

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

UNITED STATES OF AMERICA )

-vs- )

TOMOYUKI YAMASHITA )  
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PUBLIC TRIAL

High Commissioner's Residence,  
Manila, P. I.  
29 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

WITNESSES

	DIRECT	CROSS	REDIRECT	RECROSS
Tomoyuki Yamashita	3549	3559		

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 members of the Commission, the Accused and Defense Counsel are present.

GENERAL REYNOLDS: The Defense may proceed.

TOMOYUKI YAMASHITA

the witness on the stand at the time of adjournment, having been previously duly sworn, was examined and further testified as follows through Interpreters Major Pratt, Sergeant Oishi and Sergeant Yajima:

DIRECT EXAMINATION (Continued)

COLONEL CLARKE: Will you read the last question, please.

GENERAL REYNOLDS: Read the last six questions.

REPORTER WINTER: "Q Did you receive any reports relating to guerrilla activities?

"A Yes.

"Q What was the nature of the report?

"A After the American landings on Leyte, the guerrilla actions increased more and more and it became so that they interfered with military operations at quite a few places.

"Q Did you issue any orders or take any action relating to guerrilla activities?

"A On October 11 of last year, at a conference with the chief of staff, we discussed this matter, and I said that armed guerrillas, those guerrillas carrying weapons, must be suppressed by means of military action.

"Q Did you issue an order to that effect?

"A Yes, I issued an order for the suppression of armed bandits.

"Q You stated that at a conference you spoke of this matter to the chief of staff, or the chiefs of staff? Which?

"A This was a conference of the chiefs of staff of all the units.

"Q I am going to read from Prosecution's Exhibit 4 a paragraph, and this paragraph appears in Advatis Translation No. 50, dated 28 January 1945, of a document entitled 'Philippine Operation Plan Summary,' dated 11 October 1944. The paragraph is number 5 on page 4 of the document.

"After I read it, I want you to tell me whether or not that is the order referred to by you.

"'In view of the special characteristics of the Philippine operation, subversive activities of the residents and attacks in our rear by airborne raiding forces must be considered. In order to avoid mistakes in conducting the operations, take precautions against armed guerrillas, subjugate them quickly, and put a stop to their activities.'

"A This is a summary of the methods of operations to be used, which I gave to the assembled chiefs of staff on October 11."

Q (By Colonel Clarke) Did you issue any order or did you authorize the killing of noncombatant civilians?

A (Through Interpreter Pratt) Absolutely not.

Q Did you receive a report from any source to the

effect that noncombatant civilians were being killed by Japanese troops?

A I never received such a report from anyplace.

Q What was your policy regarding the relationship that should be carried out between the Japanese troops and Filipino civilians?

A Since we were allied with the Philippines, I said that we should maintain close relationships with them and cooperate with them.

Q Did you communicate your policy to your subordinate commanders?

A Yes. Soon after my arrival I held a meeting of the chiefs of staffs of the various units or a person taking their place, their representative, and during this meeting we talked over operational procedures and this subject came up and we talked it over. I told them to think this matter over and to handle the Filipinos carefully, to cooperate with them and to get as much cooperation as possible from the Filipino people. Again at a later date I gave the instructions to the commanding officers of the various units under me.

Q Did you order or did you authorize the military police of the Philippine Islands to employ methods of torture in order to extract information from any persons?

A Absolutely not.

Q Did you receive any reports from any source whatsoever that the military police were using methods of torture for this purpose?

A I did not receive such a report from anywhere.

Q Did you ever order or authorize the military police to execute suspected guerrillas?

A Absolutely not.

Q Did you ever receive a report from any source whatsoever that the military police were executing suspected guerrillas?

A No.

Q Did you send a letter of commendation of any nature to the military police?

INTERPRETER PRATT: Will you read the question?

(Question read)

A I sent a letter of praise once.

Q (By Colonel Clarke) Why was this letter sent?

A As I remember it, it was in the middle of November of 1944, and at that time there were some explosives found under the floor of the officers' mess at my headquarters at Fort McKinley. The first reason was that they discovered this matter beforehand and prevented any serious damage.

Secondly, some entrenchments containing a light machine gun, hand grenades and a radio set were found or discovered in a small hill between Fort McKinley and Nielson Field. In the Town of Pasig, just below Fort McKinley, there was the report that the guerrillas were active in this vicinity and the MP's were sent down there to suppress them and they found in a bamboo grove outside of town about 100 rifles and a large quantity of hand grenades. There were also other places where they found hidden weapons.

Since these things took place in and around my headquarters they were very dangerous. Consequently, I sent

a letter of commendation because they, by means of their investigations, everything went well and damage was prevented.

Q To whom was this letter directed?

A The Luzon Military Police Unit.

Q And was that Luzon Military Police Unit the headquarters of all military police detachments?

A Yes.

Q Did you ever meet General Ricarte?

A Yes.

Q How many times did you meet General Ricarte?

A Three times.

Q When and under what circumstances did you meet General Ricarte three times?

A The first time, I believe, it was November 19th and I was invited to Malacanan. I was introduced to quite a number of people and General Ricarte was one of them and I greeted him.

The second time was at my headquarters at Fort McKinley, and General Ricarte, Mr. Ramos, and Doctor Duran came together with three interpreters.

At this time they came to inform me that they were organizing the Philippine Patriotic League, which was a sort of a spiritual movement. He said, "Will you please permit and agree to the organization of this Patriotic League?"

On the 10th of December -- on the 8th of December there was a meeting for the opening of the Patriotic League, which was held on the south side of the Legislature Building, on the terrace, and at that time the President and some of

his ministers were there along with General Ricarte and  
Doctor Duran and I met him there. Since General Ricarte  
was busy with other matters I only greeted him.

Q And was this organization, of which you have just spoken, later known as the Makapili?

A I have heard that if you translate the Japanese word for "patriotic league" into Tagalog, it would be the same as "Makapili."

Q Did you, during these three occasions on which you met General Ricarte, tell General Ricarte that you had issued orders, or that you intended to issue orders, for the extermination of the Philippine population?

A I definitely did not say anything to General Ricarte about killing the Philippine population; and, if you consider it from a common-sense point of view, the killing of thirty million Filipinos is an unthinkable matter.

Q Did you, in any written communications to General Ricarte, state that you had issued orders or intended to issue to the same effect?

A I absolutely did not write such a thing to General Ricarte.

Q Did you ever issue such an order?

A I have never issued such an order.

Q Have the charges in this case been fully explained to you in Japanese, and do you understand them?

A I received such an explanation.

Q And were the various atrocities as listed in the Bill of Particulars explained to you in Japanese?

MAJOR PRATT: Will you repeat the question, please?

(Question read.)

A (Through Major Pratt) They were explained fully.

Q (By Colonel Clarke) And has the testimony of all the witnesses who appeared on the stand relating to these charges been explained to you in Japanese, and do you understand it?

A I understand the general import of everything that was said before the court, through an interpreter.

Q Did you ever issue any order directing that any of these atrocities be committed?

A I definitely did not order these things.

Q Did you ever receive any report, from any source whatsoever, that any of these atrocities had been committed?

A No. The first time that I heard about them was when I got the charges at New Bilibid Prison, and I was very surprised.

Q Did you hear of any atrocity known as the Spanish protest to Tokyo?

MAJOR PRATT: Will you read the question, please?

(Question read.)

COLONEL CLARKE: May I change that from "atrocity" to "any protest concerning treatment of Spanish citizens in Manila"?

GENERAL REYNOLDS: You had better restate the whole question.

Q (By Colonel Clarke) Did you hear of any protest having been made to Tokyo concerning the treatment of Spanish citizens in Manila?

A (Through Major Pratt) I received an order from

Tokyo, in the first part of April, through the Southern Army, to investigate whether or not the Filipinos were being treated fairly, and to report this fact immediately.

Q Did that report refer to the Filipinos or to the Spanish?

A Spanish people.

Q So that when you say that you had no report of any of these incidents whatsoever, you did not mean that you had not heard of the Spanish protest, did you?

A Whether or not this matter was the fact could not be determined, but since the order came from Tokyo I investigated it.

(Major Pratt interrogated the witness further.)

MAJOR PRATT: May I correct that last answer, sir?

GENERAL REYNOLDS: You may.

MAJOR PRATT: "The instructions from Tokyo were to investigate and report on this matter as to whether they had occurred or not, and as to whether or not they were actual facts I do not know. It is a matter of which I have only heard about. I immediately sent an order to the Shimbu Group to carry out investigations to the fullest extent, but the Shimbu Group reported that after a thorough investigation they were unable to determine anything definite."

COLONEL CLARKE: Just one more question.

Q (By Colonel Clarke) Having heard the testimony relating to these atrocities in this trial, have you anything further to say with reference to that testimony?

A (Through Major Pratt) I have a word to say.

The matters which are referred to in the charges, I have known for the first time from the testimony of the witnesses before this court. And if such acts were committed by my subordinates, they are in complete disagreement with my own ideas.

And if such acts did occur, I feel that they occurred at such a time and place that I could not have known of it beforehand.

I have never ordered such things, and I have never condoned such actions, nor have I ever recognized such actions; and if I had known of them in advance, I would have taken every possible means to have caused them to stop. And if I had found out about them afterwards, I would have punished them to the fullest extent of military law.

COLONEL CLARKE: You may examine.

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

(Short recess.)

GENERAL REYNOLDS: The Commission is in session. The Prosecution may cross examine.

CROSS EXAMINATION

Q (By Major Kerr) When did you enter the military service of Japan?

A (Through Interpreter Pratt) The 42nd year of Meiji, or 1909.

Q What principal military assignments have you held since that time?

A First I was attached to a regiment.

Q What regiment was that?

Oh, I beg your pardon. Is he not through?

(Interpreter Pratt interrogated the witness.)

A (Through Interpreter Pratt) A training battalion. It was an infantry school. Next I went to the War College. After that I was in Germany and Switzerland. Then I was attached to the War Ministry and then an infantry regimental commander, and then I returned to the War Ministry and then commanding officer of an infantry brigade and then commanding officer of a mixed brigade in China, and then Chief of Staff of an army in North China; divisional commander in Manchuria and then Inspector General of the air forces and during that time I traveled in Germany. I was then commanding officer of the Kwantung Defense Army and then commanding officer of the 25th Field Army and then commanding officer of the First Area Army in Manchuria, and after that commanding officer of the 14th Area Army. Generally speaking, that is what my assignments were.

Q Have you served in Korea?

A At the time that I was infantry brigade commander I was in Korea.

Q How long were you in Korea?

A In 1936 and '37. The period was less than a year.

Q Were you chief of the Military Affairs Branch of the Military Service Bureau of the War Ministry?

A Yes.

Q When?

A 1931 and '32.

Q Were you chief of the Military Affairs Investigation Department of the War Ministry?

A Yes.

Q When?

A 1937. That was four months after I was chief of the Military Affairs Branch of the Military Service Bureau.

Q What were your duties in that Investigation Department?

A There were two sections to this Investigation Department: one was the newspaper or press section which dealt with the newspapers, and the other was the investigation section which conducted military investigations.

Q Investigations of what?

A Military affairs.

Q With which branch of that department were you?

A I was with the Investigation Department and under me there were these two sections.

Q In connection with that position did you investigate misconduct of troops?

A No.

Q What did you investigate?

A I investigated the military affairs of various nations.

Q Did you serve in Peiping and Tientsin, China in 1937?

A I was commanding officer and chief of staff of a mixed brigade at Peiping.

Q Was that a combat assignment?

A It was during the "China incident".

Q Did your duties there include the suppression of Chinese guerrillas or armed bandits?

A It was to maintain order.

Q I repeat the question: Did your duties there include the suppression of Chinese guerrillas or armed bandits?

A From the standpoint of maintaining order we suppressed them.

Q Were you also in China or North China in 1938?

A Yes.

Q And were you Commanding General of the Fourth Division in China in 1939?

A Yes.

Q Were those combat assignments?

A We were stationed at San Kiang Shung in northern Manchuria.

Q Was it a combat operation?

A No. We were merely stationed there since at that time things were quiet. We were carrying out training of personnel.

Q While you were stationed in China is it not a fact that guerrilla or armed bandit activity was very great?

A At that time our forces were advancing and the guerrillas were withdrawing along with the Chinese forces,

and things were relatively quiet.

Q Was that true also in 1937?

A The same sort of conditions prevailed.

Q While you were in China did any of the troops under your command there become involved in any incidents with civilian population?

INTERPRETER PRATT: May I have that question?

(Question read)

A (Through Interpreter Pratt) The incidents were extremely few.

Q (By Major Kerr) Did you hear of any cases of mistreatment of civilians in China by Japanese troops?

A I didn't hear anything about that. The Chinese people were fully cooperative.

Q Did you ever hear of the so-called "Rape of Nanking"?

A At that time I was in Peiping and I didn't hear about anything in that area.

Q Did you ever hear of that incident?

A No.

Q When were you Inspector General of Aviation?

A From August of 1940 until May of 1941.

Q When did you go to Europe?

A I was in Europe from the latter part of December in '40 until the early part of June of '41.

Q What were you doing there?

A I was making military inspections.

Q Of what?

A I was making inspections of matters in Germany and Italy.

Q Have you studied military history?

A Yes.

Q Have you studied the technique of military government?

A I don't clearly understand the import of the question.

Q Has your training as a military officer included training in military government?

INTERPRETER PRATT: Will you read the question, please?

GENERAL REYNOLDS: If you will add to that "in occupied countries", I believe the question will be clearer.

MAJOR KERR: I will accept that amendment. Will you read the question as phrased adding the words "in occupied countries".

(Question as amended was read as follows:

"Q Has your training as a military officer included training in military government in occupied countries?")

A (Through Interpreter Pratt) Yes.

Q (By Major Kerr) In June, 1941 did you become Commanding General of the Kwantung Defense Army in Manchuria?

A Yes.

Q How long did you serve in Manchuria?

A From July until November of 1941.

Q What was your assignment after November of 1941?

A At the end of November of '41 I was relieved of the command of the Kwantung Defense Army and given command of the 25th Army.

Q Did your men in Manchuria come into contact with guerrillas or armed bandits there?

A Since the time that I was there this was a relatively quiet time, we had no contact with them.

Q You said that in China part of your operations consisted of suppressing armed bandits or guerrillas?

A Yes.

Q What methods did you use?

A When I was in North China the Chinese forces and the armed bandits were a sort of a Communist group, and they withdrew to the southwest and things became relatively quiet.

Q Did you capture any of the armed bandits?

A Some few of them entrenched themselves in the mountain areas around Peking and around San Kiang Shung to the southwest.

Q They raided your lines of communications and supply, did they not?

A On the contrary, they would steal the supplies of the civilians who lived in that area.

Q Did they ever raid your supply positions?

A During the time that I was there there was no attacks against my lines of communications.

Q What about your supply positions?

A They came down from the mountains at times and blew up sections of the rail lines with dynamite.

Q When did you go to Malaya?

A December of 1940.

Q Were you in command there during the Japanese Malayan campaign in '41-'42?

A As commanding officer of the 25th Army I was in charge until the latter part of June of '41.

Q Were you in charge of the Japanese troops which captured Singapore in 1942?

MAJOR PRATT: Will you read the question?

(Question read.)

THE WITNESS: Yes.

Q (By Major Kerr) Then you were in command in Malaya until June of 1942, is that correct?

A Yes.

Q When did you leave Malaya?

A The 23rd or the 24th of June.

Q Did you come to the Philippines from there?

A No.

Q Is it not a fact that in 1942 you came to the Philippines and secretly took over command from General Homma?

A Absolutely not.

Q When was the first time that you ever came to the Philippine Islands?

A The 7th of October of last year.

Q While you were in Manchuria following the Malayan

campaign in '41-'42, did your troops encounter any bandits or guerrillas there?

A After the Malayan campaign when I was an army commander there was absolutely no contact; things were extremely quiet.

Q You testified that when you came to the Philippines you assumed command of the 14th Area Army. What was the area of your command in the Philippines?

A The entire Philippine Islands.

Q How many troops were under your command when you took over in October of 1944?

A There were approximately 120,000 in the north, and 100,000 on Mindanao.

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

(Short recess.)

GENERAL REYNOLDS: The Commission is in session.

You may proceed.

Q (By Major Kerr) Was the code name of the 14th Area Army the word "Shobu"?

A It is called the Shobu Group.

Q The total number of troops you commanded in the Philippines when you took over in October of 1944, was 220,000?

A As I stated just now, in the northern part, in Luzon there were 120,000, and in Mindanao 100,000, which would make a total of 220,000.

Q After the naval ground troops in Manila came under your command, what was the total number of men commanded

by you?

A By total number of people you mean in the entire Philippines?

Q Yes.

A The total for Luzon was approximately 240,000; as for the Visayan sector, since there had been heavy casualties in the battle, I do not know the exact number.

Q How many men were under your command when you surrendered in September of 1945?

A The troops directly under my command were approximately 40,000. As for the rest of them, since they were lost, I don't know exactly how many there were.

Q You testified that approximately 30,000 men in the Philippines were directly under Field Marshal Terauchi in October of 1944?

A No, these 30,000 men were under the direct control of the Supreme Southern Command and the Imperial General Headquarters.

Q What units were included among those 30,000?

A I really don't know exactly what units they were, but there were three types. First, those personnel who had no ships; they were awaiting transportation, there were no ships.

There were those personnel who were hospital cases from New Guinea and other areas who were waiting to go back to their units, and then there were those whose ships had been sunk and were stranded here.

Q Were those all of them?

A Of the 30,000, that is all.

Q And all of those 30,000 later came under your direct command?

A Yes.

Q Do you remember where they were located when they came under your command?

MAJOR PRATT: Will you read the question, please?

(Question read)

A (Through Major Pratt) These scattered units or groups were gathered together in an emergency organization. This defense command was given to Major General Kobayashi, and they were gradually withdrawn to the mountains for training.

Q (By Major Kerr) Were some of them in Manila?

A The ones in Manila were from fifteen to sixteen hundred.

Q Did they participate in the battle for Manila?

A Later on, they did participate.

Q When you first came to the Philippines, where was your headquarters?

A Fort McKinley.

Q That is adjacent to Manila?

A It is approximately four kilometers from Manila.

Q How long did your headquarters remain there?

A From the time I arrived until the 26th of December of last year.

Q During that time did you go into Manila quite frequently?

A I didn't go very frequently.

Q You did go into Manila occasionally?

A I believe I went in a total of seven or eight times, when the Supreme Commander was here or going to Malacanan to visit the air forces.

Q Did you see civilians being mistreated in Manila?

A No.

Q Did you see civilians with their hands tied behind them?

A No.

Q Do you consider slapping a mistreatment?

A Yes.

Q Did you see civilians tied to posts or trees in Manila?

A No.

Q Do you know that it was a requirement of the Japanese military in Manila that civilians bow to Japanese sentries?

A That was a matter of choice with the Filipinos.

Q Oh, then you believe it was a matter of choice with the Filipinos to bow to a Japanese sentry; is that what you are saying?

MAJOR PRATT: Sir, I wish to correct that last answer to read, instead of "choice", "a matter of free will".

MAJOR KERR: You may change my subsequent question accordingly: "free will" instead of "choice".

A (Through Major Pratt) Yes.

Q (By Major Kerr) Did you see Filipino civilians bowing to Japanese sentries?

A Yes.

Q Do you know what happened to a civilian, man or woman, who failed to bow to a Japanese sentry?

A When the people went in and out of a place where a sentry was, I have seen them bow slightly.

Q Do you know what happened to civilians who failed to bow?

A Since they did it of their own free will, nothing happened.

Q You never heard of any case where a civilian was beaten or punished, by reason of failure to bow to a Japanese sentry?

A No.

Q Did you see civilians being arrested on the streets of Manila?

A I have never seen anyone arrested for that --

MAJOR PRATT: Correct that, please.

A (Continuing, through Major Pratt) By whom?

Q (By Major Kerr) By Japanese army forces.

A No.

Q By Japanese naval personnel?

A No, I haven't seen them, either.

Q Or members of the Kempei Tai?

A No.

Q Or anyone else?

A No.

Q Did you ever see civilians being searched in Manila?

A No.

Q What unit was responsible for the maintenance of order in Manila while your headquarters were at Fort McKinley?

MAJOR PRATT: Will you read the question, please?

(Question read)

A (Through Major Pratt) The units of the Manila Defense Command.

Q (By Major Kerr) Who commanded that unit?

A Major General Kobayashi.

Q Was he subordinate to you?

A Yes.

Q Did members of that Manila Defense Command assist the Kempei Tai?

A No, they didn't particularly help the military police. They had different duties.

Q How long did Kobayashi command the Manila Defense Command?

A I don't remember when he took over, but the end of his command was in the first part of December. But they changed the name of it to "Kobayashi Group" when the 30,000 troops were incorporated into this group.

Q So that these men who came from the ships sunk in the harbor, became part of the Kobayashi Group?

A No. Before they were attached to the Kobayashi Group they were under the direct command of the Imperial General Headquarters and the Supreme Southern Command.

Q After they came under your direct command, were they then a part of the Kobayashi Group?

A Yes.

Q Do you know about how many of those men there were in the Kobayashi Group?

A Approximately 30,000.

Q Were those sailors who came from the ships sunk in Manila Harbor?

MAJOR PRATT: Will you read the question, please?

(Question read)

MAJOR PRATT: I am not clear on that.

(Question read)

MAJOR KERR: I will withdraw that question and substitute this one:

Q (By Major Kerr) Did that 30,000 include sailors who came ashore from ships that were sunk in Manila Harbor?

A (Through Major Pratt) There were soldiers who came from ships that were sunk in the sea near Manila, and who were saved and came ashore.

Q Did it include any of the crews of those sunken ships?

A These crews were not soldiers, and they stayed separate.

Q Is there a branch of the service known as the Imperial Marines?

A The landing force is a part of the navy.

Q And does the navy have any separate unit known as "Marines"?

A I don't know about this matter in detail, but they do not have the same system as the American Marines have, of fighting on land.

Q Then the Japanese marines are simply sailors who happen to be fighting on land, is that correct?

A I am not too clear on naval organization, but I believe that they are troops which come ashore from warships

in time of emergency, to fight.

Q While you were at Fort McKinley, did you inspect the prisoner of war camp there?

A No, I did not.

Q Why not?

A Since I was extremely busy with my operational command and future plans, I did not have the time to do this.

Q The prisoner of war barracks were only a few steps from your headquarters, were they not?

A If you went directly over to it, it was 1500 meters; if you had to go around by the walk, it would be 2000 meters.

Q Were the prisoner of war barracks there marked in any way as prisoner of war quarters?

A No, there was no special marking.

Q Did you see any of the prisoners of war at Fort McKinley?

A No.

Q While your headquarters were at Fort McKinley, did you make trips to other parts of the Philippines?

A No.

Q Did you send any of your staff members to other parts of the Philippines?

A I sent some staff officers down to Leyte and other places on business.

Q Do you remember when they made those trips?

A This was during the Leyte operation from the 18th of October until the beginning of November. However, later on air transportation was completely cut off because of the air raids.

Q . Did you send anyone to Palawan?

A You mean, staff officer?

(The witness answered further to the Interpreter.)

MAJOR PRATT: "I don't quite get what you mean by 'anyone'."

MAJOR KERR: Well, interpret his last remarks.

MAJOR PRATT: That is the translation, what I said.

MAJOR KERR: I see.

Q (By Major Kerr) Did you send any staff officer to Palawan?

A (Through Major Pratt) No, I did not.

Q Did you send any staff officer anyplace other than Leyte?

A No.

Q When you arrived in the Philippines, you said, the civilians were hostile toward the Japanese?

A They maintained an anti-Japanese attitude.

Q Did that hostility increase thereafter?

A As the Americans approached, the people in those areas--they gradually became more hostile.

Q In what areas?

A The American areas which the Americans came into.

Q How do you account for that increasing hostility?

A It was because they knew that they would get support from the American Army.

Q What did you do about that hostility?

A There was nothing I could do about this attitude.

Q When did you learn of that hostility?

A I knew it from the time that I first arrived here,

because of the activities of the armed bandits, or guerrillas.

Q How did you hear of those activities?

A I heard it from the officer in charge of collecting intelligence on the activities of armed bandits.

Q Who was that?

A The officer in charge of the Intelligence Section.

Q His name, please?

A As I remember, it was Captain Munemoto, M-u-n-e-m-o-t-o.

Q How long was he in charge of your Intelligence?

A From October of last year until the time of surrender.

Q Then as the American forces approached a given area of the Philippines, the civilian attitude in that area became more hostile toward the Japanese, is that correct?

A Yes.

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

(Whereupon, at 1130 hours, a recess was taken until 1330 hours, 29 November 1945.)

AFTERNOON SESSION

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

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

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

TOMOYUKI YAMASHITA

the witness on the stand at the time of recess, having been previously duly sworn, was examined and further testified as follows through Interpreters Major Pratt, Sergeant Oishi, and Sergeant Yajima:

CROSS EXAMINATION (Continued)

MAJOR KERR: Will the reporter read back the last question and answer?

(Question and answer read)

Q (By Major Kerr) What did you do about that increased hostility?

A It increased gradually as the American forces approached. However, in the areas occupied by the Japanese forces it was not an important matter.

Q How did this increased hostility come to your attention?

A Since the hostility increased as the American forces' front lines moved along, it became apparent that along with this groups of armed bandits were beginning to gather together.

Q How did you hear of the activities of the armed

bandits?

A I heard that armed bandits were beginning to concentrate in important areas.

Q What areas?

A They gathered in the important points on the road from Lingayen to Manila and roads east of Manila and in the Batangas area and in the San Fernando area the Volckman's guerrillas were operating in various places.

Q When did you hear of the guerrilla activity in the San Fernando area?

A I heard that such things were happening from the early part of November on.

Q On to what date?

A They continued right up to the end.

Q In other words, you received reports of guerrilla activity in the San Fernando area from November through to the time of the surrender; is that correct?

A When the American attack started against Baguio the guerrillas were operating as an organized group in the Bontoc area.

Q When was the last date that you received a report or received information concerning guerrilla activities in San Fernando?

A I don't remember the exact date, but it was after I went to Baguio and along in the middle of April I received a report that there were armed bandits operating in the Mountain area near San Fernando.

Q From whom did you receive those reports?

A I received these reports from the intelligence reports

of the Mei Group.

Q What is the "Mei Group"?

A The 58th Mixed Brigade.

Q What instructions did you issue concerning that guerilla activity?

A In the first part of November after my arrival I had a staff conference and we discussed tactics and other matters, and I stated that "These armed bandits should be 'mopped up'."

Q Did you tell them how to "mop (them) up"?

A I did not mention any methods. I merely said that they were to be suppressed.

Q What did you mean by "suppressed"?

A That we must attack these armed bandits by means of military activities or operations.

Q Did you leave it to your subordinate commanders to determine the methods which they would use?

A Since the activities of these guerrillas were varied the instructions were only that the armed bandits should be subdued, and I said that "It (was) important to get the cooperation of the civil population".

Q And you left it to your subordinate --

A (Witness interposing, interpreted through Major Pratt) "One principle (was) that the Philippine people are allies and we must endeavor to gain their cooperation, and that if only the armed bandits could be cleared out the situation would be all right".

This matter was one for the discretion of the division and brigade commanders and I did not give detailed orders

as to what was to be done.

Q Where was this conference held?

A At my headquarters in Fort McKinley.

Q Did you call or hold any subsequent conference on that subject?

A Since the operations against the American forces were the most important matter at hand, anything concerning the guerrillas was merely a minor matter along with other things.

Q When did you first hear of these guerrillas operating along the Lingayen-Manila road?

A From the time that I arrived I heard of occasions when the guerrillas came down and hid and attacked trucks and small groups of personnel along this road.

Q What was the latest date that you received a report of guerrilla activity on that road?

A I don't remember exactly but it seems to me that on or about the 11th of January these armed bandits cut communications between Manila and Baguio.

Q Was that the last time that you heard of any report or received any report of guerrilla activity in that area?

A In this area the report concerning communications being cut was the last one.

Q When did you receive reports of guerrilla activity in the Batangas Province?

A We heard from November until the time that we withdrew.

Q "Withdrew" where?

A I wish to correct that last answer to read: "From November until the time of the surrender".

MAJOR KERR: Will you interpret his last comment?

(No response)

Q (By Major Kerr) Was the source of these reports on guerrilla activities your intelligence organization?

A Is that in Batangas Province?

Q Let us start with Batangas Province, yes.

MAJOR PRATT: Oh. "Is that in Mountain Province?"

Q (By Major Kerr) Yes.

A (Through Major Pratt) It was reported from various units stationed around Baguio that the Baguio-Bontoc communication lines were attacked.

Q What was the source of your guerrilla reports from Batangas Province?

A It came occasionally from the Shimbu Group.

Q When you moved your headquarters from Fort McKinley, did you go to Ipo?

A Yes, I went to Ipo.

Q Did your entire staff go with you?

A The officer in charge of the line of communication and the officer in charge of railroads stayed behind to do the final job of moving out supplies.

Q How long did you remain at Ipo?

A From the 26th of December until the 2nd of January.

Q During that time did you personally go to any other part of the Philippines?

A No.

Q When you left Ipo where did you go?

A On the 2nd of January I went into Fort McKinley, and on the early morning of January 3rd I went to Baguio.

Q You changed your headquarters from Ipo to Baguio on 3 January, is that right?

A Yes.

Q How long did your headquarters remain at Baguio?

A From the 3rd of January until the 16th of April.

Q Were all of the members of your staff with you at Baguio?

INTERPRETER PRATT: Will you read the question?

(Question read.)

THE WITNESS: There were staff officers left in Manila for the railroad and line of communications. There were some at Bambang in the Lingayan defense area and in the mountainous area east of Manila, but the principal staff officers were with me, such as the communication officer.

This morning I testified that I sent only one staff officer on a mission to Leyte, but I meant there crossing the ocean; in this case I did send staff officers to the places I have mentioned.

Q What places?

A I sent staff officers to various places and at different times, and I do not remember exactly all of them.

Q Did you personally leave the City of Baguio while your headquarters were there?

A During the time that my headquarters were in Baguio until April 16th I didn't go anywhere else.

Q When did you move from Baguio?

A I left Baguio on the 16th in the evening and went

to Bambang; I believe it was about 7 P. M.

Q The 16th of what month?

A It was the 16th of April, and I arrived in Bambang the morning of the 19th.

Q How long were your headquarters located at Bambang?

A From the 19th of April until about the 20th of May.

Q Did your staff go to Bambang, too?

A As I said before, my staff had been sent to various places and there were some of them still in Bambang.

Q Where did you go from Bambang?

A I went to Kiangan from Bambang.

Q When did you arrive there?

A As I remember it, I left Bambang on the 20th of June and arrived at Kiangan on the 22nd.

Q Did your headquarters remain there until the time of your surrender?

A From Kiangan I went to the Third Rest House; it was on the far side of the river.

Q What river?

A The Asin River.

Q From the time that you arrived in the Philippines in October, 1944, you stayed at your headquarters except for seven trips from Fort McKinley to Manila and one trip from Ipo into Manila, is that correct?

A Yes, I was always in my headquarters.

Q During that time did you receive reports from your subordinate commanders from various parts of the Philippines concerning the conduct of their operations?

A I received combat reports from all over; operational

reports.

Q Did you receive reports as to what your troops were doing to combat guerrillas?

A I didn't receive too many reports on mopping up of guerrillas. They were merely reports concerning the U. S. forces.

Q Did you request that any such reports on guerrillas be made to you?

A I didn't particularly request reports concerning guerrillas.

Q Did you make any effort to find out the condition of the civilian population in various parts of the Philippines?

MAJOR PRATT: Will you read the question?

(Question read.)

THE WITNESS: No, I didn't make any particular investigation.

Q (By Major Kerr) As military commander in this area, in the Philippines, was it not your duty to see to it that the civilian population was protected?

A It was one of my duties, but after operational commands -- I was absorbed completely by these operations.

Q Was it not your duty to see to it that those civilians were properly fed and taken care of?

A It was the army's job to cooperate with the Philippine government in the feeding of the people and in many other problems.

Q Was it not also your duty to protect those civilians --

A And it is the responsibility of the Philippine government.

Q Was it not also your responsibility and your duty to protect those civilians against the marauding bands of your soldiers?

MAJOR PRATT: Will you read the question?

(Question read.)

THE WITNESS: I do not get the full import of the question. Can you simplify the question?

Q (By Major Kerr) Was it your responsibility to protect civilians against the wrongful acts of Japanese troops?

A If the Japanese forces did these things and if I knew about it, it would be my duty to stop it.

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

(Short recess.)

GENERAL REYNOLDS: The Commission is in session.

You may proceed.

MAJOR KERR: Will the reporter read the last question and answer?

(Question and answer read)

(The following questions were translated to the witness by Lieutenant Asano, and the answers of the witness were given in English by the Interpreter indicated.)

Q (By Major Kerr) When you came to the Philippines in October 1944, were you familiar with the international conventions relating to treatment of prisoners of war?

A (Through Lieutenant Asano) Yes, I knew generally.

Q Were you familiar with the provisions of the inter-

national conventions relating to the rules of land warfare?

A (Through Major Pratt) Yes.

Q Were you familiar with the provisions of international conventions relating to treatment of civilian inhabitants of occupied territory?

MAJOR PRATT: May we have the question in English?

(Question read)

A (Through Lieutenant Asano) Yes, I do.

Q (By Major Kerr) Did you have under your command in the Philippines units known as "fishing battalions"?

A No, there is a unit by the name which might refer to "fishing", but it wasn't a fishing unit.

Q What was the nature of that unit?

A (Through Major Pratt) They were units to attack United States warships.

Q Were they under your command?

A They were for army -- there were some army ships and there were some navy ships, also.

Q How many army ships did you have under your command?

A About 160.

Q Where were they located?

A They were along the coast at the points where the American forces were expected to land.

Q Do you recall what coastal points those were?

A On the Batangas Peninsula at Tayabas Bay, and the western section of Manila Bay, and at Lingayan just opposite the point.

Q What became of those units after the American landings in the Philippines?

A I didn't get a detailed report, but I do believe that they were all destroyed.

Q You testified that you received orders from Tokyo to transfer 50,000 troops to Leyte?

A Yes.

Q When did you receive that order?

A The 21st or 22nd of October.

Q When was the transfer to Leyte made?

A 28th of October.

Q How was it made?

A They were transported by the steamships attached to the Third Maritime Transport Command.

Q You did not command the Maritime Transport Command at that time?

A (Through Lieutenant Asano) No, they were not under my command.

Q Then all you had to do was deliver the 50,000 troops to the Maritime Command?

A (Through Major Pratt) Since the Third Maritime Transport Command had the ships, I had a talk with them and had the troops put aboard.

Q While the troops were enroute by steamship to Leyte, did they remain under your command?

A (Through Lieutenant Asano) Yes.

Q You spoke of a shortage of food in the Philippines when you came here in October 1944. What did you do about that shortage?

A (Through Major Pratt) Since the Philippines have always had an insufficiency of rice, I sent a request to

the Supreme Commander of the Southern Group to have rice imported from the rice-producing areas.

Q Did you make arrangements to obtain rice and other foodstuffs from Philippine sources?

A In the areas in the Philippines where there was a surplus, we acquired some.

Q Do you recall the approximate quantities you acquired?

A We planned this matter out, but it did not carry out.

Q You testified that it was --

CAPTAIN SANDBERG: May we have that answer read, please?

(Answer read)

Q (By Major Kerr) I am referring now to obtaining foodstuffs in the Philippines.

A (Through Major Pratt) I put in a request to the Supreme Southern Commander for rice from the rice-producing countries like Thailand and French-Indio-China.

Q Did you obtain any large quantity of foodstuffs for the army from Philippine sources?

A (Through Lieutenant Asano) No, not in the Philippines.

(Through Major Pratt) Except that I did get some from the Cagayan Plain.

Q Is it not a fact that your deputy chief of staff, General Utsonomya, was one of the heads of an organization which obtained large quantities of rice from Philippine sources?

A He attempted procurement, but as I said before, the Philippine Islands has always been deficient in rice.

Q Were any shipments of rice made from the Philippines

to Japan, after October 1944?

A (Through Lieutenant Asano) No.

Q Were all of the prisoner of war camps in the Philippines under your command?

A (Through Major Pratt) Yes, they were under my control.

Q Were the civilian internment camps under your control?

A (Through Lieutenant Asano) Yes.

Q You testified that it was a policy from Tokyo that in the event of land fighting, naval troops on land would come under your command?

A They would come under my command only in the instance of land warfare.

Q Was that in accordance with a policy in effect in all theaters?

A (Through Lieutenant Asano) Yes, it was the same all over.

Q Do you know when that policy was made effective by Tokyo?

A It was an order of sometime ago, and I don't even remember the exact date, but I believe it has been a standing order for around a year.

Q A year before what date?

A From the present.

Q Did that rule apply also to air force ground troops?

A (Through Major Pratt) No, that did not apply to the air forces. It only applied to army and navy troops stationed in the same area, and is limited to land warfare.

Q It did not apply to air force personnel on the ground when combat developed?

A (Through Interpreter Asano) The air force ground troops were under the command of Southern Army until January 1st and since then they came under my command.

Q Did this rule for single command of Army and Navy groups in land combat apply all over the Philippines?

A (Through Major Pratt) In the case of the development of fighting on land it was limited to this alone.

Q But it did apply all over the Philippines in that circumstance?

A (Through Interpreter Asano) Yes.

Q Did you have an officer on your staff performing the functions of a staff judge advocate?

I can shorten that sentence.

Did you have a staff judge advocate?

A There was no judge advocate in the staff. However, there was a judge advocate officer within the judge advocate department.

Q Of what organization was that department a part?

I will change the question for the assistance of the interpreters.

That judge advocate department belonged to what unit?

A It was part of the 14th Area Army Headquarters.

Q Was Colonel Nishiharu head of that department?

A Yes.

Q Were all courts-martial death sentences in the 14th Army approved by you?

INTERPRETER ASANO: Will you read the question, please?

(Question read)

A (Through Interpreter Asano) It requires my decision.

Q (By Major Kerr) Were any prisoners of war in the Philippines sentenced to death by courts-martial?

A (Through Major Pratt) During the time I was here there was none.

Q Were there any civilian internees sentenced to death by courts-martial during your period here?

A I don't believe there were any.

Q Were there any courts-martial trials of prisoners of war in the Philippines during your period here?

A I don't believe there were any.

Q Are you sure there were none?

A Yes.

Q Were there any courts-martial proceedings against civilian internees in the Philippines during your period here?

INTERPRETER ASANO: May we have the previous question?

(The question referred to was read by the reporter as follows:

"Q Were there any courts-martial trials of prisoners of war in the Philippines during your period here?")

A (Through Major Pratt) There were none ever tried by military court-martial. However, in the case of civilian internees it would be a military tribunal.

Q (By Major Kerr) What kind of a military tribunal?

A It would be a military tribunal resembling a military court-martial.

Q Would a death sentence by such a military tribunal

réquire your approval?

A (Through Interpreter Asano) Yes, the same as the military court.

Q During your period in the Philippines were any civilian internees tried by any such military tribunal?

A None as far as I can remember.

Q Are you sure there were none?

A Yes, none.

Q When you moved your headquarters from Fort McKinley in December 1944 were a large number of guerrillas or persons charged as guerrillas left in Fort Santiago?

A (Through Major Pratt) That has never been fully reported to me.

MAJOR KERR: Will you repeat the answer, please?

(Answer read)

Q (By Major Kerr) Has it been reported to you at all?

A (Through Interpreter Asano) I did not receive any reports regarding the suspects. However, I received reports on the ones that were sentenced.

Q I am not talking about persons interned. I am talking about persons under arrest as accused or suspected guerrillas.

A I haven't received any report regarding the matter.

Q Were you told before you left Fort McKinley in December that such persons were held in Manila?

A No.

Q Did not Colonel Nishiharu tell you before you left Fort McKinley that a large number of persons suspected as guerrillas were in custody and there was not time to try

them?

A I do not remember such a report.

Q You are sure of that?

A (Through Major Pratt) I have said that I do not remember exactly.

Q Didn't he tell you that they would have to be disposed of summarily?

I will withdraw the question and rephrase it.

Didn't he tell you that those people would have to be disposed of without proper trial?

A He absolutely did not say that.

Q Did he make any kind of a report to you about people held as suspected guerrillas without trial prior to your departure from McKinley?

A I heard nothing like that.

Q Did you ever inspect or visit Fort Santiago?

A (Through Interpreter Asano) No.

Q Did you ever inspect or visit any of the Kempei Tai headquarters?

A No.

Q Did you ever require a report as to the number of persons held in custody in Fort Santiago?

A No.

Q Did you ever require any report or explanation as to the methods used by the military police?

A I never did receive any report and I did not request for any report.

Q Did you require or request any report as to the number of persons held in custody by the M.P.'s or military police?

A No.

Q Do you know how many military police were under your command in the Philippines?

A (Through Major Pratt) I believe there were approximately 1200 military police.

Q Who was in command of those military police subordinate to you?

A (Through Interpreter Asano) The commanding officer of the Kempei Tai or the Japanese military police unit was Colonel Nagahama.

Q How long did he remain in command?

A (Through Major Pratt) The start of his duty was before my arrival, so I'm not too sure about that; but he stayed in office until the 2nd of February of this year.

Q Who succeeded him?

A (Through Interpreter Asano) Major General Masuoka.

Q How long did he remain in command?

A From 1st of February to 3rd of September.

Q Where was the headquarters of the commanding officer of the military police located?

A (Through Major Pratt) I believe it was in Intramuros.

Q Was it at Fort Santiago?

A (Through Interpreter Asano) I believe it is, but I am not very sure.

Q Where were the various military police units located?

A (Through Major Pratt) I do not know the details. However, there were some on Mindanao with each army headquarters and division headquarters at Baguio, Bontoc and in Manila.

Q Were some located in Batangas Province?

A (Through Interpreter Asano) Yes.

Q What were the duties of the Kempei Tai?

A (Through Major Pratt) The duties were that of military police and maintenance of order.

Q Did they also include the investigation of persons that were suspected as guerrillas?

A From the standpoint of maintaining order they had this duty.

Q Was one of their duties the apprehension of persons suspected of being anti-Japanese?

A It would depend upon the extent to which they were anti-Japanese, and this would include the guerrillas.

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

(Short recess.)

GENERAL REYNOLDS: The Commission is in session.

You may proceed.

MAJOR KERR: Will you please read the last question?

MAJOR PRATT: I would like to make a correction.

GENERAL REYNOLDS: All right.

MAJOR PRATT: If the Commission please, I should like to amend this translation -- the witness was quoted as saying, "I said that I do not remember exactly." I wish to amend that to, "I am certain that I do not remember."

GENERAL REYNOLDS: As I recall, that pertained to the Filipinos in the Santiago Prison at Fort Santiago, is that correct?

MAJOR PRATT: I believe that is correct.

CAPTAIN SANDBERG: Yes, that is right.

MAJOR KERR: Now, will you read the last question back?

(Last question and answer read.)

Q (By Major Kerr) What if they were not guerrillas but merely pro-American?

A (Through Major Pratt) That is something that is in their mind only and we can't possibly know it.

Q Did the Kenpei Tai investigate only people suspected as guerrillas?

A Only those people who have stolen or destroyed military supplies.

MAJOR KERR: Will you please read that question again?

(Record read.)

A (Through Major Pratt) Also those people who stole or destroyed the military supplies.

Q (By Major Kerr) Did you have a counter-espionage organization?

A (Through Interpreter Asano) Yes.

Q Was that under you?

MAJOR PRATT: If the Commission please, on the previous question we are not definite as to the terminology of "counter-intelligence," and we would like to rephrase the question in Japanese.

GENERAL REYNOLDS: Very well.

MAJOR KERR: The words you are referring to are "counter-espionage" and not "counter-intelligence."

CAPTAIN REEL: May the previous question and answer be stricken?

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

MAJOR KERR: That is the last question and answer, is that correct, sir?

GENERAL REYNOLDS: Yes.

MAJOR KERR: I will rephrase the question.

Q (By Major Kerr) Did you have any police organization other than the military police?

A (Through Interpreter Asano) No.

Q What organization investigated and apprehended foreign spies?

A The Kempei Tai.

Q Did the publication of secret newspapers come under the classification of guerrilla activities?

A My interpretation of guerrillas is an armed bandit, and this other matter which you mention does not come under the category of guerrilla.

Q Would the Kempei Tai have any jurisdiction over a person accused of publishing a secret unauthorized

newspaper?

A (Through Major Pratt) The military police investigated such matters and then they are brought before military court martials or a military tribunal.

Q Are people who assist guerrillas by giving them food or shelter treated as guerrillas by the Japanese Army?

A (Through Interpreter Asano) We recognize only those armed bandits as guerrillas, and I have orders to that effect.

Q Then a person who was found to have given food or shelter to a guerrilla was not considered a guerrilla, is that correct?

A No, they are not.

Q What if they gave money to guerrillas, were they then considered guerrillas?

A (Through Major Pratt) In my opinion they would not be recognized as such.

Q Did you issue any instructions as to how the people who were found to have given such assistance to guerrillas were to be treated?

MAJOR PRATT: Will you read the question?

(Question read.)

A (Through Interpreter Asano) No, I haven't.

Q To what punishment would such people be subject?

A (Through Major Pratt) It is my belief that that would be determined in accordance with what the investigation would find.

Q What, in your opinion, would be required to justify

a death sentence?

A It would be an extremely serious crime.

Q Would providing guerrillas with money be a crime meriting death?

A I do not believe it would be a crime.

Q Would providing food or shelter to guerrillas be such a crime?

A I do not consider that a very serious crime.

Q Would being the wife of a guerrilla be such a crime?

A That is not a serious crime.

Q Would being a child of a guerrilla be such a crime?

A Absolutely not.

Q Or being a brother or other relative of a guerrilla?

A Being a relative of a guerrilla is not a serious crime.

Q Or living in the same town or place as guerrillas live?

A It is not so.

Q Were the Kenpei Tai under your command assisted in their work by other units?

A When the necessity arose the M. P. units asked for the use of other units.

Q Did they obtain the use of other units?

A I believe there are occasions when this happened.

Q Was that true in Manila?

A Yes, I believe that in Manila also there were units which were asked for or asked for cooperation with the military police.

Q Did those units cooperate with or assist the mili-

tary police?

A If the unit commanders of a unit to which the request is given is able to assist, they will.

Q Do you know whether or not other army units actually did assist the Kempei Tai in Manila?

A I have never received reports to that effect, but I believe that they did give help.

Q Did you know that your military police were using torture methods?

A (Through Interpreter Asano) I do not know that.

Q Did you ever inquire to find out whether they were using such methods?

A No.

Q In Japan torture methods are not uncommon, are they?

A In Japan torture methods are prohibited.

Q Is that prohibition enforced?

A (Through Major Pratt) I believe it is enforced.

Q Is it customary in the Japanese Army for one man to slap or cuff another below his rank?

A (Through Interpreter Asano) It is prohibited.

Q Is that prohibition enforced?

A Through Major Pratt) It is carried out.

Q Have you ever seen one Japanese soldier strike another?

A (Through Interpreter Asano) No, I haven't seen it.

Q Have you ever seen an officer strike -- a Japanese officer strike a Japanese enlisted man?

A (Through Major Pratt) Such a thing has never taken

place in my presence.

Q Have you ever heard of it being done?

A I have heard of that in certain instances of such things; it has happened, but they were punished.

Q Is beating one form of punishment in the Japanese Army?

A No.

Q Is slapping one form of punishment?

A (Through Interpreter Asano) No, it is not.

MAJOR PRATT: "As a method of punishment it is not used."

Q (By Major Kerr) You testified concerning the detection by the military police of a plot to blow up part of your headquarters.

A (Through Interpreter Asano) Yes, it is true.

Q Do you know how the military police obtained their information?

A (Through Major Pratt) I believe that they used spies and by observing from a distance.

Q Are you sure they did not use torture methods?

A I have never seen or heard any report to that effect.

Q When the military police found a cache of arms in a small town near Pasig, Rizal Province, did they proceed to burn the town?

A No, they did not make such a plan.

Q Did they kill any of the women and children?

A (Through Interpreter Asano) No, they did not kill anyone.

Q Do you know that of your own knowledge?

A Yes, because it was a village right below the headquarters.

Q What type of intelligence organization did you have?

A (Through Major Pratt) It was a function of the G-2 section.

Q Did you have representatives in various parts of the Philippines for intelligence purposes?

A (Through Interpreter Asano) Yes.

Q Did you have such intelligence personnel in Leyte?

A Yes.

Q Did you have such intelligence personnel in Batangas Province?

A Yes.

Q In Laguna Province?

A I believe there was one, but I am not very sure of their distribution.

Q In Central Luzon?

A Yes, there was.

Q In Northern Luzon?

A Yes.

Q In other words, generally, you had intelligence personnel all over the Philippines, is that correct?

A (Through Major Pratt) I had it stationed in important points all over the Philippines.

Q Including Manila?

A (Through Lieutenant Asano) I believe not in Manila.

Q Did you receive informational reports from that personnel?

A (Through Major Pratt) These reports were brought to the G-2, and collected there -- to the G-2 Section.

Q Did you have such agents in Manila after the Americans took the city?

A (Through Major Pratt) When the United States Army came into Manila, I don't believe there were.

Q Did you have any spies in various parts of the Philippines?

A I believe there were some used by the G-2 Section.

Q Did you receive reports and information from the Makapili?

A No, I did not receive any such reports directly.

Q Did you receive them indirectly?

A I believe there was -- I believe there were some spies among the Makapili.

Q Did you receive information from them?

A However, they were not all spies.

(The preceding question was read as follows: "Did you receive information from them?")

A (Through Lieutenant Asano) Who are you referring to?

A (By Major Kerr) The Makapili.

A I never received anything directly, but I believe there were spies stationed with the Makapili, and also the regular Intelligence Section.

Q Did the Makapili make reports directly to the Intelligence personnel?

A I am not too certain on the details in this matter, but I believe they reported through the Intelligence personnel stationed in the various areas.

Q Did you receive information from other organizations?

A (Through Lieutenant Asano) What do you refer to as "other organizations"?

Q Any other organizations, such as the Ganaps?

A (Through Major Pratt) Such organizations were not a part of the Intelligence setup.

Q Did they give information to the Intelligence personnel?

A I am not certain on such detailed matters.

Q Do you know how late in 1945 your headquarters continued to receive intelligence reports from these various agencies?

A I do not know the details of that matter in reference to the time.

Q Did you receive information concerning guerrillas through these sources?

A I have heard reports concerning the guerrillas from the officer in charge, but I do not know the sources of the information.

Q Did you also receive from those sources information concerning unrest or hostility among the civilians?

A I do not know about such detailed matters.

Q Did you ever make any inquiry as to the attitude of the civilian population towards the Japanese forces?

A I am familiar with the reports on the results of their investigations.

Q What were the reports that you refer to?

A (Through Lieutenant Asano) The report I am referring to is a graphic report or written report, or oral report.

Q Which is it? Graphic, written or oral?

MAJOR PRATT: I believe you misunderstood the answer: "Either.....or."

MAJOR KERR: I see.

Q (By Major Kerr) Do you recall when that report was received?

A On these small matters, since I wasn't in charge of them, I don't know.

Q The attitude of the civilian population of the Philippines towards the Japanese armed forces here was a small matter, was it?

A (Through Lieutenant Asano) It was an important matter or problem.

Q And the measures taken by the Japanese armed forces against the civilians in the Philippines was an important matter, too, was it not?

A (Through Major Pratt) I felt that we should take measures to win the confidence of the Philippine people, since their cooperation was necessary and since we were allied

with them. And I gave such instructions at the time of my arrival.

Q Did you give any instructions subsequent to that time?

A Whenever the occasion presented itself, I frequently gave such instructions.

Q Did you make any effort to find out whether or not those instructions were complied with?

A I gave definite instructions to the army division and other unit commanders, and I ordered that they were to carry out my instructions, and I entrusted them to do so.

MAJOR KERR: Will the reporter read the question again? I would like to have an answer.

A (Through Major Pratt, continuing) -- because this was a matter to which I could not personally look into.

(The question referred to was read by the reporter as follows: "Did you make any effort to find out whether or not those instructions were complied with?")

A (Through Major Pratt) This was a matter which should be determined by the officers of the staff, whenever they were sent out to the various localities.

Q (By Major Kerr) Did the staff officers make any reports to you on the subject?

A Staff officers reported such things as they observed.

Q You stated that you directed that the rations to be fed the civilian internees and the prisoners of war should be exactly the same as those fed the Japanese soldiers?

A I ordered that the foodstuffs given to the internees should be of the same quality -- and to the prisoners of war -- should be of the same quality and quantity as that

of the Japanese army.

Q Did you take into consideration the fact that the Japanese soldiers could go outside and get food to supplement their army issue?

A In some areas, this was true, but in others they could not supplement their rations. For instance, up in the mountain areas or in the front line trenches there was no supplementary material.

Q Did you expect the civilian internees and prisoners of war to live on the same rations that your men would obtain in the heat of combat?

MAJOR KERR: Will you read the question, please?

(Question read)

A (Through Major Pratt) Yes, I believe so.

Q (By Major Kerr) Do you realize that under the rules of land warfare set forth in the international conventions, it is required of a captive nation to issue food rations to prisoners of war equal in quantity and quality to that of troops at base camps?

GENERAL REYNOLDS: Before we get an answer to that question, let us go back over the last two questions. There is quite a possibility the Accused did not understand the question as it was asked.

(The question referred to was read by the reporter as follows: "Did you expect the civilian internees and prisoners of war to live on the same rations that your men would obtain in the heat of combat?")

GENERAL REYNOLDS: The Commission feels it is not a clearly stated question; it may be difficult or impossible

to translate so that it has the same meaning to the witness as it does to us. See if you cannot state it in different terms.

Q (By Major Kerr) Did you intend that the ration to be issued the prisoners of war would be no greater than the ration issued your men, your soldiers, in combat; as distinguished from the ration issued your soldiers at a base camp?

LIEUTENANT ASANO: Will you repeat the question, please?

(Question read)

MAJOR KERR: I think I can shorten it up, if the Commission please.

Q (By Major Kerr) What standard did you use for determining the ration of prisoners of war?

A (Through Major Pratt) I am not certain as to the details, but I believe that the standard was to be exactly the same as that given to the Japanese forces.

Q Are those the Japanese forces when in combat, or the Japanese forces at a base camp?

A When sufficient food was available, it was to be on a parity with base troops, but from November on there was not sufficient food for this type of standard, so we merely tried to make it uniform.

Q Isn't it a fact that the Japanese soldier was expected largely to live off the land?

A Usually, if we had the supplies available they were distributed to the troops, but in some areas such as a mountain province, they were scarce and we lived on wild

grasses and potatoes and such things as we could obtain there.

Q Did you receive any information concerning the execution of American prisoners of war --

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

(Whereupon, at 1630 hours, 29 November 1945, the trial was adjourned until 0830 hours, 30 November 1945.)

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