

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

UNITED STATES OF AMERICA)

-vs-)

TOMOYUKI YAMASHITA)
-----)

PUBLIC TRIAL

High Commissioner's Residence,
Manila, P. I.
27 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

M. M. RACKLIN

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. You may proceed.

MAJOR KERR: Sir, all the members of the Commission are present; the Accused and Defense Counsel are present.

MAJOR BOARDMAN: Sir, the Chief Interpreter would like to introduce an addition to the record on page 3379, the fourth answer of the testimony of the last witness of yesterday's session. That answer should be increased by a clause, the preceding clause reading thus:

"Basing my opinion from what I saw of the American radios such as the RCA, Philco and others in Baguio at the time of the surrender, . . ." and then the rest of the statement goes on to say that the American equipment was superior.

GENERAL REYNOLDS: Very well. The record is amended accordingly:

COLONEL FELDHAUS: If the Commission please, the Defense would like to proceed briefly with further examination of this witness for the purpose of clarifying the testimony of General Yokoyama.

GENERAL REYNOLDS: Very well. You may proceed.

MICHIO KITAYAMA

the witness on the stand at the time of adjournment, having been previously duly sworn and further admonished, was further examined and testified as follows through Interpreter Yorioka, with Interpreter Asano and Major Boardman assisting:

DIRECT EXAMINATION (Continued)

COLONEL FELDHAUS: Has the witness been reminded that he is still under oath?

(Witness admonished by Interpreter Yorioka)

THE WITNESS (Through Interpreter Yorioka): Yes, I am.

COLONEL FELDHAUS: Does the Commission desire that the last questions and answers be read?

GENERAL REYNOLDS: You may read the last six questions and answers.

(Questions and answers read)

Q (By Colonel Feldhaus) On what date did General Yamashita's headquarters move to Baguio?

A It was on January 2, 1945.

Q How did you communicate with the Shimbu Army after the headquarters arrived at Baguio?

A There were just wireless communication after the headquarters moved to Baguio.

Q Was that wireless telegraph?

A It was wireless telegraph.

Q What communications did you have with Tokyo?

A There was direct wireless communications -- wireless telegraph communications with Tokyo and Baguio.

Q Did you also have communication with Saigon?

A Yes. There was direct communication.

Q What was the total volume of messages you sent and received while you were at Baguio on an average per day?

A The average was about 600, but on the days when it was busy there were around 800.

Q What was the average per day of your messages sent

and received from the Shimbu Army?

A I do not remember exactly, but I believe it was around 100.

Q How many wireless sets did you have operating in Baguio?

A I remember it as around 30 sets.

Q And one was devoted entirely to the Shimbu Army?

A Yes.

Q What type of messages were you sending?

A I was sending orders from headquarters and instructions.

Q What did these orders pertain to? Were they urgent, emergencies or routine?

A It included various sources.

Q Was there some operational priority in the messages?

A There was a schedule of six classifications according to urgency.

Q How long did it take to transmit a message from the Shimbu Army to Baguio, that is, a message of an urgent nature?

A It took -- Some arrived in two days, while the others took from three days, while some even took two weeks.

Q Was that likewise true of the messages that the Shimbu Army was sending to Baguio?

INTERPRETER YORIOKA: Repeat the question.

(Question read)

A What I just said now was the communications from Shimbu to Baguio, but I believe the time element was the same from Baguio to Shimbu.

COLONEL FELDHAUS: I believe that is all.

CROSS EXAMINATION

Q (By Captain Webster) Was the equipment which you have described as being used for communications at Yamashita's headquarters the normal Japanese equipment?

A Yes, it was.

CAPTAIN WEBSTER: That is all.

COLONEL FELDHAUS: Nothing further.

GENERAL REYNOLDS: The witness is dismissed.

(Witness excused)

JOHN D. RIDGE

called as a witness on behalf of the Defense, having been previously duly sworn, was examined and further testified as follows:

DIRECT EXAMINATION

MAJOR KERR: May the record show that this witness has testified previously in this proceeding and I will remind him that he is still under oath.

Q (By Captain Sandberg) State your name, please.

A John D. Ridge.

Q And your rank and serial number?

A Major, Corps of Engineers, O-348164.

Q What is your present assignment?

A Chief of the Philippine Islands Section, G-2, GHQ, AFPAC.

Q You have testified before this Commission relative to the extent and nature of guerrilla activities in the Philippine Islands. I have just one more subject I wish to ask you about. In the guerrilla movement in the Philippine Islands were there cases where women were members of guerrilla organizations?

A That has been known.

Q Was the Markings Organization active in Batangas Province?

A Among other places, yes.

Q And was one of the leaders of the Markings Guerrilla Organization a woman?

A That is correct.

CAPTAIN SANDBERG: Will you mark this for identification?

(A document was marked Defense Exhibit V for identification.)

Q (By Captain Sandberg) I show you Defendant's Exhibit V and ask you if it represents a true extract from the publication "Guerrilla Resistance Movement in the Philippines"?

A To check it adequately would take a considerable amount of time and proof-reading with the original copy.

Q Have you brought the original volume with you?

A I have it here.

Q Will you check that or have you checked that as yet?

A I have not seen this before.

Q Didn't we give you a copy of that?

A No.

CAPTAIN SANDBERG: If the Commission please, I had understood the witness had been given a copy of this. To save the time of the Commission I will suggest the witness be excused at this time and be afforded an opportunity to check the exhibit.

GENERAL REYNOLDS: Very well.

(Witness excused)

NORMAN JAMES SPARNON

called as a witness on behalf of the Defense, having been previously duly sworn, was examined and further testified as follows:

DIRECT EXAMINATION

MAJOR KERR: Captain Sparnon, you have testified previously, have you not?

THE WITNESS: Yes.

MAJOR KERR: I will remind you you are still under

oath.

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

A Norman James Sparnon.

Q And will you state your rank and organization?

A Captain, Allied Translator and Interpreter Section.

Q In your capacity with the Allied Translator and Interpreter Section, do you have or are you familiar with the ATIS file of captured Japanese documents?

A Yes, I am.

Q And does the Allied Translator and Interpreter Section have in its files all of the documents seized from the headquarters of General Yamashita on the occasion of his surrender?

A All documents that have been captured in the Philippines area and Southwest Pacific area are all in the hands of ATIS.

Q Approximately how many items or documents have been captured by the allied forces in the Philippine Islands?

A It would be some hundred of thousands.

Q And will you describe what process is used to determine which of these documents will be maintained in the ATIS files?

A Yes. When the documents are received they come through direct channels from the time they are captured in the field. We have detachments in our advanced echelons, and, therefore, the documents are handled by nobody other than trained linguistic personnel.

The documents from the time that they reach the hands

of the detachment are sorted for their priority and intelligence value. If they have no intelligence value whatsoever they can be put aside and held in abeyance and if they are documents of higher priority they are sent back and worked on until all the documents are in the hands of the detachment and have arrived at the echelon. They are then further sorted and items that are of value to the field are extracted and such documents are sent back plus other documents, which items have intelligence value which have not been extracted. They then go through the hands of sorters, and the sorters discard documents of no intelligence value whatsoever and the other documents which do have some possible intelligence value are further then sent to translators to extract that information, which is submitted to intelligence officers who in turn decide whether the information is published or not. If the information is published, such a document is given an official number and becomes an official document in the hands of ATIS.

Other documents are held for some time and then destroyed.

Q Of the several hundred thousand documents which have been seized in the Philippine Islands, can you give us an estimate as to how many represent captured orders of the Japanese armed forces?

A That is very hard to say but it would be a very high percentage.

Q And would you say that a captured order of an element of the Japanese armed forces would be regarded as having intelligence value?

A Invariably it has.

Q Now, have you ever seen among the captured documents an order signed by General Yamashita ordering the destruction of the entire City of Manila?

A No, I have not seen one myself. I am not familiar with such an order or any such document while I was in charge of the Translation Section having been captured.

Q And you have never seen such an order?

A No.

Q Have you ever seen an order of General Yamashita ordering the killing of non-combatant civilians in the Philippine Islands?

A No, sir, I have not.

Q Have you ever seen an order of General Yamashita calling for the killing of prisoners of war?

A No, I have not.

Q Now, a film was shown before this Commission in which a statement was made that the United States Army had captured an order from Tokyo for the destruction of Manila. Have you ever seen such an order among the captured documents?

A No, I have not.

I would like to say that if such an order was captured, the information would be of such high intelligence value that it would undoubtedly be translated and published.

Q Would you tell us, Captain, based on your experience with Allied Translator and Intelligence Service, what was the procedure in the Japanese army relative to the publication to the commands of orders?

A Yes. If an order was issued by any high command such as an army, army group or division or any large formation, the order would invariably be issued under the name of the commanding general and I would say in all cases the documents we received are mimeographed. On the distribution list there may be 25 subordinate commands to receive these orders and the method of distribution invariably was, or I should say always was that the orders would be issued orally and then written. This meant that the recipients of the order would in turn assemble their subordinates and they would be given the orders orally and they would then make a copy of it. This meant the number of orders of the one original order in circulation was considerable and this was undoubtedly the reason for so many important orders coming into the hands of ATIS.

In fact, it was a problem in the Translation Section to avoid translating the same information contained in different documents captured from different places.

Q And would you say that you have never seen any orders of the types that I have described? Do you mean that you have never seen any such order either in its form, in originating from the headquarters of General Yamashita, or in its form in any subordinate headquarters?

A No, I have not.

CAPTAIN SANDBERG: Your witness.

CROSS-EXAMINATION

Q (By Major Kerr) Your knowledge of captured Japanese documents or orders goes only to the written orders, is that not correct?

A Yes.

Q You have no knowledge as to orders which may have been transmitted by wire or radio?

A No, we would not have that.

MAJOR KERR: That is all.

CAPTAIN SANDBERG: Sir, I have a few more questions.

REDIRECT EXAMINATION

CAPTAIN SANDBERG: Will you mark this as our next exhibit?

(A document was marked Defense Exhibit W for identification.)

Q (By Captain Sandberg) I show you Defense Exhibit W, which is a bulletin, "Allied Translator and Interpreter Section, Southwest Pacific Area, No. 1841, dated 7 March 45" and attached thereto excerpts from Allied Translator and Interpreter Section, Southwest Pacific Area Bulletin No. 1841, and ask you whether this represents a true copy of the excerpts from that bulletin?

A It is undoubtedly a copy from the official publication, but I haven't checked the topic and copy and I could not say whether it was an accurate copy of the original.

Q Will you identify the excerpt in the bulletin and then I will ask permission from the court to submit into evidence a certified copy of that bulletin.

A Extract from "Bound handwritten diary belonging to Ohashi (*1) Unit. Dated 24 December 44 - 22 January 45."

CAPTAIN SANDBERG: I will ask permission of the Commission to introduce into evidence a certified copy of such extract.

GENERAL REYNOLDS: Very well. Before ruling upon the document we will want it read or the significant parts of it read.

CAPTAIN SANDBERG: The attention of the Commission is invited to the last paragraph of the first page:

"21 January. In regard to construction progress, the food situation is very grave, and each unit will obtain CAMOTE* from nearby farms to relieve the gravity of the food situation. In regard to the immediate construction problems, great anxiety is shown not only by platoon leaders but all the officers from 1st Lieutenant Ohashi to the Battalion Commander. Another requisition has been made for the grub hoes and because there is a sudden shortage, we are doing our utmost to obtain them through proper channels."

GENERAL REYNOLDS: On the top line, page 2, apparently there is an omission in my copy. How should it read?

CAPTAIN SANDBERG: "made for the grub hoes --"

GENERAL REYNOLDS: The document is accepted by the Commission for such probative value as it may be held to possess.

Does the Prosecution wish to point out any significant parts of the remainder of the document?

MAJOR KERR: No, sir.

(Defense Exhibit W for identification was received in evidence.)

CAPTAIN SANDBERG: Will you mark this as our next exhibit?

(A document was marked Defense Exhibit Y for identification.)

Q (By Captain Sandberg) I show you Defense Exhibit Y, being the "Allied Translator and Interpreter Section, Southwest Pacific Area Bulletin No. 2011, dated 8 May 45," and ask you if that is a copy of an official bulletin of the Allied Translator and Interpreter Section?

A Yes, it is.

CAPTAIN SANDBERG: I will ask permission of the Commission to withdraw the original and introduce a certified copy of the extracts thereof.

GENERAL REYNOLDS: Very well.

Q (By Captain Sandberg) Will you state whether that is an accurate excerpt from the ATIS Translator and Interpreter Service Bulletin No. 2011?

A The bulletin is, as I have testified before -- I don't know whether this is a correct typewritten copy but it is the bulletin.

CAPTAIN SANDBERG: This is "Handwritten diary dated 1 January 44 to 17 December 44, belonging to Asanuma, Toshiro (*1) member of OKA (*2) Company, higher unit not stated."

Attention is directed to the item indicated as:

"1 December. Not enough rice. (Translator's Note: This is the second time that the writer has complained about rice shortage.)"

The Defense introduces or offers into evidence this Defense Exhibit Y.

GENERAL REYNOLDS: Are there other comments or other items which the Prosecution invites to our attention?

MAJOR KERR: No, sir.

GENERAL REYNOLDS: The document is accepted by the Commission for such probative value as it shall be held to possess.

(Defense Exhibit Y for identification is received in evidence.)

CAPTAIN SANDBERG: Will you mark this as the next exhibit?

(A document was marked Defense Exhibit Z for identification.)

Q (By Captain Sandberg) I show you Defense Exhibit Z, a bulletin from "Allied Translator and Interpreter Section, Southwest Pacific Area, Bulletin No. 1795, dated 24 February 45," and ask you if that is an official extract from that bulletin?

A Yes, it is.

CAPTAIN SANDBERG: The attention of the witness is invited to subdivision 1:

"In view of the change in the general war situation, the Area Army will quickly strengthen its control of locally grown rice.

"2. The Group (HEIDAN) will supervise the nearest PI Rice Control Cooperation Groups of the Cabanatuan Branch, Baliuag Branch, Tarlac Branch and other branch offices concerned, and over and above the provisions of GEKI Opn. Order D-40, the Group (HEIDAN) will actively take the responsibility for transporting, storing and controlling the purchased rice (or unhulled rice) and will endeavor to obtain the preestimated amount of rice to be purchased in the following provinces."

The attention of the witness is invited to the paragraph beginning: "Instructions by C of S.

"1. The following points will be observed in encouraging and assisting harvesting:

"a. Forced labor for the rice harvest and submission of crop:

"In view of the recent guerrilla situation, when there is fear that the rice cannot be reaped in time, farmers will be employed in forced labor for the rice harvest.

"b. Speedy submission of crop:

"The rice is harvested from November to April of the following year. However, in view of the present situation, the rice will be reaped by the end of year as much as possible. The estimated amount of rice must be produced by January at the latest. Close co-operation will be maintained with the Co-operation Group to encourage turning over of rice.

"c. Prevention of flow of rice into bandits' hands or into cities:

"Movement of bandits and harvest conditions must be watched. Mopping up of bandits will be carried out at proper time to protect the villagers. Inspection posts will be established along the important roads. Exchanges of information with the Co-operative Groups is considered important."

Do these represent accurate extracts from Exhibit Z?

A Yes, they do.

CAPTAIN SANDBERG: The Defense offers in evidence Exhibit Z.

MAJOR KERR: No objection and no comments.

GENERAL REYNOLDS: There are other very important statements in this document. There seems to be something out of order here.

"Nueva Ecija - Unhulled rice: 4,200,000 sacks,"
is that correct?

THE WITNESS: Yes.

GENERAL REYNOLDS: 117,600 tons weight when polished,
is that correct?

THE WITNESS: Yes.

GENERAL REYNOLDS: The copy I have has the figure four, and then a comma, then the figure two and followed by five zeros.

THE WITNESS: That is correct, sir; in the original publication it is 4,200,000 sacks of unhulled rice.

GENERAL REYNOLDS: "Bulacan - Unhulled rice: 700,000 sacks, weight when polished: 19,000 tons;

"Tarlac - Unhulled rice: 1,050,000 sacks, weight when polished: 29,500 tons."

MAJOR KERR: I wonder if the second province named in the second paragraph, whether that isn't misspelled? It is spelled here as "B-u-l-c-a-n." It should be "B-u-l-a-c-a-n."

GENERAL REYNOLDS: All right. Now, which copy are you introducing to the Commission? The copy which contains these errors, are you introducing that, or the original or a corrected copy?

CAPTAIN SANDBERG: We have introduced into evidence a certified copy and ask that this correction be noted on

that copy.

GENERAL REYNOLDS: There is no certificate on the copy for the Commission.

THE WITNESS: I was vouching for the extracts that the Defense read, not what was not read.

CAPTAIN SANDBERG: The Defense is offering only such portions of this exhibit as have been read by the witness.

MAJOR KERR: Did I understand Defense Counsel correctly, that he is offering into evidence only those portions of these three sheets, as he has read, or are you offering into evidence the entire three sheets?

CAPTAIN SANDBERG: I am offering into evidence only those portions which the witness can identify, which is the entire three sheets.

MAJOR KERR: The entire three sheets?

CAPTAIN SANDBERG: That is correct.

GENERAL REYNOLDS: There is much other valuable information on this document other than the excerpts read. If the Defense wishes to offer the entire document, corrected and duly certified as a true copy, it will be accepted but in its present form as handed to the Commission there are only three typewritten sheets unsigned with obvious serious errors.

CAPTAIN SANDBERG: The original copy which has been introduced into evidence, which has been given to the reporter, has been certified.

GENERAL REYNOLDS: All right, the document is accepted by the Commission for such probative value, if any, as it shall be held to possess.

(Defense Exhibit Z for identification was received in evidence.)

CAPTAIN SANDBERG: Your witness.

MAJOR KERR: No questions.

(Witness excused)

AKIRA MUTO

recalled as a witness on behalf of the Defense, having been previously duly sworn, was examined and testified as follows through Interpreters Major Boardman, Lieutenant Asano and Technician Fourth Grade Yorioka:

MAJOR KERR: You have testified in this proceeding prior to today, have you not?

THE WITNESS: (Through Interpreter Asano) Yes.

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

THE WITNESS: (Through Interpreter Asano) Yes.

DIRECT EXAMINATION

Q (By Captain Reel) What is your name?

A Akira Muto.

Q And you testified in this proceeding before?

A (Through Interpreter Yorioka) Yes, I did.

(A diagram showing chain of command was marked Defense Exhibit AA for identification.)

Q (By Captain Reel) I show you Defense Exhibit AA, marked for identification as AA, and ask you if this is a diagram of the command system in the Philippine Islands during the Luzon campaign, 1945, showing changes that were made after General Yamashita's arrival in October, 1944.

INTERPRETER YORIOKA: Will you repeat the question, please?

(Question read.)

A (Through Interpreter Yorioka) This is a diagram showing the chain of command of General Yamashita after January, 1945.

Q (By Captain Reel) Was this diagram made from a small-sized plan that you drew up?

A Yes, this is an enlargement of the plan I drew from my memory.

Q And is this an accurate representation of your recorded recollection of General Yamashita's chain of command after 1 January 1945?

A Yes, it is.

CAPTAIN REEL: The Defense offers this plan and would like to post it over here, sir (indicating).

MAJOR KERR: Sir, before that is admitted in evidence the Prosecution requests it have an opportunity to study it. We may desire that this witness be recalled to the stand at a later time for cross examination. Of course, this is the first time we have seen it, and we have had no opportunity whatsoever to study it.

GENERAL REYNOLDS: Have you made arrangements for photostating it?

CAPTAIN REEL: Sir, we will have it photostated, as well as the other plan, before the completion of this trial.

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

(Short recess.)

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

CAPTAIN REEL: I believe the last thing of record, sir, was the offer of this exhibit.

GENERAL REYNOLDS: Are there comments by the Prosecution?

MAJOR KERR: Yes, sir. There are a number of items on that proffered exhibit which are not clear. I suggest it be cleared up before it is accepted in evidence.

GENERAL REYNOLDS: The document will be accepted by the Commission for such probative value, if any, as it shall be held to possess. But if there are unclear parts of it, the Commission asks Defense to amend it later; and if there are matters to which the Prosecution wishes to object, either now or at a later time, the Commission will entertain them.

The status of the document, however, is that it is accepted for such probative value, if any, as it shall be held to possess.

(Defense Exhibit AA for identification was received in evidence.)

CAPTAIN REEL: Now, may we have the Commission's permission to post the document on this side (indicating)?

GENERAL REYNOLDS: Very well.

CAPTAIN REEL: It will be necessary in the testimony of future witnesses to refer to both of these diagrams.

GENERAL REYNOLDS: The Commission grants the authority to post it as you desire at this time, but in order to make it easy to follow we would like to have arrangements made so that they can be posted side by side for ready reference.

CAPTAIN REEL: Yes, sir.

GENERAL DONOVAN: I should like to ask the significance of that blue line, whether that is to emphasize the chain; or what is the significance of that color?

CAPTAIN REEL: I will ask the witness, sir.

Q (By Captain Reel) Will you explain, General Muto, the significance of the blue line?

GENERAL DONOVAN: Rather than the black.

Q (By Captain Reel) Rather than the black line?

A (Through Interpreter Asano) The blue line indicates a chain of command from the Imperial Headquarters to the Southern Army, and then to the 14th Army group.

Q Is the line blue rather than black, for purposes of emphasis of that original chain of command from General Yamashita on up?

GENERAL DONOVAN: Why is the line blue rather than black?

CAPTAIN REEL: That is what I am asking him.

Will you read the question, please?

(Question read.)

A Yes, it indicates the original chain of command.

CAPTAIN REEL: Is that satisfactory, sir?

One further question:

Q (By Captain Reel) General Muto, this red arrow pointing to the division between Imperial General Headquarters and 14th Area Army; to what does that have reference?

A That red arrow indicates the following matter: On August 30, 1945, prior to surrender, the 14th Area Army came under the direct command of the Japanese Imperial Headquarters.

Q But prior to 30 August, 1945, there was no direct connection between the 14th Area Army and Imperial

General Headquarters, is that right?

A Yes, it is so.

CAPTAIN REEL: We have no further questions.

CROSS EXAMINATION

MAJOR KERR: Will you ask the General to face the chart?

Q (By Major Kerr) I call your attention to the rectangle on this chart marked Defense Exhibit AA, which is headed "Sinbu Shudan." Is that the same as the Shimbu Shudan, S-h-i-m-b-u?

A (Through Interpreter Asano) Yes, it is.

Q And the "Sinbu Shudan", then, refers to the organization commanded by General Yokoyama, is that correct?

A Yes.

Q This diagram, Defense Exhibit AA, represents the situation as of what date?

A It indicates the situation from January of this year until surrender.

Q Is that January 1, 1945?

A Yes.

Q I call your attention to the rectangle bearing the letters and figure "3 K. F.", and ask what the letters "K. F." stand for.

INTERPRETER ASANO: He refers to that as Manila Base Unit, Naval Base Unit, and it should be "31", I believe he says.

Q (By Major Kerr) The figure "3", then, is an error?

A (Through Interpreter Asano) Yes, it is.

Q Are there other errors on this diagram?

A I believe not.

Q Referring now to the rectangle bearing the words "Ken Bu Shudan", I ask what that represents?

A That refers to the unit that was in the hills west of Clark Field.

Q How many men are included in that unit?

A Approximately 40,000.

Q How many of those are naval forces?

A Naval unit and army unit were approximately the same number.

Q And all of those forces, army and navy, were under the command of the 14th Army group as of January 1, 1945?

A I did not mean to say that this all took effect as of January 1, but it indicates the changes that took place after January 1st.

Q When did the army and navy forces represented by "Ken Bu Shudan" come under the command of the 14th Army group?

A Before January 8th, just before the landing of American forces at Lingayan.

Q "Gun Choku Hei Dan"; how many forces or navy troops are included in that?

A No, there aren't any included in that.

Q Does not this part of the chart (indicating) show "remnants, Maritime Transport"?

A Yes, it is included. That is the Army Maritime Transport troops.

Q Referring now to the rectangle bearing the figures and letters "14 AG", is that otherwise known as

14th Area Army?

A Yes, it is.

Q So there is no difference between the so-called 14th Army Group and the 14th Area Army?

A The content represents the same army group. However, in army symbols, Japanese army symbols, the army group is represented by "AG".

Q Where is the 4th Air Army represented on this chart?

A After the 4th Air Army came under the command of 14th Army Group, its headquarters was immediately transferred to Formosa, and there it disbanded. However, the 4th Air Division remained under our command.

Q What is the significance of the red outlining (indicating)?

A The red line indicates requirement for explanation, regarding the change of command.

Q This chart shows the Noguchi unit to have come under the Iwabuchi Detachment after February 4, 1945. Should not that date be January?

A Order was issued to the Noguchi unit as to the effect that it will come under the command of the Iwabuchi unit as of the first part of February.

MAJOR KERR: That is all.

GENERAL REYNOLDS: There are additional bits of information the Commission will need, to understand this chart.

In prolongation of the block "14 AG" or army group, there is a statement "Troops under direct command of General Yamashita", and an arrow pointing up to the next

block. Is the witness saying by this diagram that the other components of his force were not under his command at all, or not under his direct command, or some other kind of command. That is to say, the statement "Troops under the direct command of General Yamashita" might be interpreted as nullifying all other portions of the chart.

Will Prosecution explore the situation?

Q (By Major Kerr) What is the distinction between the command of the 14th Army group over the Gun Choku Hei Dan, and the command of that group over the Shimbu Shudan?

A (Through Interpreter Asano) As for commander of Shimbu Hei Dan, which includes various units, there was Lieutenant General Yokoyama as his commander. However, in the Gun Choku Hei Dan, the subordinate units were under the direct command of 14th Army Group commander, General Yamashita.

GENERAL REYNOLDS: Does the witness mean that the 19th Division, 10th Division, 23rd Division, and so forth, reported directly to General Yamashita without passing through a corps headquarters?

INTERPRETER ASANO: Shall I ask him?

GENERAL REYNOLDS: Yes.

THE WITNESS: (Through Interpreter Asano) Yes, it is so.

GENERAL REYNOLDS: One other question: Where is the military police on the chart, or, if not on the chart, where would it be placed?

(The question being translated to the witness by Interpreter Asano, the witness indicated on Defense

Exhibit AA.)

GENERAL REYNOLDS: A part of the communication troops and miscellaneous units reporting directly to General Yamashita? Ask him if that is correct.

THE WITNESS: (Through Interpreter Asano) Yes.

Q (By Major Kerr) What units are included in the term "and others" appearing under the "Gun Choku Hei Dan"?

A (Through Interpreter Asano) That refers to M. P. units and communication units, and so forth.

Q What do you mean by "and so forth"?

A I cannot recall at present.

Q It does include some of the Maritime Transport troops, is that correct?

A The Maritime troops were eventually disbanded and were used as replacements.

Q When were they disbanded?

A They were disbanded successively, and the only unit that remained was at Aparri.

Q When were all of them disbanded?

A About July.

Q When did the Maritime Transport troops come under Yamashita's command?

A The change took place from the middle of January to middle of February.

Q 1945?

A Yes.

Q What do the words "and others", relating to Sinbu Shudan, include?

A Detachment of M. P.'s and communication troops

attached to Shimbu Shudan. A correction: It was line of communications troops.

Q The chart refers to the Noguchi unit as a "small force." What was the size of that force?

A The strength of Noguchi unit was about fifteen to sixteen hundred. Therefore, I refer to it as a small unit.

Q Those were army troops?

A Yes.

Q Referring to the "Kobayashi Heidan" under the "Shimbu Shudan," is that the unit commanded by Lieutenant General Kobayashi?

A Yes.

MAJOR KERR: That is all, sir.

GENERAL REYNOLDS: We will wish to have information as to the meaning of the dotted line which extends from "Sinbu Shudan" down to the "Iwabuchi Detachment," and an explanation of the arrow and statement after "January 6, 1945."

Q (By Major Kerr) Referring to the dotted line extending from "Sinbu Shudan" down to "Iwabuchi Detachment", what does that represent?

A That dotted line refers to the chain of command after January 6, 1945. That indicates that operational command came under Shimbu Shudan.

Q As of January 6, 1945?

A Yes.

GENERAL REYNOLDS: The Commission understands that January 6, 1945, is advanced by the witness as the date command control of the Iwabuchi Detachment became effective.

It may be, however, that the witness is saying that his orders from higher authority placed the Iwabuchi Detachment under army control on that date. We would like that explored.

Q (By Major Kerr) When did orders from higher authority place the Iwabuchi Detachment under Shimbu Shudan; as of what date?

A As of January 6th.

Q The only reason, then, why this line is a broken line rather than a solid line, is that this applied only on and after January 6th, is that correct?

A Yes.

GENERAL REYNOLDS: Now, let us return again to the statement "Troops under direct command of General Yamashita." It has been explained that the units out to the right of the statement reported direct to General Yamashita's headquarters. By inference, then, the Sinbu Shudan may have had some other form of control, and we would like to know whether or not the commanding general of Sinbu Shudan did or did not report directly to General Yamashita.

Q (By Major Kerr) Did the commander of the 8th Division shown as part of Shimbu Shudan report directly to General Yamashita?

A (Through Interpreter Asano) No, no. He had to go through Shimbu Army Group.

Q Is this correct: The units shown as a part of Shimbu Shudan followed a chain of command going up from each of those units to Commanding General Shimbu Shudan to Commanding General 14th Army Group?

A Yes. The subordinate units had to go through Shimbu Shudan and the necessary matters were then transmitted to the 14th Army Group.

Q Whereas the units shown as a part of the Gun Choku Hei Dan reported directly to General Yamashita and the chain of command was directly from them to Yamashita?

A Yes.

Q One further question: Is the word "Sinbu" used in the term "Sinbu Shudan" or is that a synonym of "Shimbu"?

A Yes. It is "Shimbu Heidan". However, alphabetical expression of Japanese words aren't coordinated and they may use "Shimbu" or "Heidan".

MAJOR BOARDMAN: The Interpreter would like to make a report at this point.

GENERAL REYNOLDS: Very well.

MAJOR BOARDMAN: There was a system of Hepburn system of Romanization whereby this would be spelled "S-h-i-m-b-u". Fairly recently the Japanese government by official order put out an official system which introduced certain changes. This shows up in this particular word whereby "S" here stands

for "S-h-" in the Hepburn system. The Hepburn system follows English phonetics more closely than the Japanese Imperial system.

GENERAL REYNOLDS: And the word is pronounced "Shimbu" without regard?

MAJOR BOARDMAN: That's right.

GENERAL REYNOLDS: Will the Chief Interpreter now explain to us the difference between the meaning of the term "Shudan" and "Heidan".

MAJOR BOARDMAN: That, sir, is not a difference occasioned by a change in the Romanization system; The two terms in my experience have been used fairly loosely. "Heidan" generally a smaller group, sometimes used even for a division but more often for a unit slightly larger than a division. The "Shudan" is apt to be used for a group approximating our corps or of about that size. That is according to my experience with Japanese documents.

GENERAL DONOVAN: I should like to ask a question. What headquarters planned the Luzon campaign of 1945?

(Translated by Interpreter Asano)

THE WITNESS: Headquarters 14th Army Group.

GENERAL DONOVAN: Did the 14th Army Group have direct contact with Tokyo by radio or otherwise?

THE WITNESS: Yes. There was wireless communication.

GENERAL REYNOLDS: No further questions.

MAJOR KERR: Sir, one additional question.

Q (By Major Kerr) How large was the Sho Shudan?

A At the beginning of the Leyte campaign when American

forces landed there were approximately a hundred thousand troops in Leyte and we sent 50,000 reinforcements. However, I do not know how much casualties were sustained by those units, so I did not put down the detailed strength of the unit.

Q As of January 1 the Sho Shudan was made up of the remnants on Leyte of 150,000 troops; is that correct?

A The 35th Army was responsible in defense of the following area: Mindinao; Visayas; Samar; Leyte, and all the troops were not concentrated in Leyte.

Q How many troops altogether are represented by this chart?

(Translated by Interpreter Asano)

MAJOR KERR: Withdraw that question, please.

Q (By Major Kerr) How many troops altogether are represented by the portion of this chart showing the troops under the 14th Army Group; in other words, including the 14th Army Group and all detachments and troops thereunder?

A If the units were intact there should have been 350,000. However, casualties were sustained. Therefore I do not know.

Q Does the prisoner-of-war organization appear on this chart?

A Yes.

Q Where?

A When General Yamashita moved his headquarters to Baguio last January the prisoner-of-war camp and civilian internee camp at Los Banos and Manila came under the supervision of commanding officer of Shimbu Shudan.

Q How about the other prisoner-of-war and internee camps?

A The only remaining camp was at Cabanatuan and it came under the supervision of 10th Division commander.

Q How about old Bilibid in Manila?

A Old Bilibid was under the supervision of Shimbu Shudan.

MAJOR KERR: That is all, sir.

CAPTAIN REEL: Sir, I have a number of matters to straighten out.

GENERAL REYNOLDS: Very well.

REDIRECT EXAMINATION

Q (By Captain Reel) General Muto, you testified that this marking of "3", 3rd South Dispatched fleet, was in error, that it should have been "31". I call your attention to the Iwabuchi Detachment which is the 31st Base Force and ask you whether you were not mistaken and this is the 3rd South Dispatched Fleet correctly marked.

A That was my error. I was confused as to 31st Base Force, which is Iwabuchi Detachment, and the 3rd South Dispatched Fleet.

Q And in so far as those numbers are concerned there is no error on that chart; is that correct?

A No.

Q A question was asked about the dotted line running from Shimbu Shudan to Iwabuchi Detachment as distinguished from solid lines running from the 14th Army Group to 35th Army, Shimbu Shudan, and so forth. Was there a difference in the type of control or command exercised by Shimbu Shudan over the Iwabuchi Detachment as compared with the type of control or command exercised by the 14th Army Group over 35th Army, Shimbu Shudan, and so forth?

You had better have that read back.

(Question read)

A The dark line indicates a complete control over the units. However, the dotted line indicates a partial control over the unit and in case of a dotted line the unit above has no control over discipline, training or personnel affairs. In referring to the Ken Bu Shudan where Army troops and Naval troops were operating together, the same thing applies as of Iwabuchi Detachment, whereas the immediate commander did not have any control over discipline, training and personnel of the Naval force in Ken Bu Shudan.

Q And, as indicated on the chart, does the dotted line running from Shimbu Shudan, Iwabuchi indicate command for tactical control only, for land operations only transferred to Army 6 January 1945?

A It is so.

Q One more matter. You testified that there was direct wireless connection between 14th Army Group and Tokyo. Was there also direct wire connection between 14th Army Group and Supreme Southern Command in Saigon?

A Yes. What I referred to awhile ago as to the communication between Tokyo and our headquarters was that there was merely a wireless communication available. However, all matters pertaining to command functions had to go through Saigon, then to Tokyo. Therefore we always maintained wireless communication with Southern Army Headquarters at Saigon.

Q And was the same thing true in reverse, that is, orders from Tokyo to you?

A Yes.

MAJOR KERR: One more question, sir.

RE-CROSS EXAMINATION

Q (By Major Kerr) This Noguchi unit was directly under Shimbu Shudan, was it not?

A After February when Noguchi unit came under the command of Iwabuchi Detachment it had to go through Shimbu Shudan.

Q Did that apply even when combat was not in progress?

A Not until after February the 4th, the 4th of February of this year.

Q After February 4th, this year, was the Noguchi unit directly under Shimbu Shudan for any purpose at all?

A After the 4th of February, this year, Noguchi unit never did come under the direct command of Shimbu Shudan. It was under the command of the Iwabuchi Detachment.

Q Was the Iwabuchi Detachment responsible for the discipline of the Noguchi unit after February 4th?

A After 4th of February this year in reference to discipline, and so forth, that does not pertain to operational matters, they received order from Kobayashi Heidan, which was in charge of Manila defense.

Q That is, this organization up here (indicating) was a part of Shimbu Shudan?

A Yes.

Q Then there was a connection between Shimbu Shudan and Noguchi unit after February 4th?

INTERPRETER ASANO: Will you read the question?

(Question read)

A Yes. There was a connection through Iwabuchi Detachment and Shimbu Shudan.

Q (By Major Kerr) Now let me get this straight. You are saying now that after February 4, 1945 the only connection between the Noguchi unit and Shimbu Shudan was through Iwabuchi; is that correct?

CAPTAIN REEL: Sir, we object to the question in that it misstates the testimony completely. The testimony was quite to the contrary.

MAJOR KERR: I suggest the reporter read this witness' last previous answer.

CAPTAIN REEL: That is satisfactory.

GENERAL REYNOLDS: The reporter will read the last previous answer given by the witness.

(The question and answer referred to were read by the reporter as follows:

"Q Then there was a connection between Shimbu Shudan and Noguchi unit after February 4th?

"A Yes. There was a connection through Iwabuchi Detachment and Shimbu Shudan".)

MAJOR KERR: Exactly!

CAPTAIN REEL: The previous question and answer. He says there was a connection, it is true, but the previous question and answer has a different connotation.

MAJOR KERR: In view of the previous testimony what is the objection to the question?

GENERAL REYNOLDS: The Commission feels that counsel is quite out of order based on the answer to the last question. It is a confusing thing and the Commission will receive additional information. In fact, there is additional information the Commission will ask. But the last question

asked by the Prosecutor is clearly proper in view of the answer given to the preceding question.

You may proceed.

MAJOR KERR: I simply want, sir, to tie this witness down to some definite testimony so that he cannot squirm out of it later. I am sure that the Commission wants to know what are the facts. That is all I am trying to adduce.

CAPTAIN REEL: Sir, we ask that that last statement be stricken from the record.

GENERAL REYNOLDS: The Prosecution is quite out of order and it will be stricken from the record.

MAJOR KERR: May we have the question put to the witness?

(Pending question read)

A No. In matters pertaining to discipline the commanding officer of Kabayashi Heidan was in charge.

GENERAL REYNOLDS: The Commission will now interrupt.

There is a possibility that the confusion results in a misunderstanding of the term "responsibility for discipline". Let us inquire along this channel:

One responsibility would be that discipline was maintained. Surely the witness does not wish to state that a commander is not responsible that discipline is maintained within the units reporting to him. But it might well be that he means "responsibility for the procedures or the mechanics by which discipline is maintained". That would be quite logical, because the Naval force would be governed by Naval regulations as to the maintenance of discipline and the Army force would be governed by regulations provided

for the Army.

So there is a real difference in the meaning: responsibility that discipline is maintained, and responsible for the procedures or mechanics of carrying it out.

Think that over. The Commission will recess for approximately ten minutes.

(Short recess)

GENERAL REYNOLDS: The Commission is in session.

You may proceed.

Q (By Major Kerr) I believe you said that after February 4, 1945, the Noguchi unit was under the Iwabuchi Detachment, part of the Iwabuchi Detachment.

A (Through Interpreter Yajima) Was under the command of the Iwabuchi Detachment.

Q But that was for land combat purposes only?

A It was only for land combat.

Q And that the tactical command over the Noguchi unit was with the Iwabuchi Detachment with respect to combat only?

A Yes.

Q What do you mean by "tactical control" as between the Iwabuchi Detachment and the Noguchi unit?

A Regarding the tactical command of combat it was a command to advance or retreat or to occupy a certain place.

Q Did it include where to fight and how to fight and whom to fight?

A Yes, it was included.

Q You said that after February 4th, control over command over the Noguchi unit, so far as discipline was concerned, was under the Kobayashi Heidan, a part of the Shimbu Shudan?

A Yes.

Q What matters would come under the term "discipline," as you have used it, during combat of the Noguchi unit?

A It is just ordinary discipline.

Q What do you mean by "ordinary discipline"?

A The discipline, military discipline in general is the same all over, that is what I mean.

Q For instance, the matter of wearing the uniform, the method of wearing the uniform, that would still be controlled by Kobayashi Heidan, so far as the Noguchi unit was concerned?

A Yes.

Q And the discipline as between officers and men would be controlled, then, by the parent organization?

A Yes.

Q If during combat, after February 4th, one or more men of the Noguchi unit turned and ran, what could Iwabuchi do about it?

A The Iwabuchi Detachment commander was to make a report of this fact to the commander of the Kobayashi Heidan. However, the Iwabuchi Detachment cannot try Army personnel in a naval court-martial.

Q Could not Iwabuchi order that man to turn around and fight?

A Legally not. However, as an officer he has the authority to order him to go back and fight.

Q What if he disobeys that order?

A That fact is reported to the commander of the Kobayashi Heidan, and the Kobayashi Heidan commander will act accordingly.

Q What if this Noguchi unit man strikes an officer of Iwabuchi?

A That fact must be reported to the commander at the

Kobayashi Heidan immediately and take necessary action.

Q You mean to say that there is nothing Iwabuchi himself could do about it except to report it?

A Yes.

Q What if Iwabuchi ordered the Noguchi unit to attack a certain enemy position, but instead that unit disobeys that order and attacks another position?

A A report is made to the Kobayashi Heidan and necessary actions are taken.

Q There is nothing that Iwabuchi could do at that time and place immediately?

A Yes; nothing can be done about that.

Q If this Noguchi unit having been ordered to attack or hold a certain position abandons that mission and instead stops to pillage or to loot some building in that area, is there anything that Iwabuchi could do about it then and there?

A The commander of the Iwabuchi Detachment can tell the man of the Iwabuchi unit not to do those things, but since he has no authority to take any action, that fact must be reported to the Kobayashi Heidan.

Q What would Kobayashi Heidan then do about it?

A Kobayashi Heidan will take the necessary action.

Q What action?

A They are brought before a court-martial for insubordination.

Q Then that is the only affirmative action that can be taken in combat with respect to disobedience of a combat order?

A There is no other way besides that.

Q Would Kobayashi Heidan report that to Shimbu Shudan?

A They do report it.

Q And in a serious case would the Shimbu Shudan report that to the higher commander?

A The commander of the Shimbu Shudan, after trying these cases in a military court, will make a report to the 14th Army group.

Q Now, let's take the relationship between Shimbu Shudan and the Iwabuchi Detachment. Assuming that you had come down into Manila after January 6, 1945, and during combat operations of the Iwabuchi Detachment -- I will withdraw the question.

Then you want the Commission to understand that even in combat the unit commander who commands an attached unit has absolutely no authority or control over that attached unit, is that correct?

A In case of an Army unit there is a so-called chain of command. However, in the Japanese Army there is the combined Navy and Army units, and in such cases the Navy does not have any complete authority over the Army subordinates, and vice-versa.

Q We understand that. But what you have told us amounts in effect to this, does it not: that if one unit of the Army is under the command of a Navy man, or vice-versa, the commanding officer has no means of enforcing his command?

A He has no authority to command the obedience of such order, but he had authority to advise on such matters.

Q Why were Army and Navy units combined under one commander in the defense of Manila?

A It is more convenient to control the men under one commander.

Q How can one commander control one unit if he can merely advise units only in his own branch?

A In my opinion I think the battle of Manila has shown the possibility of one commander to have the authority to punish -- to give punishment -- without the authority to punish, educate, or to be in charge of personnel.

MAJOR KERR: Will you read that answer back?

(Answer read.)

MAJOR KERR: I suggest the Interpreter strike that and give it again.

Will you read the question?

(Question read.)

MAJOR KERR: Withdraw the question.

GENERAL REYNOLDS: That isn't necessary. The meaning of the witness is quite clear. He is only pointing out difficulties faced by commanders when units of both the Army and Navy are placed under his control.

MAJOR KERR: Then the question and answer will stand?

GENERAL REYNOLDS: The question and answer will stand unless there is objection by the Defense.

CAPTAIN REEL: There is no objection if the Interpreter understood the answer and so gave it.

Q (By Major Kerr) If the commanding officer of the Iwabuchi Detachment saw, during combat, a man or men of the Noguchi unit committing some wrongful act, such as

looting or killing civilians wrongfully, could that Iwabuchi commander order the arrest of those men?

A He can stop and arrest them but he cannot punish them.

Q He can, however, put them under arrest?

A Yes.

Q Is it his duty to do so?

A It is an authority given to an officer.

GENERAL REYNOLDS: The Commission interrupts. We have a few questions.

EXAMINATION ON BEHALF OF THE COMMISSION

Q (By General Reynolds) Could the Military Police of the Japanese Army arrest and confine a member of the Japanese Navy?

A Yes; the Kempei Tai has the authority to do it.

Q Now, General Muto, let us attack this from a somewhat different approach to see if we cannot gain a clear understanding of your meaning. Let us assume that General Yamashita gave you a specific combat mission. Let us next assume that he provided you two military forces with which to execute the mission. Let us next assume that one belonged to the Army and one belonged to the Navy. You tried to accomplish your mission but failed to do so. The reason you failed is because the commander of the naval unit and his personnel refused to carry out your orders, and even withdrew when you ordered them to attack.

Do you clearly understand the imaginary course of events?

(To the Interpreter) Ask him the question whether

he understands clearly this imaginary course of events.

Whom would General Yamashita hold responsible for the failure to execute the mission which he had ordered?

A He will recognize that as my responsibility.

Q Isn't that an exact parallel to the situation in Manila, the commanding general of the Shimbu force was given a mission; he was provided with Army and Navy forces. Discipline broke down. He was unable to control the naval forces in all particulars and was not the commanding general of the Shimbu group the person responsible to General Yamashita?

INTERPRETER YAJIMA: Will you read the question?

(Question read)

A What I am trying to convey is the responsibility as a commander and the accomplishment of the mission. However, the commander has -- however, the responsibility of individual crimes or discipline is a different story.

GENERAL REYNOLDS: Is he now saying that the commander is responsible for the maintenance of discipline?

INTERPRETER YAJIMA: He has.

GENERAL REYNOLDS: But that the mechanics or procedures or channels may pass through either Army or Navy hands as the case may be?

THE WITNESS: In case of a Navy it goes through channels through the Navy; in case of the Army it goes through channels through the Army.

Q (By General Reynolds) But the commander, whether Army or Navy, is responsible that discipline is maintained?

A He is subject to administrative reprimand, but is

not subject to criminal arrest, criminal punishment.

GENERAL REYNOLDS: Very well, we will leave the subject.

I would like to ask General Muto a few questions of a general nature for background purposes.

MAJOR KERR: If the Commission please, may I ask that the last question by the Commission be addressed to this witness again? I believe there is some question of interpretation.

GENERAL REYNOLDS: The last question to which the witness has already answered?

MAJOR KERR: Yes.

GENERAL REYNOLDS: Are you ready to translate what I said?

INTERPRETER YAJIMA: Yes, sir.

GENERAL REYNOLDS: Read the last question and the last answer.

(Record read by the reporter.)

GENERAL REYNOLDS: Perhaps we should restate that and be sure the witness understands the question, and obtain a new answer.

INTERPRETER YAJIMA: Will you please read the question again?

(Record again read by the reporter.)

THE WITNESS: As a commander it is his authority -- it is his duty to supervise and instruct his men. It is the same in both Army and Navy regarding discipline.

GENERAL REYNOLDS: Very well. Now you can make the statement to the witness that was made previously.

INTERPRETER YAJIMA: Is it the previous statement, sir?

GENERAL REYNOLDS: Yes.

In Tokyo, is it correct, that there is a separate War Ministry and a separate Navy Ministry?

THE WITNESS: Yes, that is correct.

Q (By General Reynolds) And are they in turn responsible directly to the head of the Government, the War Ministry and Navy Ministry, are they responsible directly to the head of the Government?

INTERPRETER BOARDMAN: Do you mean the Emperor, or the Premier?

GENERAL REYNOLDS: The Premier.

THE WITNESS: They are in the Cabinet.

GENERAL REYNOLDS: Now, in your other operations in the Southwest Pacific, have you had occasions to use combined Army and Navy forces under a single command?

THE WITNESS: I do not know the details, but it seems that there were combined operations in various areas in the South Pacific.

GENERAL REYNOLDS: Do you know of specific instances in Japanese operations, other than in Luzon, where Navy troops were placed under Army command?

THE WITNESS: When I was a commander in Sumatra, Divisional Commander in Sumatra, there was an occasion where naval units were under my command.

GENERAL REYNOLDS: Do you recall whether the attack against Java and Sumatra in 1942 was a joint operation under a single commander?

THE WITNESS: It was a combined operation, but not under the same commander.

GENERAL REYNOLDS: Is the subject of combined operations taught extensively in the Japanese War College?

THE WITNESS: They are taught in general, but not in detail.

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

(Whereupon, at 1140 hours, a recess was taken until 1330 hours, 27 November 1945.)

AFTERNOON SESSION

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

GENERAL REYNOLDS: The Commission is in session.

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

(The witness on the stand at the time of recess, Akira Muto, resumed the stand.)

GENERAL REYNOLDS: Does the Defense have further questions to ask this witness?

CAPTAIN REEL: No questions.

GENERAL REYNOLDS: Does the Prosecution have further questions to ask this witness?

MAJOR KERR: No further questions, sir.

GENERAL REYNOLDS: He is dismissed.

(Witness excused.)

MAJOR KERR: At this time, sir, the Prosecution requests the chart which has been received in evidence as Defense Exhibit No. AA be stricken, for the reason that it is demonstrably incomplete, inaccurate and misleading, particularly with respect to the representation of the Noguchi unit.

Now, the testimony in this case shows that the Noguchi unit is a part of the Kobayashi Heidan; therefore, it is properly shown as a part of the Shimbu Shudan. Its relationship to the Iwabuchi Detachment is incidental, and if this system of designating command responsibility or chain of command is to be employed it should appear principally as a part of Shimbu Shudan, with a broken line

in connection with Iwabuchi. This chart does not show the Noguchi unit as having any connection at all with the Shimbu Shudan, and we submit that in that particular it is incomplete, inaccurate and misleading.

GENERAL REYNOLDS: Are there comments by the Defense?

CAPTAIN REEL: Yes, sir. We agree that the chart has not been completed, but it is not inaccurate and it is not at all misleading. The Noguchi unit is part of the Kobayashi Heidan; it is included within that term. We don't think there is anything misleading or inaccurate about that chart at all.

We remind the Commission that the chart was prepared at the Commission's request, and we offered it in response to that request of the Commission.

GENERAL REYNOLDS: Considering the chart in connection with the lengthy testimony given by General Muto, in which a considerable number of points were explained at great length, the Commission feels that the chart is adequate for the purpose intended. That purpose was to help clarify in the minds of the members of the Commission the intricate command channels within the Japanese armed forces after January 6, 1945.

Hence, the exhibit is accepted by the Commission for such probative value, if any, as it shall be held to possess.

Defense may proceed.

MAJOR KERR: Sir, is a photostatic copy to be substituted for the large chart?

CAPTAIN REEL: Yes, sir. We will have photostatic

copies of both of the charts.

JOHN D. RIDGE.

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

DIRECT EXAMINATION

Q (By Captain Sandberg) Will you state your name and rank, please?

A John D. Ridge, Major, Corps of Engineers.

Q And your present assignment?

A Chief, Philippine Island Section, G-2, GHQ, AFPAC.

Q You were sworn before this Commission this morning, and started your testimony at that time, is that correct?

A I was sworn last week.

Q Have you had an opportunity since this morning to compare the exhibit marked for identification by Defense this morning, representing extracts from the publication "Guerrilla Resistance Movements in the Philippines"?

A I have.

Q I show you the Defense Exhibit marked for identification this morning, and entitled "Guerrilla Resistance Movements in the Philippines," and ask if that represents a true extract from that publication?

A It is almost completely a true extract. In this copy I made a very few minor corrections in spelling and tense, but the thought is identical to that in the book to which you have reference.

Q I am going to read from these extracts, and in any case where there is any difference in spelling or tense,

will you so indicate?

A Right.

GENERAL REYNOLDS: Rather than do that, after he finishes let him indicate at that time any changes.

Do you propose to read the entire document?

CAPTAIN SANDBERG: No, sir, I do not.

GENERAL REYNOLDS: The Commission has studied the document and is willing to have it read. How much of it do you propose to read, approximately? A fourth or half, or three-fourths?

CAPTAIN SANDBERG: I think, sir, it is about a third.

GENERAL REYNOLDS: Very well. Go ahead.

CAPTAIN SANDBERG: (Reading from Defense Exhibit V for identification.) On page 2:

"Following the disorganization of USAFFE during the rapid Japanese advance and the USAFFE retreat into Bataan, many units and remnants of units became isolated from their commands. These units and remnants became the nuclei of guerrilla organizations that formed almost immediately. Prior to USAFFE surrender in May 1942, these guerrilla units harrassed enemy garrisons and contained substantial enemy forces. Dwindling supplies and Japanese policing which became more thorough as occupation developed, decreased guerrilla activity. The surrender of USAFFE accelerated the surrender of guerrilla units and dispersed the remainder. Most of the dispersed units did not give up but formed underground groups, many of which have lived on and are still active.

"Central Luzon in mid 1944 presented a picture of

a number of organizations with considerable overlapping in both area and personnel. By far the largest unit in point of view of numbers is the Marking group. The main operating area of this unit is located east of Manila, but affiliated organizations extend throughout central Luzon. If we may believe the reports of the Marking's, Ramsey and the President Quezon's Own Guerrillas, there are at least 300,000 guerrillas in the central Luzon area. This number of names may be on the rolls. It is, however, certain that most of them live at home and are only nominal supporters of the guerrilla movement.

"The history of guerrillas in other areas has shown that the civil populace is organized to assist active guerrilla units through planting and harvesting of food crops, moving supplies, and acting as messengers and intelligence agents. The organizations now in Luzon are familiar with the pre-war Military District organization and are attempting to conform to these pre-war boundaries. No coordinated military district commands exist today; recent arrivals of SWPA personnel will undoubtedly clarify the present situation and promote more harmonious relationships between the various guerrilla units.

"Hukbalajaps" --

GENERAL REYNOLDS: Before you go on, can you identify the time when this was prepared? Was it prepared, for example, before the cessation of hostilities, or after?

CAPTAIN SANDBERG: Yes, sir. This document was prepared prior to the Leyte operation. I might ask the witness for precise information as to the time and method of pre-

paration.

GENERAL REYNOLDS: I wish you would.

Q (By Captain Sandberg) Will you state, Major --

A The document was originally prepared to assist plannings for operations against the various islands in the Philippines group, and it was brought out in sections as the islands became immediately of interest, and was finally compiled in one book after the landing on Luzon. But the parts dealing with Luzon and the other parts quoted here were prepared prior to the landing at Lingayan.

Q And will you state, Major, what was the basis of information for the preparation of this document?

A It was based on reports from guerrilla headquarters from Southwest Pacific area personnel who actually penetrated into the islands, and from, to some extent, captured Japanese documents.

Q And subsequent to the arrival of the American forces in the Philippines, but prior to the preparation of the volume, was any effort made to check and corroborate those reports?

A Yes. Of course, all information was evaluated and interpreted and collated and put into reasonable summary form of the situation, so far as we could confirm it. Where there is any reasonable doubt, the report does not make positive statements.

GENERAL REYNOLDS: That is sufficient. Go ahead.

CAPTAIN SANDBERG: (Reading from Defense Exhibit V for identification.) "Hukbalajaps: The 'Hukbalajaps,' a

semi-political, semi-bandit organization centered in Bulacan and Pampanga, in one of the largest and most powerful guerrilla organizations in central Luzon. It owes no allegiance to the U. S., the Philippine Commonwealth, or Japan and has constituted a problem not only to the Japanese but to loyal guerrilla organizations and intelligence nets. It will probably remain a difficult problem during reoccupation and possibly afterwards. Little definite information on the organization is available, and the following discussion must be regarded as tentative. The frequent use of aliases by members of the organization has contributed to the confusion.

"'Hukbalajap' is a word coined from the initial syllables of the Tagalog title of the organization, 'Hukboag Bayan Laban sa Japon,' or 'People's Army to Fight the Japs.' In Tarlac Province it has also been referred to as the 'Paja,' short for 'People's Anti-Jap Army.' The individual members are often referred to as 'Huks.'

"The organization was founded at Mount Arayat in Pampanga late in March 1942 by a group of intellectuals, disgruntled politicians, and socialists and communists in Pampanga. It is said to be modeled on Chinese communist organizations, and it is probable that Chinese had a hand in the early organization. It claims to represent the military phase of the United Front Party, a coalition of socialist and communist elements, and early activities were largely political. A 'NAJUF' (National Anti-Japanese United Front) policy was proclaimed, and the organization issued numerous manifestos proclaiming that their objective

was the establishment of a democratic people's state in the Philippines after the war, free from all foreign domination and with representation for all. The Americans were to be allowed to liberate the Philippines, but were then to be attacked if immediate independence was not granted. Political figures of the Commonwealth Government were to be accepted only in so far as they could furnish a government not dominated by USA, Japan, or any other foreign country, either politically or commercially. The Hukbalajap has said in its manifestos that the right of private property will be guaranteed in their post-war government, as well as freedom of speech, press, assembly and residence.

"Although the Hukbalajap has maintained this propaganda line to the present day, reports indicate that their policy is definitely communistic and that their plans include the establishment of a communistic government in the Philippines after the war, on the early Russian model. It is probable that there are also connections with communistic elements in China.

"Military activities are at present under the direction of Juan Feleo, also reported as a member of the Military Committee with the rank of General, commanding all Hukbalajap armed forces. He is the former President of the Communist Party of the Philippines. During 1942 and 1943 attacks were made on Japanese railroad shipments, garrisons, and convoys, and some disruption of the Japanese supply line into Manila from the north was achieved. The organization has consistently refused to

cooperate with other guerrilla groups, and has been consistently ruthless and violent in its activities. They early announced their intention of fighting any other guerrilla groups they considered pro-Japanese, and soon characterized the Marking and USFIP or USAFFE as such. Conflicts with other guerrilla groups were frequent, and by mid 1944 the Huks were actively fighting all their guerrilla neighbors. Ambush, arrogance, deceit and treachery have marked these conflicts. In the last twelve months these anti-guerrilla activities have sharply increased, and have been extended to include all BC (Bureau of Constabulary) units suspected of aiding other guerrilla outfits, as well as puppet office holders, rich Filipinos, and all others considered to be pro-American. Many of these have been ambushed and murdered, particularly in Pampanga and Bulacan. American pilots shot down over their areas have been held, and at least one is reported killed by the Hukbalajap. Robbery, plunder and indiscriminate killing have correspondingly increased; the victims being civilians, guerrillas, Japanese, Americans, Filipinos, office holders and puppets, without apparent discrimination.

"Since early 1944 there has been a lessening of Hukbalajap attacks on Japanese installations, and it has several times been reported that the Japanese are arming the Hukbalajap, probably as a cheap means of combatting the guerrillas. It is known that high Japanese officials visited Pedro Abad Santos, Hukbalajap leader, at San Fernando, Pampanga, in June 1944; and it is certain that

the Japanese made no effort to interfere with Hukbalajap-Constabulary conflicts in September and October 1944.

"Arms for the combat units have been obtained mostly from the battlefields of Bataan, and from looted Japanese and Constabulary installations and captured or killed guerrillas. In November 1944, Hukbalajap armament was reliably reported to be about 4,000 rifles, 500 automatic rifles, 25 machine guns and miscellaneous side arms. Ammunition supplies have been consistently low since 1942, and are now believed to be not more than 60 rounds per gun. In the Laguna units there are probably not more than 200 rifles.

"Membership of the Hukbalajap was at first composed largely of liberals and some communists, possibly with a number of former members of labor unions. Total membership claimed has increased greatly in the last year, and it is probable that the Hukbalajap now includes a large proportion of the former members of the Sakdalista party in central Luzon, as well as opportunist underworld characters and a large proportion of ex-USAFFE men forced to cooperate through necessity or through threats to the well-being of their families. For this reason, and because the level of military training is uniformly low, it is probable that Hukbalajap units will not resist invading American troops, and may be of assistance. However, some units under more strict control from the command may give trouble.

"Fil-American Irregular Troops (FIAT): In 1942 this group was in the mountains near Antipolo, Rizal,

under the leadership of Col. Hugh Straughn, who was attempting to unfit the command" -- (pause)

THE WITNESS: That should be "unite."

CAPTAIN SANDBERG: (Continuing) "-- to unite the command of the various central Luzon guerrillas. Subsequent information has proven that Col. Straughn may have almost succeeded in his purpose. His contacts extended from central Luzon area of Bulacan and Pampanga to the tip of Bicol with Gov. Escudero and Maj. Sandico. Almost all known organizations in central Luzon were at one time or another working with him. He is said to have been responsible for the founding of Markings in Rizal, the Hunters in Cavite, and Quezon's Own Guerrillas in Laguna, Batangas and Tayabas. He assumed the title Supreme Commander of the South Central Luzon Guerrillas and was considered as such by the Japanese.

"Apparently some rift developed between the powerful Markings and the FAIT and Col. Straughn was betrayed, some say by leaders of the Markings Guerrillas, in August 1943. The coordination which he had established was lost following his capture."

"Marking Guerrillas: The Marking Guerrillas were founded in April 1942 and now claim to have contact throughout central Luzon. It appears to be one of the largest single organizations on Luzon. Some of the Filipino American Irregular Troops near Manila united with the Markings in May 1944.

"The stronghold of this group is in the Sierra Madre Mountains in Rizal. The leader of the group is

Marcos Villa Agustin, but the backbone of the organization is a woman known as Yay Panlillo. The identity of Augustin is not known. Yay Panlillo is a newspaper reporter and she is reported as both pro- and anti-American.

"The group is reported by several sources to be unscrupulous in the procurement and character of its membership, and ruthless in its dealings. This seemed to be particularly true up to early 1944. It claims a membership of 200,000 but this figure is queried by the source (considered fairly reliable) of the information. One source reports the arms total 5,000. Supplies have been sent to the organization by Maj. Anderson and letters were sent to SWPA via Anderson in August 1944. Anderson believes the only objective of the group is the elimination of the common enemy and has reported nothing unfavorable concerning their recent activities.

"The headquarters, in Rizal, concerns itself with troops, propaganda, enemy dispositions, etc. Luzon is divided into three main areas which are semi-autonomous so far as operations are concerned."

And at the bottom of that page:

"President Quezon's Own Guerrillas: This unit operates in central Laguna, Batangas and western central Tayabas under the control of Vicente Umali, former Mayor of Tiaong, Tayabas. The Marking Guerrillas claim the President Quezon's Own Guerrillas as an affiliate, but this claim is believed false. Nothing was known of the President Quezon's Own Guerrillas until late 1943 when

Lt. Primitive San Agustin went to Mindanao to establish contact with SWPA. A radio was sent from Mindanao and contact has been maintained with the unit since June 1944. The roster of the unit indicates that there might be as many as 10,000 men in the organization, divided into 11 regiments. It is very likely that these persons are generally living at home and comprise the basis of development when equipment is available. Many of the members of the organization are Bataan veterans."

And page 7, in the middle of the page:

"Col. M. M. Zabat Guerrilla Unit: The Camp Balintawak guerrilla group of Albay is headed by self-styled Lt. Col. Montano M. Zabat, pre-war 1st Lt., Traffic Officer of Albay and Sorsogon. Shortly after the Japanese landings in Legaspi he reported to the headquarters of the Philippine Constabulary in Manila, they returned to Albay.

"After the surrender on Bataan, he organized a guerrilla unit in Albay with the assistance of former Mayor Rempillo of Oas and Lt. Llenarizas, a former Constabulary officer. Reports indicate that the activities of the group in 1942-43 in raising funds and supplies were indiscriminate and his reputation among civilians none too savory. According to Gov. Escudero he later weeded out bad elements in his group but his reputation remained shady.

"In June 1944, Lapus attempted to force Molinas, one of Zabat's leaders into leaving Sabat and joining his organization, with no success. In retaliation,

Zabat with 90 men on July 21 raided the town of Manito in Lapus' area killing several of the latter's followers and maltreating civilians.

"Crafty and unscrupulously zealous in his efforts to capture command of the 5th MD, Zabat has left few stones unturned in the effort to realize his ambition."

I may say, sir, in this connection, there is no indication that the Lapus mentioned here is the witness before the Commission.

On page 8: "The Cebu area long enjoyed the reputation for having killed more Japanese than any other area. In their efforts to stamp out Japanese and Japanese sympathizers, the men, reportedly under Fenton, went to extremes and many wanton killings of innocent citizens were reported."

On page 11: "Strong Japanese garrisons and a good road net, affording the enemy fair mobility, and the presence of numerous Japanese patrols, have limited the Luzon guerrilla resistance movement to an 'underground.' The organization and control of Luzon forces at present is far below that existing in the Visayas or Mindanao. Raids and campaigns by the Japanese, and political pressure brought to bear on guerrillas and those who support them, have resulted in frequent changes of loyalties and organizational hierarchies. Unification of command such as has been achieved in the Visayas and on Mindanao has not been attained on Luzon. The picture is rather one of many groups of varying sizes, some cooperating and a few at odds with their neighbors, but

all maintaining an underground organization concerned more with intelligence, sabotage, propaganda and assassination than with actual ambushes and patrol action."

On page 12: "Many reports on guerrilla activities in Mindoro are unclear or ambiguous, but it is clear the conflicting ambitions of guerrilla leaders have led to increasing friction between groups and have prevented effective unification of command. In an effort to extend their powers, guerrilla leaders have inducted civilians to a point where they have been unable to arm, feed and pay them. As a result the civilian population has carried a heavy burden; in some areas willingly, others under compulsion."

Defense offers this exhibit into evidence.

MAJOR KERR: If the Commission please, the Prosecution objects to the acceptance of this offered exhibit on the grounds that it is wholly irrelevant to the issues involved in this proceeding. The material describing or purporting to describe guerrilla units and leaders obviously has no connection with the charge in this case. I find nothing in the offered exhibit which relates to any of the incidents set forth in the two Bills of Particulars supporting the charge. There is no evidence, no part of this proffered exhibit which even purports to apply to any of the incidents covered by the evidence for the Prosecution, where the evidence is quite clear that the Japanese had committed the depredations involved, and I see no connection, no

possible realistic connection, between the material which has been read by or referred to by counsel and the issues in this case.

Now, if we are to get into a consideration of the personalities, the organizations, the activities, the purposes, the tactics of the guerrilla units in Luzon and elsewhere in the Philippine Islands, I submit, sir, we will have gotten very far afield.

GENERAL REYNOLDS: The comments of Prosecution are noted. The document will be accepted by the Commission for such probative value, if any, as it shall be held to possess.

Proceed.

(Defense Exhibit V for identification was received in evidence.)

CAPTAIN SANDBERG: Your witness.

CROSS EXAMINATION

Q (By Major Kerr) Major, is it not a fact that the high command of the United States armed forces in this theatre issued a directive to the guerrilla leaders in this theatre that their primary purpose would be to obtain information for our forces?

A That was -- those instructions were given at various times to all guerrilla units with which we had contact. Now, there was a considerable period of time in which we had no contact with Luzon and had very little to say about what was done there by the guerrilla units.

Q Did those instructions also state that the guerrilla

unit should avoid combat with the Japanese forces,
except where necessary to protect themselves or to
accomplish their information or mission?

A Yes, that was the substance of those instructions.

MAJOR KERR: That is all. Thank you.

CAPTAIN SANDBERG: Thank you.

(Witness excused.)

NORMAN JAMES SPARNON

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

DIRECT EXAMINATION

MAJOR KERR: You have been previously sworn, Captain Sparnon?

THE WITNESS: Yes.

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

Q (By Captain Sandberg) Captain Sparnon, in your testimony this morning upon cross-examination by the Prosecution, the following questions and answers were had:

"Q You have no knowledge as to orders which may have been transmitted by wire or radio?

"A No, we would not have that."

Do you recall that?

A Yes, sir.

Q Have you given further consideration to this question since this morning?

A Yes, I have, sir.

Q And have you something further to state in explanation?

A I would like to clarify my answer now. The number of Japanese wireless logs containing both inward and outward messages that have been captured is considerable. Such documents containing cryptographic material were of such high priority that they were forwarded direct to the GHQ organization for this high priority purpose.

After the organization had deleted the material that

was of cryptographic importance, the document would be returned to ATIS and items of intelligence value would be translated and published.

Q So that the net result of that is that items of intelligence value which originated as wireless messages would be filed in the ATIS file?

A Yes, where they are recorded in documents and in files.

CAPTAIN SANDBERG: Your witness.

CROSS-EXAMINATION

Q (By Major Kerr) Those records that ATIS has on wireless or radio messages would be merely the documents referred to or recorded in captured records? That is correct, is it not, Captain?

In other words, the recorded messages you referred to are those recorded in captured documents only?

A Yes, they are the company or higher formation official files on the inward and outward messages.

Q Your organization has no record of the messages intercepted by the American Interceptor Service?

A No, they are in the hands of the organization to which those documents are referred to.

MAJOR KERR: That is all.

REDIRECT EXAMINATION

Q (By Captain Sandberg) Now, if, Captain, an order had been captured by an American soldier in the City of Manila, which was an order from Tokyo ordering the destruction of the City of Manila, would that order be in the ATIS files?

A Yes, it would.

CAPTAIN SANDBERG: That is all.

MAJOR KERR: No further questions.

(Witness excused)

KEICHOKU YOSHIDA

called as a witness on behalf of the Defense, having been first duly sworn, was examined and testified as follows through Interpreter Asano, with Interpreter Oishi acting as "check" Interpreter, assisted by Major Pratt:

MAJOR GUY: If the Commission please, I am Major Guy. I am one of the Defense Counsel assigned on the original order, but during the first days of the hearing I have been in Japan and since then I have been on other duties and this is my first appearance as Counsel here.

GENERAL REYNOLDS: Very well.

DIRECT EXAMINATION

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

A Keichoku Yoshida.

Q Where do you live?

A Tokyo, Japan.

Q And what is your profession?

A I am an attorney at law.

Q And how long have you practiced your profession in Tokyo?

A Approximately thirty years.

Q And what is the predominant type of law practice in which you are engaged?

A In my profession I handle a few civil cases and was a law advisor to various firms and at the same time was official on several firms. I was an official of several

firms.

Q Mr. Yoshida, have you ever been in the Japanese army, navy or any of the armed services of Japan?

A I do not have any relation with the army or the navy.

MAJOR GUY: Well, will you repeat the question: Have you ever been in any of the Japanese services?

THE WITNESS: No.

Q (By Major Guy) Do you know, that is, know personally General Yamashita?

A Yes.

Q And how long have you known him personally?

A I have known him about since six or seven years ago.

Q Have you had any personal association with his older brother, and if so, for how long?

A I have known the older brother of General Yamashita since about twenty-four or twenty-five years ago.

Q Under what circumstances did you personally become acquainted with General Yamashita?

A I knew a person by the name of Sakazaki who was a subordinate of General Yamashita and since I respected General Yamashita from what I heard, I was introduced to General Yamashita by Sakazaki.

Q And was it Sakazaki who had served under General Yamashita at one time?

A Once upon a time Mr. Sakazaki was a soldier under General Yamashita.

Q Now, has your own association with General Yamashita been casual or intimate?

A Our association has been very intimate. In fact, we

were family friends and our children visited -- my children visited his family quite often.

Q Does General Yamashita have any children of his own?

A No, there weren't any children at General Yamashita's home.

Q Now, Mr. Yoshida, are you acquainted with General Yamashita's reputation as an army officer amongst the civilian population of Japan?

A I know it very well.

Q Will you tell this Commission what that reputation is?

A Among the people of Japan General Yamashita was highly respected for his strong fighting spirit, high ideals and for his morals and deep sympathy towards each and every one and in his strict military discipline. That was the reputation of General Yamashita in Japan.

Q Now, Mr. Yoshida, you have referred to items of personal character statement as to his reputation. Will you elaborate upon that somewhat? In other words, I would ask you what is his personal reputation amongst the people of Japan as contrasted with his personal military reputation.

A Aside from his military activities General Yamashita was known for his friendship and for keeping his promises and for his high character. Among the people of Japan he was respected as one -- as a man of highest character.

Q Now, Mr. Yoshida, I will ask you whether or not this case which is now proceeding before this Commission has received considerable publicity in the Japanese newspapers?

MAJOR KERR: Sir, that is objected to as being

irrelevant unless Defense Counsel can show some reason why it is relevant.

MAJOR GUY: It is relevant; it is a foundation question, if the Commission please, for the purpose of showing whether or not he knew what others thought of General Yamashita and I intend to demonstrate by the next question whether or not there has been any diminution or change of public opinion as to General Yamashita, since the case has been under way.

MAJOR KERR: We submit that question is irrelevant. Furthermore, I submit this witness has not been qualified as a Gallup Poll expert in Japan or one who knows what the thinking of the masses, of the people in Japan, is. He may know what his own family thinks.

GENERAL REYNOLDS: I take it the purpose of Counsel is to have the witness testify as to character and the general background of the accused and the standing he has in his home community. Is that correct?

MAJOR GUY: That is the purpose and I would like to say further in response to Prosecution's remark about the witness not being a Gallup Poll expert, that he was asked if he knew what General Yamashita's reputation was and he said that he did know.

GENERAL REYNOLDS: The objection is not sustained and the question may be answered.

MAJOR GUY: Will you read the question?

(Question read)

THE WITNESS: Yes.

Q (By Major Guy) Has that publicity to your observation and to your knowledge had any adverse affects upon the high

regard with which you have said the people of Japan regard General Yamashita?

A No -- in fact, this publicity has had an adverse affect and the people knowing General Yamashita to be a person of such high character that the public is in sympathy with General Yamashita.

Q Will you elaborate and state why?

A The public sympathizes and respects General Yamashita for his private life and for his public services and have sympathized with his past due to this and that matter regarding his private life and to his misfortune in his public services because he was not --

INTERPRETER ASANO: Will you change my answer, please?

THE WITNESS: And he did not receive due recognition for his abilities. I would like to elaborate on General Yamashita's satisfactory common sense in a few instances. Before going into detail I wish to make a statement or a preamble as to the fact that General Yamashita is not a person which should be brought to trial as a criminal.

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

(Short recess)

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

MAJOR PRATT: If the Commission please, I should like to make a correction on a previous statement by the witness which was interpreted as: "General Yamashita's fine fighting spirit."

I wish to correct that to: "General Yamashita's fine morals."

GENERAL REYNOLDS: Very well, the correction is noted.

MAJOR GUY: I would like to ask the reporter to read the question wherein I asked the witness to state something to the effect: What adverse effect did the publicity have upon his reputation in Japan?

(Question read)

INTERPRETER ASANO: Regarding my interpretation about "adverse effect," what I meant to say was "opposite effect."

MAJOR GUY: That answers the point I was going to bring up.

GENERAL REYNOLDS: Very well, you may proceed.

Q (By Major Guy) Mr. Yoshida, did you find from your personal contacts and associations with General Yamashita that he possessed or did not possess the qualities and character attributed to him by his general reputation?

A I never heard of any of those comments.

MAJOR GUY: I will withdraw that question.

Q (By Major Guy) Did you find upon knowing General Yamashita that his reputation which you have now testified to is justified?

A I think they were justified.

Q Do you know General Ugaki?

A Yes, I know him and I have met him.

Q Do you know what school of thought or policy he represented amongst the Japanese High Command?

A General Ugaki is one of Japan's most leading figures in military life. General Ugaki had advocated the reduction

of armaments just to a point where it is sufficient for national defense.

Q Now, what clique or school of thought did General Tojo represent in the Japanese High Command?

A Tojo represented the radical school of thought in Japan.

Q Now, with which school of thought or with which group was General Yamashita associated in his own military career?

A Like General Ugaki, General Yamashita represents the pacifist element in Japan.

Q Did General Yamashita ever serve under General Ugaki while General Ugaki was War Minister?

A Yes.

Q Do you know when that was?

A I think it is the fourth year of Showa, 1929.

Q What program was advanced by General Ugaki with reference to the Japanese army at that time?

A At that time he was a general in the army and was made War Minister, and regarding the defense of Japan General Ugaki advocated the reduction of armaments and a reduction to two divisions; it was a reduction of two divisions.

Q A reduction of two divisions?

A Yes.

Q What part did General Yamashita play in this program to reduce the Japanese Army?

A (Through Interpreter Yajima) At that time General Yamashita was military attache in the Japanese Legation in Europe and he was called back by General Ugaki to help him in carrying out these plans.

Q That is, to help out in the plans for the reduction of the Japanese Army?

A He was called back because he was the most suitable man to do this job.

Q And was that reduction plan carried through the Japanese Diet?

A This plan was passed by the Japanese Diet; a plan which was formulated by General Yamashita.

Q Were you living in Tokyo in February 1936?

A Yes.

Q There occurred at that time in Tokyo an episode that has been referred to as the "February incident" or the "Young Officers Revolt". Would you tell what that was?

A At that time the so-called "2:26 incident" or the "Young Officers Revolt" was carried out due to the dissatisfaction by the young officers towards the Cabinet at that time and its policy, and with this idea they assassinated members of the Cabinet and some influential persons. These officers were of radical elements.

Q What part did General Yamashita play in connection with the Young Officers Revolt?

A At that time General Yamashita was made a General and department chief in the War Ministry and one of his

duties included censoring of newspapers, and General Yamashita did his best to calm down these riots by these young Japanese officers and he so instructed -- personally instructed -- these officers. It is said that at that time General Yamashita was well respected by these young officers. Therefore he was successful in pacifying the riots.

Q What was General Yamashita's policy at that time with regard to the war in China or what has been called the "China incident"? Did he believe that that should be pursued or curtailed?

A At that time General Yamashita was opposed to the aggressive acts towards China and his opinion was contrary to the act of aggression.

Q Was General Yamashita in favor with or disfavor with General Tojo and the war group?

MAJOR KERR: If the Commission please, the Prosecution at this time objects to these questions concerning what Yamashita favored or did not favor. There is no testimony that I recall by this witness that he knew of such things. I believe the background that has been brought out so far is simply that he knew Yamashita for a period of six years. Whether he read these things in the newspaper or whether he was told by Yamashita himself has not been made clear. I suggest that the questions are not proper until proper foundation has been laid for them.

MAJOR GUY: I will withdraw that question at this time.

GENERAL REYNOLDS: The Commission desires to know the background of the Accused as well as it can be brought out

by this witness and is willing for the question to which objection has been made to be overruled. But you will give us a clearer picture if you lay a foundation as to how he knew, because, after all, he has testified that he has known the Accused for only six years. You are having him testify about many things before that.

MAJOR GUY: Then I understand he may answer the last question?

GENERAL REYNOLDS: If you wish to have him do so it may be answered.

MAJOR GUY: Yes. Will you read the last question?

(Question read)

A General Yamashita was greatly opposed to the policy set forth by General Tojo and his group, and, in fact, General Tojo disliked General Yamashita extremely.

Q (By Major Guy) How do you know these things?

A I know these things through my long standing with General Yamashita. In fact, the civilian population in Japan and within the military circles was in sympathy with General Yamashita.

Q Now, do you know --

A It is a well-known fact that General Yamashita has been taking an opposite stand against the policies set forth by Tojo.

Q Well, was it common knowledge in Japan that the two men were opposed to each other?

A It is a well-known fact both among the civilians and among the military circles that Tojo represented the radical elements while Yamashita represented the pacifist.

elements. And, besides that, General Tojo advocated war while, on the other hand, General Yamashita's policy was to stop all these aggressions.

Q Now, do you recall that General Yamashita was appointed as Superintendent General for Army Air Headquarters in 1941?

A Yes.

Q And did he later lose that position?

A General Yamashita was the Superintendent General for the Army Air Forces, but he was sent on an inspection tour to the battlefronts of Italy and Germany and then lost this position before he came back to Japan. General Yamashita was appointed Military Councilor, which is a position less important than the Superintendent General for the Army Air Forces.

Q Where did he go following his return from the German mission in 1941?

A Upon completion of his mission from Italy and Germany General Yamashita made a report to General Tojo, but at that time he had already lost his position as Inspector General of the Army Air Forces and within two or three weeks General Yamashita was sent to Manchuria.

Q And then later to the command of the expedition against Singapore; is that right?

A I heard about this later on.

Q Well, do you know where he went after the victory at Singapore?

A After the fall of Singapore General Yamashita returned to Manchuria and was stationed at the Manchuria-Russian border for about two years.

Q Was the fall of Singapore regarded as a great victory in Japan?

A The fall of Singapore was a great victory for Japan and General Yamashita became very famous, but Yamashita, instead of being returned to Japan, was sent to Manchuria.

Q When did you last see General Yamashita before you came down for this trial?

A In September of 1944 I met him in Tokyo before he was sent to the Philippines.

Q Did you have any discussion with him at that time with regard to the situation in the Philippines and the war in general?

A Yes. (Witness continues talking in native tongue).

Q Just a moment, please. Did the General express himself to you either then or at any time as to his ideas concerning war with the United States?

A General Yamashita always stated to me that war between the United States and Japan was undesirable.

Q Did he ever comment upon war between Japan and the British Empire?

A After General Yamashita's return from Europe he commented that the war between Japan and with the United States and Great Britain could be most undesirable.

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

(Short recess)

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

MAJOR BOARDMAN: Sir, during the last hour's testimony

the record read that General Yamashita was head of the "press censorship" of the Japanese Ministry of War. The Interpreters would now like to substitute "press section" for "press censorship".

GENERAL REYNOLDS: Very well. The correction may be made.

Q (By Major Guy) Mr. Yoshida, referring to your visit with General Yamashita upon his coming to Tokyo on his way to the Philippines, did you have any discussion with him about the new assignment?

Just tell him to answer that "yes" or "no", please.

A (Through Interpreter Oishi) Yes.

Q And what was that discussion?

A General Yamashita stated that he was going to the Philippines but he knew that the larger majority of the Filipinos believed in Catholicism. So he stated that he would like to meet a Catholic priest if there are any to be found in Japan. My children is attending the Girls' Spiritual School, the biggest girls' school in Tokyo, which is sponsored by the Catholics. And so I promised General Yamashita that since Catholic priests are teaching at that school, I would introduce him to the superintendent of that school. However, the school had been transferred to the country because of the war, so I could not accomplish my promise.

Q Did the General say why he wanted to talk to the Catholic priest?

A It is because he had great concern for the life and religion of the Filipinos and he wanted to study on these matters.

Q Now, Mr. Yoshida, are you aware of the charges which are now pending against General Yamashita before this Commission?

A I do know.

Q And are you aware of the evidence which has been introduced before this Commission, of atrocities by Japanese troops in the Philippines?

A Such things are printed in the Japanese papers as well, so I do know.

Q Now, knowing General Yamashita as you do, and yet knowing the charges now pending against him and the evidence which has been introduced in support of those charges, what comment do you wish to make before this Commission?

MAJOR KERR: In the first place, sir, there is nothing to show that this witness knows what the evidence introduced in this case has been.

GENERAL REYNOLDS: The Commission desires to give great leeway to Defense, in order that we may be fully informed on all matters bearing upon the guilt or innocence of the Accused, and we have followed that principle from the very first day. But this question, on its face, is objectionable.

What is the purpose of the question?

MAJOR GUY: Well, I will withdraw the question, sir, and I think it can be rephrased so it will not be objectionable.

GENERAL REYNOLDS: The question isn't so objectionable as the possible answer.

I ask senior counsel to consider his question and that approach very carefully, or we will have to ask you to discontinue this whole line of procedure.

MAJOR GUY: Yes, sir; I appreciate that. And if I may withdraw the question in its present form and rephrase it --

GENERAL REYNOLDS: We wish to give you every leeway and will do so.

MAJOR GUY: Very well. I would like to withdraw the last question.

GENERAL REYNOLDS: Very well.

Q (By Major Guy) Mr. Yoshida, knowing the General, as you have testified to, and knowing the charges now pending against him and knowing the evidence, at least by newspaper reports, do you believe that General Yamashita would have either ordered such things done or would have permitted them to be done if he could have prevented them?

MAJOR KERR: Sir, that is objectionable. If Defense desires to go into the character of the Accused through this witness, well and good; but as to whether or not he ordered or did not order these atrocities to be committed is something for this Commission to determine.

Now, aside from any other factor and consideration, I submit that not enough foundation has been laid as to the knowledge of this witness as to the testimony and the evidence in this case to support an answer to that question, anyway. It would require a thorough-going analysis and discussion and consideration of what coverage of this case has been accomplished by the Japanese newspapers,

and the extent to which this witness read and studied that coverage and, furthermore, the accuracy of the coverage.

I submit, the answer of this witness would not be helpful to the Commission on this question.

GENERAL REYNOLDS: The comments of Prosecution are noted, and the objection is sustained.

The Commission desires senior counsel to go into these matters of the next few questions, and perhaps the remainder of the testimony of this witness, and make certain that questions asked are appropriate to the purpose for which we are here and meet the bounds of propriety.

The Commission will recess for five minutes to allow time for that to be done.

(Short recess.)

GENERAL REYNOLDS: The Commission is in session. The Defense may again proceed.

MAJOR GUY: We have no more questions of this witness.

GENERAL REYNOLDS: Prosecution?

CROSS EXAMINATION

Q (By Captain Webster) Was it during the Singapore campaign that Yamashita acquired the name "Tiger of Malaya"?

GENERAL REYNOLDS: The question is objectionable and will be withdrawn, stricken from the record.

CAPTAIN WEBSTER: No questions.

GENERAL REYNOLDS: The witness is dismissed.

(Witness excused.)

SHIGETARO AMAKASU

called as a witness on behalf of the Defense, being first duly sworn through Interpreter Oishi, was examined and testified as follows through Interpreters Major Boardman, Sergeant Oishi and Sergeant Tanoye:

DIRECT EXAMINATION

Q (By Major Guy) You will state your name.

A Amakasu, Shigetaro.

INTERPRETER OISHI: Shigetaro Amakasu.

Q (By Major Guy) What is your rank in the Japanese Army?

A (Through Interpreter Oishi) Lieutenant General in the Reserves.

Q And whereabouts do you live?

A Tokyo, Japan.

Q Do you know General Yamashita?

A I know him well.

Q And for how long a time have you known him?

A I have been his friend for about 40 years.

Q Are you acquainted with his reputation as an Army officer amongst the personnel of the Japanese Army?

A I know his reputation well.

Q Will you tell the Commission what it is?

A General Yamashita believed very greatly in righteousness. As a leader of troops, he was well disciplined. If the manner of the troops were not good, he would deal with them sternly, and if their behaviors were good he would praise them. His righteousness in dealing out discipline to the men is well known. While

his disciplines are stern, he is very kind. And furthermore, he is a humanitarian.

At first glance, his body is very big, and although it doesn't seem as if he could probe into small points, he does so rather well. And in treating his subordinates, he is very kind.

Q Now, General, are you acquainted with his reputation amongst the civilian population of Japan?

A The reason why General Yamashita is so powerful in battle --

INTERPRETER OISHI: Strike that.

A (Through Interpreter Oishi) General Yamashita was very strong in battle. On the other hand, he was very kind.

Q (By Major Guy) General, can you tell us whether or not General Yamashita was reputed to be a military extremist or a military moderate?

A He is one of the moderate elements.

Q Is his reputation one of being associated with General Tojo or not?

A I have heard that his political opinion differs from those of General Tojo.

MAJOR GUY: If the Commission please, that is all the questions I have of this witness, except for this one additional thing. I have here a statement of another general in the Japanese Army, General Yamawaki, whose statement I took in Tokyo; and for the purpose of introducing the statement, I would like to have this witness identify General Yamawaki's signature.

GENERAL REYNOLDS: Very well.

MAJOR GUY: And I would like to ask a question or two about General Yamawaki, so that his identity will be before the Commission.

GENERAL REYNOLDS: Very well.

Q (By Major Guy) Now, General Amakasu, do you know General Masataka Yamawaki?

A I know him well.

Q And is he a retired general of the Japanese Army?

A He is a retired general.

Q And is he likewise a long time friend of General Yamashita?

A He has come from the same prefecture as General Yamashita, and has been his friend since the time he was 16 years old.

(Statement of General Masataka Yamawaki ((retired)) was marked Defense Exhibit BB for identification.)

Q Handing you this document which is marked Exhibit BB, I ask you if that bears General Yamawaki's signature.

A Yes.

MAJOR GUY: I now offer in evidence the statement of General Masataka Yamawaki, marked as Defense Exhibit BB.

MAJOR KERR: Is a copy available to the Prosecution?

MAJOR GUY: Yes. I am sorry.

Does the Court desire that I read this at this time?

MAJOR KERR: If the Commission please, the Prosecution strongly objects to the reception in evidence of this document, by reason of the last paragraph thereof.

GENERAL REYNOLDS: Just let us read it.

The Commission will now hear the Prosecution.

MAJOR KERR: Sir, the Prosecution objects to the admission of this statement into evidence, by reason of the last paragraph thereof, which states a conclusion and an attempt to perform functions of this Commission; and certainly, without knowing the evidence, the person who signed the statement would be in no position to pass upon that issue.

GENERAL REYNOLDS: The comments of Prosecution are noted. It is the opinion of the Commission, however, that it merely expresses this individual's personal opinion and would have little, if any, probative value, but will be permitted to remain in the document.

You are now asked to read the statement.

MAJOR GUY (reading): "Statement of General Masataka Yamawaki (Retired)

"My name is Masataka Yamawaki and I am a retired General of the Japanese Army.

"I have known General Tomoyuki Yamashita since about the year 1897, at which time I was 14 years old. We were from the same Prefecture and attended Cadet school together for preparation for the Military Academy. We were in close personal contact and association through school days and through our graduation from the Military Academy and up until the time we started our actual military careers in the Japanese Army. Following that, it just so happened that we were always assigned at different stations and never served together. General Yamashita

spent a considerable part of his service, especially in later years, outside of Japan, while I spent all of my service in Japan except for the year 1917 when I was Military Attache to Russia, the years 1919-1922 and the years 1933-1934 when I was doing Military Attache duty in Poland and Rumania. In the summer of 1939 I went to China as a division commander and in the fall of 1940 I went to Mongolia as an army commander. I became ill, however, and was retired from the army in the fall of 1941 for physical disability.

"During all of these years, however, General Yamashita and I kept in touch with each other by correspondence and by always seeing each other whenever the opportunity presented itself. Through my long years of association with him and through being an officer in the Japanese army, I am acquainted with General Yamashita's personal reputation and his reputation as an army officer. His personal reputation is that of an upright, sedate and good citizen of a pleasant, kindly and human disposition and is a man of simple and complete honesty. He is particularly known for his friendly manner and for his ability to make and retain friends for many years. During his years as a poor, young, officer, he was known as having helped his family in a financial way. He is known to be of an even disposition and not quarrelsome or given to force and violence.

"Some of the same characteristics concerning his personal reputation are also included in his professional reputation as an officer. His kindly and human disposition

has endeared him to all who have served with him and, particularly, to those who have served under him. He is known as a strict disciplinarian, requiring a high degree of conduct and performance from his subordinates but at the same time is an officer who has never misused privileges attending his high rank and position. Always he was known to make absolutely certain when any mistake had been made that upon reflection, he would determine whether he himself might have been at fault instead of the subordinate before taking action against that subordinate; but then taking action swiftly and surely. His reputation as a combat general and tactician is well established. Knowing his personal character and his upright and honest nature I am sure for that reason, if for no other, that he would always require a high degree of personal conduct from those serving under him.

"I have been informed by Major Guy that American public opinion has in general classified Japanese officers into two groups - first, the 'extremists group' or that group that advocated large military establishments and aggressive military action by Japan, - second, the 'moderate group' or that which advocated military establishments only of sufficient size to adequately defend Japan and who opposed any aggressive and unwarranted military action. On the basis of this classification, General Yamashita would fall into the 'moderate' group.

"I have read the charges pending against General Yamashita before the military commission at Manila and, knowing him as I have for these many years, I am positive

that he could not have ordered his troops to have committed these atrocities or that he would have permitted these atrocities to be committed if he had known of them and had been in a position to prevent them."

Signed, "Masataka Yamawaki," "Dated at Tokyo, Japan, this 3rd day of November 1945." Witness, "Sadao Otake."
"Subscribed and sworn to before me this 3rd day of November 1945. Henry P. Andre, Captain, JAGD."

GENERAL REYNOLDS: The document is accepted by the Commission for such probative value, if any, as it shall be held to possess.

(Defense Exhibit BB for identification was received in evidence and so marked.)

MAJOR GUY: That is all we have with this witness.

GENERAL REYNOLDS: Has the Prosecution anything further?

MAJOR KERR: Yes, sir. I have one question.

CROSS EXAMINATION

Q (By Major Kerr) Do you know what the reputation of Yamashita is among the civilians in the Philippines?

A (Through Interpreter Oishi) I do not know personally, but judging from the contents of newspapers and radios it probably is not good.

MAJOR KERR: That is all, sir.

GENERAL REYNOLDS: The witness is dismissed.

(Witness excused.)

NOBUTAKE TAKAYAMA

called as a witness on behalf of the Defense, being first duly sworn, was examined and testified as follows through Interpreter Oishi, with Interpreter Tanoye acting as "check" Interpreter, assisted by Major Pratt:

DIRECT EXAMINATION

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

A Nobutake Takayama.

Q And what is your rank in the Japanese army?

A Colonel in the army.

Q Are you still on the active list, Colonel?

A Yes.

Q And what is your present assignment?

A I am serving in the Ministry of War.

Q Do you know General Yamashita personally?

A Yes.

Q When did you first meet him personally?

A I first met him during the latter part of 1940.

Q And what were the circumstances?

A When General Yamashita went to Germany and Italy as Military Attache I accompanied him as his subordinate.

Q How many officers were there on that mission?

A Those that went directly from Japan included about fourteen officers, but there were ten officers already in Germany so there was a total of twenty-four or twenty-five.

Q And was General Yamashita the head of this mission?

A Yes.

Q What was the purpose of the mission?

A First, it was to determine how the army, navy and the

air force was organized in Germany and to investigate how they were controlled and commanded.

Second, to determine the size of the German air force and to investigate the organization of the air force and how independent it is from the army and the navy.

Thirdly, to determine how mechanized the German army was.

Q Now, Colonel, did you arrive at any conclusions as to the relative strength of Japan and Germany after making this trip to Germany?

A Yes.

Q What were your conclusions?

A We came to the conclusion that the Japanese army was not suitable, as yet, for warfare and it was inferior to the German army.

Q Did the Commission so report to Tokyo upon your return?

A Yes.

Q Were you present when that report was made to General Tojo?

A I was there.

Q Who made the report on behalf of the Commission?

A General Yamashita reported directly.

Q Will you tell what took place between General Yamashita and General Tojo when General Yamashita reported to General Tojo?

A General Yamashita reported the results of this investigation, that is, that the Japanese army, navy and air force must be coordinated, and the fact that the air force

must be made bigger and independent from the army or the navy. And the fact that the Japanese army must be more mechanized in order to accommodate itself, fit itself, to present warfare conditions. And to conduct warfare, a tendency must be created to bring forth the internal strength.

On making these reports, General Tojo replied as follows: He said something to the effect that we understand your report, but as far as the enforcement of these things we are responsible.

Q And what happened to General Yamashita very shortly after that?

A Within a month General Yamashita was sent to Manchuria as the Commander of the Kwantung Defense Garrison in Hsinking. We had endeavored to have him stay in Tokyo to carry out the results of his investigations that he made in Berlin.

Q Was anything ever done to carry out the recommendations which the Commission had made?

A It is not exactly that we made a recommendation but General Yamashita was sent to Manchuria immediately.

Q Well, was anything ever done to make the improvements which the Commission found from its tour of Germany that should be made?

A General Yamashita reported the result of this investigation in Germany but General Tojo did not do anything about the important matters.

Q About what date was this report made to General Tojo by General Yamashita?

A The early part of July, 1941.

Q Now, Colonel, did General Yamashita -- I will withdraw that. You have testified to having served under General Yamashita on this mission. Will you state what sort of a disciplinarian you found him to be?

A I do.

MAJOR GUY: I do not believe he understood the question. Will you read it, please?

(Question read)

THE WITNESS: General Yamashita was a very strict disciplinarian. If any subordinate should do anything wrong he would afford them thorough punishment. General Yamashita has led a cosmopolitan life for a long time and he has studied International Law thoroughly and he has frequently told us that International Law should not be ignored.

Q Now, Colonel, are you aware that the Japanese High Command has been classified as first, extremists or second, moderates by American public opinion?

A I have heard that from public rumors.

Q To which class did General Yamashita belong?

A General Yamashita belonged to the moderate group.

Q What was General Yamashita's reputation as to being in either favor or disfavor with General Tojo?

A Public rumor has it that General Yamashita is disliked by General Tojo.

Q Now, Colonel, did General Yamashita ever make any comments to you or any statement to you on the question of a clash or war between the United States and Japan? Just answer the question yes or no.

A I did hear it.

Q And what did he say on that subject?

A General Yamashita has frequently stated that Japan and America should not go to war.

Q Did he ever make any comment upon the naval aspects of such a war and the part that would be played by the Japanese navy?

A He did speak of such things.

Q What did he say?

A I recollect him saying that the Japanese navy did not have sufficient force to oppose the American Navy and that the longer the battle continued the more difficult the situation would become.

MAJOR GUY: That is all.

GENERAL REYNOLDS: The Prosecution may proceed.

MAJOR KERR: No questions, sir.

GENERAL DONOVAN: I would like to ask a few questions.

EXAMINATION BY THE COMMISSION

Q (By General Donovan) You stated that when you returned to Japan the committee reported that: "We need a larger air force and more mechanization". Is that correct?

A Yes.

Q You also classified General Yamashita as being a moderate, is that correct?

A Yes.

Q You also testified that as part of the committee's report a statement was made to the effect: "We are not

ready," or words to that effect. Is that correct?

A Yes.

Q How do you reconcile these different statements? Explain yourself. How do you reconcile the fact that in one statement you say he is a moderate, in the next one you say that you wanted a larger air force and more mechanization and then the statement "We are not ready."

You can state that in your own words.

A At that time Japan had been at war with China for a long time but the desire to settle this incident with China was there, and in order to settle the war with China as fast as possible, the Japanese army must be modernized. This was the desire of General Yamashita. He said that at that time the Japanese army was not equipped enough to settle the war with China.

GENERAL REYNOLDS: The Commission will recess until 8:30 o'clock tomorrow morning.

(Whereupon, at 1710 hours, 27 November 1945, the trial was adjourned until 0830 hours, 28 November 1945.)

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