison, however, that he had been confined with Mr. Johnson at the military police headquarters on Cortabitarte. He said that he had heard that Johnson, with others, had been subsequently executed.

CAPTAIN REEL: Sir, we will ask that that go out. Dr. Sison himself was on the stand a moment ago. I believe that that very same statement was ruled out as far as he was concerned as hearsay, and now we have another degree removed after the witness has been on the stand.

GENERAL REYNOLDS: Objection sustained.

Q (By Captain Hill) Proceed and tell the Commission about your search.

A Notwithstanding the objection, the reason I continued the search was because of the encouragement that I got from Dr. Sison; otherwise I would not have had the reason to proceed.

There is this big lot across the street and a Filipino boy, who apparently had been living in that neighborhood, said that he knew that people had been executed and buried in that field. And with that to go on, I went there with Ernest Johnson's son, who had come to Manila to see his father, and together we dug over that place and we finally found first Carroll Grinnell's body. The following day we dug into this caved-in trench, and we found there the body of 14 people in various stages of decomposition, and four of them we definitely identified as those being the four Americans to whom you have referred.

Q That is, Grinnell, Duggleby, Johnson and Larsen?

A Yes.

GENERAL REYNOLDS: The Commission will interrupt. The way the Bill of Particular reads, it is "B. B. Johnson," and reference has been made to E. C. Johnson. Which is correct?

THE WITNESS: I believe it is E. E. Johnson. Ernest Emil is the second name, I believe.

Q (By Captain Hill) Can you tell the Commission, Mr. Poole, how you were able to identify these four bodies?

A For my own satisfaction there general appearance was sufficient. However, their clothing could be identified

conclusively. Carroll Grinnell's clothing was all marked with his initials. His shoes we took back to Santo Tomas and they were identified by the shoemaker in the camp that had repaired them. The socks we identified with another pair that we had with the remaining belongings, and Mr. Duggleby had had his spectacles bound to his head with a handkerchief, and they were conclusively identified by the optometrist in camp who had worked on them a number of times. Clifford Larsen's clothing was especially definitely identified by his socks which his wife had knitted and which she identified. Mr. Kelly, who lived with Mr. Johnson in camp, identified the clothing and the hernia support and the denture which Ernest Johnson wore.

Q What did you do, if anything, with those four bodies?

A We very carefully removed them from this pit. They had been bound together in groups of three or four.

Q In what manner?

A With wire. And apparently beheaded, and it was very difficult to lift them out of this pit with -- (pause)

Q Did you remove their bodies from this pit?

A Yes.

Q And what did you do with them, if anything?

A We put each body in a wooden box and took the bodies back to Santo Tomas. There we buried them.

Q On what part of the grounds in Santo Tomas were they buried?

A On the east corner of the cemetery building.

CAPTAIN HILL: Mark this, please.

(Photograph of four graves was marked Prosecution Exhibit No. 237 for identification.)

Q (By Captain Hill) I hand you Prosecution's Exhibit

237, and ask you what it is, if you know.

A Those are the four graves to which I have just referred.

CAPTAIN HILL: We offer in evidence Prosecution's Exhibit No. 237, sir.

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

(Prosecution Exhibit No. 237 for identification was received in evidence.)

Q (By Captain Hill) Mr. Poole, how much did you weigh when you entered Santo Tomas internment camp?

A Between 200 and 205 pounds.

Q How much did you weigh in the first part of October, 1944?

A About 175.

Q And how much did you weigh at the time of your liberation, if you know?

A Between 145 and 150.

Q How much did your wife weigh at the time she was interned?

A About 130.

Q And how much did she weigh the first part of October, 1944?

A About 125.

Q And how much did she weigh at the time of your liberation?

A Between 100 and 105.

Q Can you tell the Commission what the loss of weight on your part and the part of your wife was due to?

A Nothing to eat. After that went so far, however, we found that we gained weight. The diet was such that we accumulated water in the body, which began to add to our weight,

Q And did you actually weigh more at the time of the liberation than you had several weeks or days previous?

A Personally I didn't, but many of the people did.

Q Did you ever have occasion to visit the kitchen or dining quarters of the Japanese that were in charge of the camp there during the period from October, '44, to the liberation?

A I was the camp electrician, and I was required to go there whenever they had any electrical work that had to be done.

Q And did you observe the rations that the Japanese had in comparison with the rations the internees had?

A Definitely.

Q Can you tell the Commission the difference, if any, between those rations?

A The difference was in quantity, in quality and in kind. The rice they ate was good rice. They had all they wanted. And besides the rice they always had vegetables and either meat or fish, with some sort of seasoning.

Q What about the diet that the internees had during that period of time?

A During that period of time we had rice, supplemented by what few greens we could grow in Santo Tomas, and a pile of dilis fish, a small salted fish that were brought into camp

once a month, which really didn't account for any food value. It was not enough to sustain life.

Q What was the quality of the rice that the interness were given to eat?

A It varied from time to time. Sometimes it was so bad that it was very difficult to eat it, as hungry as we were. It was obviously the sweepings off warehouse floors. After we were liberated I got a sack of what was left over and gave it to one of my Filipino boys, and he said that even his chickens wouldn't eat it.

Q Did you have occasion to observe a black sedan automobile inside of the Santo Tomas grounds during the period from October, '44, to the date of the liberation?

CAPTAIN REEL: May we have that question read back, please

(Question read.)

A Yes. There were many automobiles and trucks in Santo Tomas during the bombings. Whenever there would be an air raid the Japanese would come into Santo Tomas for protection.

Q The automobile that I refer to, did it attract your particular attention because of its size?

A There was a large Cadillac sedan, a new V-16, which I am told belonged to General Yamashita.

CAPTAIN REEL: I will ask that that be stricken; hearsay -- rumor, rather.

GENERAL REYNOLDS: The Prosecution will seek to develop the information by further questioning, --

CAPTAIN HILL: Yes, sir.

GENERAL REYNOLDS: -- but as given it is excluded from the record.

Q (By Captain Hill) When did you first notice this black Cadillac sedan on the Santo Tomas grounds?

A When a Japanese came to me and complained that my son had bent the antenna, and asked me if I could fix it so he wouldn't get in trouble. He was the driver of the car.

Q And did you have occasion to talk with this Japanese driver at that time?

A Yes, this driver --

Q Will you relate to the Commission the substance of the conversation that you had with the driver, relative to this car?

CAPTAIN REEL: Defense objects, as not only hearsay but from an unidentified source.

GENERAL REYNOLDS: Not sustained.

A This Filipino chauffeur came to me and told me that my son had broken the antenna, and he came to me and asked me to repair it. He was very decent about it and told me that the car belonged to the General --

Q General who?

A General Yamashita. And he was in there on a number of occasions after that, and very frequently spoke to me. He had the camp commandant order a light to be put in the garage, which we had to build for the car.

Q Was that car kept there regularly?

A That car was kept there regularly, and it was there when the camp was released. It was thereafter marked for use by General Mac Arthur; whether he ever used it or not; I don't know.

Q Mr. Poole, I believe you have testified that you

were the designated camp electrician, as your detail, is that correct?

A Yes.

Q And you had occasion to go into all of the various quarters of the internees and learn the general layout of the camp, did you not?

A Yes.

Q I wish you would step up to the bench so that the members of the Commission can see, and point out for them on the map and explain to them the parts of the campus that were used as the internment camp, and the other general details relative to locations within the camp.

A The main building in the center of the area housed most of the internees (indicating). It was used almost exclusively for living quarters. There were certain parts of it to which we were not admitted during most of our internment, the Museum and the Library.

Q Can you tell us about how many people were quartered in that main building?

A It varied from time to time, but it was roughly 1500.

Q Were they men, women or children?

A The second floor was almost exclusively women and children; the third floor, both men and women, not mixed but in different parts; the ground floor was reserved for old people who could not climb the stairs.

Q Now, I call your attention to the three areas noted on the map as "Shanty Area", and ask you to explain to the Commission what those areas were.

A When we were first sent to Santo Tomas in 1942, the

Japanese made no provision for feeding us. Our Filipino friends threw things over the fence for us, and during the first few weeks that was the only food that we had. We began to eat under the trees and on the lawn, and as time went on we put a shelter up to keep the sun off, and then when it rained we would improve the shelter, and as time went on over a period of three years these picnic grounds became what we later called "Shanty" areas. We built houses out of all materials that we could get together -- tin cans, canvas, sacks, anything else. It was truly a shanty town.

Q Did the Japanese procure these materials for you?

A Prior to 1944, they allowed us to have Filipinos bring in to us for sale materials for building these shanties. At that time they would not let us live in them, however. We were allowed to live in them in the daytime only, and we could not build walls.

Q By the time of liberation, how many of these shanties had been constructed in these three areas shown on the map?

A There must have been four or five hundred.

Q Now, I call your attention to two locations on the map which are marked as "Garden". Were those the only plots available by the internees for use as garden space?

A The areas marked as gardens were those that we farmed as community gardens. All available space around the shanties and everywhere else, excepting on the recreation field, was cultivated to the utmost extent, but that was all done privately.

Q Now, where did you procure your seed for your gardens?

A Most of the plants that we grew didn't require seed. Our best crop was a native plant known as talina, which grew very quickly, could be eaten -- and that is all I can say for it.

Q Now, I call your attention to the building designated as the Isolation Hospital. What use was made of that building?

A Originally that was our hospital, but we outgrew it and transferred our main hospital to what was done as the Santa Catalina Girls' Dormitory at the northeast end of the campus.

Q And is that shown on the map?

A It is shown as an extension to the grounds, the compound.

Q Now, did the internees have access to the Dominican Seminary Chapel?

A No. There was a small chapel, however, in the Santa Catalina Girls' Dormitory, which we did use.

Q Did you have access and use the Education Building?

A It was used as a dormitory until November, 1944, when we were ordered to move out of the ground floor. The Japanese administration transferred their office from the small building marked No. 10 to the Education Building, presumably because the other building was too vulnerable for bombing. Then soon after that, they ordered us out of half of the second floor, and the Prison Camp Administration Headquarters moved in.

Q Did the internees have access to the gymnasium shown on the map?

A Part of the time.

Q For what purposes?

A In 1942, between six and seven hundred of us lived in there for about a year, then we were moved out.

Q Now, relative to sanitary conditions in the camp, did the Japanese aid or assist the internees in any way in keeping the camp sanitary and clean?

A No.

Q Did the internees, during the period that we are restricted to here, have any communication with the outside world by way of mail or cables, or anything of that kind?

A I don't recall that we had mail or cable facilities after October. Prior to that time there was an arrangement whereby we could send a card home once a month, but we have found subsequently that very few of them ever got through. Some cables were sent through in 1943, but I don't know of any since then.

Q Now, with reference to the same period that we have referred to, was your ration as supplied by the Japanese increased or decreased, beginning in October and ending in February of 1945?

A I believe it was decreased three times.

Q Did you ever learn the reason for the decrease in rations during that time?

A No.

CAPTAIN HILL: You may cross-examine.

CROSS-EXAMINATION

Q (By Captain Reel) This decrease in rations that you just told us about, that ration began to deteriorate or

decrease before October, 1944, did it not?

A Yes.

Q And you don't mean to give the impression, I am sure, that suddenly in October a decrease began and it did not pre-exist?

A The rate of decrease was faster after October, and the amount had reached a critical low, where each gram thereafter made a big difference.

Q And when did it reach that critical low?

A During the fourth quarter, 1944.

Q And there had been a gradually accelerated decrease for approximately three or four months prior to October, 1944, had there not?

A There was a sudden decrease from the 1st of February, 1944, and the situation remained practically constant until about October.

Q Now, relative to the mail, I think you have testified that no mail went out in October.

A None that I knew of.

Q Yes. And insofar as you know, no mail had gone out for some time prior to that, isn't that correct?

A A card that I wrote in the middle of 1944 was received by my mother.

Q And was any mail that you sent after the middle of 1944 received, so far as you know?

A I haven't yet seen my mother, and I don't know.

Q So you couldn't answer that question?

A No.

Q Of your personal knowledge?

A No.

Q Now, were you in the Education Building when the liberation took place?

A No.

Q Where were you?

A I was in the grounds.

Q And will you describe, as briefly as you can, just what happened at the time of liberation, to those of you who were not in the Education Building?

A We heard machine gun fire at about 7 o'clock; at 7:20 the lights went out. We could see the glow of a big fire to the north, but then we didn't know what was taking place.

Q Was this in the evening or in the morning?

A This was in the evening of the 3rd of February. We then saw tracer bullets over the south quarter of the grounds.

Q Coming from outside in?

A Across, not in; not across.

Q But from the outside?

A From the outside. We didn't then realize what was taking place, but within about an hour we saw a searchlight at the front gate, and we heard action down there and we began to realize what was taking place. Then one of the tanks broke through the gate and came up to the south corner of the main building; the internees then ran out. There wasn't any action.

Q Nobody tried to prevent you from being liberated?

A Not after the force passed the garrison at the front

gate.

Q Do you know whether there had been a conference prior to your actual liberation, between the camp commandant and the American forces?

A Early in January, at about the time the forces landed on Lingayen --

Q I don't think you understood the question. My question is whether immediately prior to your liberation in February, do you know whether there was a conference between the camp commandant and the American forces there at Santo Tomas, arranging for the liberation?

A I don't know of any at that time. There had been discussions early in January.

Q Between American forces and the Santo Tomas officials?

A Between American camp officials.

Q That wasn't my question. My question had reference to the American armed forces who were outside. Do you understand now? My question is whether there was any conference between the commander of those armed forces and the camp commandant, just prior to your liberation.

A Not that I know of.

Q Now, these four men of whom you spoke, were they all officials of the internal self-government?

A Carroll Grinnell, and A. F. Duggleby, were active in camp administration. The other two were not.

Q Now, did Grinnell and Duggleby, as part of their activities -- were they allowed to go into Manila occasionally?

A Duggleby went to Manila occasionally, but Grinnell

very seldom, and only under Japanese guard.

Q Do you know whether Johnson or Larson went to Manila without Japanese guard?

A No.

Q And when Duggleby went to Manila, was he engaged in collecting money for various purposes?

A He was in the distribution of what we call the "Family Aid," a part of the money that was given to us for our support, which we passed on to the non-internable families of some of our people that were interned.

Q But didn't he collect money from outside sources in Manila?

A Not that I know of.

Q Do you know whether any of those four men collected money from outside sources in Manila?

A Not that I know of.

Q Well, I think you have stated that you had the confidence of Mr. Grinnell.

A Yes.

Q Did he ever tell you in confidence about any activities relative to the collection of money in the City of Manila?

A Yes. He had money sent to him. I believe he had money lent to him with the knowledge and consent of the Japanese, by Menzie's, a Swiss firm in Manila.

Q And were there some other firms besides Menzie's?

A I believe so.

Q Do you know whether some of this money was used to finance guerrilla activities?

A Not that I know of.

Q Did you ever hear anything about that?

A No.

Q Did Grinnell or any of these other men ever tell you what they thought led to their arrest?

A They didn't seem to know.

Q In the search that you described, do you know whether anything was found that might have had something to do with their arrest?

A Not that I know of.

Q Now, I think you have testified as to your weight at various times. Do I understand that you weighed yourself particularly about the 1st of October, 1944?

A There was a good set of scales in the lobby of the main building, which we used regularly.

Q And you weighed yourself quite frequently?

A It was a matter of considerable concern to us.

Q It wasn't a case of everybody in Santo Tomas rushing in to have himself weighed on the 1st of October, 1944?

A Excepting that twice in 1944 our medical organization made a survey.

Q Yes, but you weighed yourself quite frequently during the year?

A I think most people did.

Q Did you keep a written record of these weights?

A No.

Q And you say you weighed 175 pounds in October, 1944; you are not sure whether that might have been September, 1944, or November, 1944, as well as October?

A Reasonably sure.

Q Why are you reasonably sure that it was precisely October, 1944, that you weighed 175 pounds?

A It wasn't so long ago that I can remember pretty clearly.

Q Why do you think it was October and not September?

A I have no reason to believe otherwise.

Q Why do you think it was October and not November?

CAPTAIN HILL: If the Commission please, I think he has carried on his cross-examination on that point far enough. The witness has answered his question several times.

GENERAL REYNOLDS: So it seems to the Commission. Is there some reason for driving so hard at this witness on that particular point? You seem to have made it rather clear.

CAPTAIN REEL: There is no intention to drive hard at the witness, sir; we are merely trying to point out to the Commission the improbability of this particular piece of testimony, knowing a particular date and a particular weight, when the witness has testified that he weighed himself continuously over a period of time starting in 1942 and running until 1945.

THE WITNESS: When I testified, I gave my weight about so and so each time.

CAPTAIN REEL: That is right.

GENERAL REYNOLDS: Let us consider the point exhausted.

CAPTAIN REEL: I shall be glad to do so, sir.

Q (By Captain Reel) Now, I think you have testified relative to some rice that was left over when you came out

of Santo Tomas. How much rice did you take when you left Santo Tomas?

A One sackful.

Q And do you know how many other people took a sackful of rice when they left Santo Tomas?

A I think there were about six sacks there.

Q Now, one more matter I wish to inquire about: This automobile that you described. Will you please tell us the dates when you saw that automobile on the Santo Tomas grounds?

A I can't tell you the exact dates. It was there on a number of occasions.

Q Well, I don't want the exact dates, but I would like the approximate dates, if you please.

A It was there most of the time during the month of January and most of December.

Q January of 1945 and December of 1944?

A Yes.

Q What color was this vehicle?

A Black.

Q Are you sure it was a Cadillac V-16?

A I am sure it was a Cadillac.

Q You are sure it was a Cadillac. You talked to a Filipino chauffeur?

A A Japanese chauffeur.

Q Oh, a Japanese chauffeur?

A Yes.

Q Did he speak English?

A Yes, very good English.

Q Was he a soldier or civilian?

A He wore a uniform.

Q Did you ever see anyone riding in the car as a passenger?

A No.

Q Did you ever see the license plate on the car?

A No.

CAPTAIN REEL: No further questions.

CAPTAIN HILL: That is all.

(Witness excused)

GENERAL REYNOLDS: The Commission will recess until 8:30 tomorrow morning.

(Whereupon, at 1615 hours, 7 November 1945, the trial was adjourned until 0830 hours, 8 November 1945.)