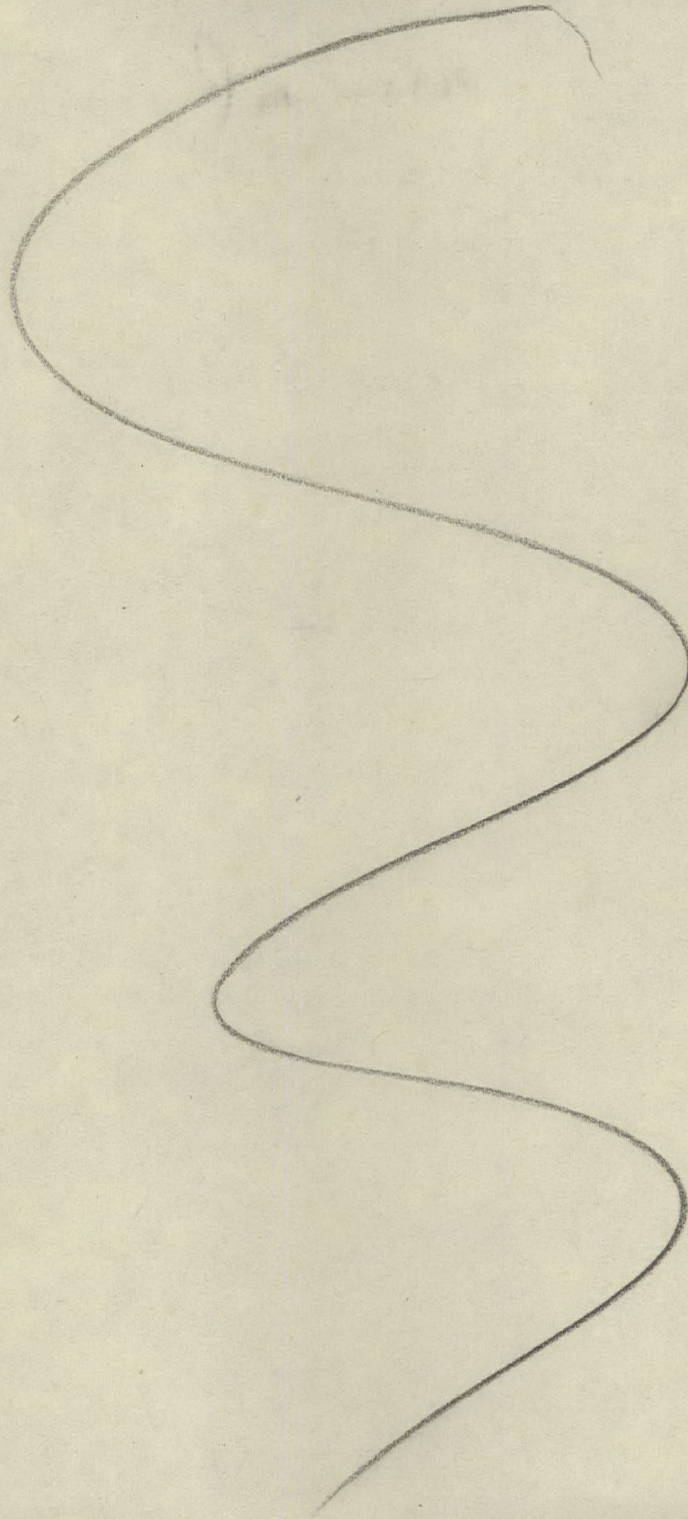


15 January 47
Minutes of the Court
Renters



15 JANUARY 1947

I N D E X

of

WITNESSES

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of

EXHIBITS

<u>Doc.</u> <u>No.</u>	<u>Pros.</u> <u>No.</u>	<u>Def.</u> <u>No.</u>	<u>Description</u>	<u>For</u> <u>Ident.</u>	<u>In</u> <u>Evidence</u>
8487	2109		Sketch by Sergeant Bogue, U.S. Marine Corps, of POW Camps at Puerto Princesa, Palawan Island, dated 14 December 1944		15228

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Of

EXHIBITS

(cont'd)

<u>Doc.</u> <u>No.</u>	<u>Pros.</u> <u>No.</u>	<u>Def.</u> <u>No.</u>	<u>Description</u>	<u>For</u> <u>Ident.</u>	<u>In</u> <u>Evidence</u>
8350	2110		Affidavit of Rufus W. Smith, Sworn to on 20 Setpember 1946		15279
8258	2111		Sworn Statements of William J. Balchus, Edwin A. Petry, Corporal Eugene Nielsen and Sergeant Al- berto Pacheco, sworn to on 17 March 1945		15280
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1
2 Wednesday, 15 January 1947

3 - - -

4
5 INTERNATIONAL MILITARY TRIBUNAL
6 FOR THE FAR EAST
7 Court House of the Tribunal
8 War Ministry Building
9 Tokyo, Japan

10 The Tribunal met, pursuant to adjournment,
11 at 0930.

12 Appearances:

13 For the Tribunal, same as before with
14 the exception of: HONORABLE JUSTICE JU-AO MEI,
15 Member from the Republic of China, not sitting.

16 For the Prosecution Section, same as before.

17 For the Defense Section, same as before.

18 - - -

19 (English to Japanese and Japanese
20 to English interpretation was made by the
21 Language Section, IMTFE.)
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BOGUE

DIRECT

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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: All the accused are present
4 except OKAWA, ARAKI, MATSUI and TOGO, who are repre-
5 sented by their counsel. We have a certificate from
6 the surgeon of Sugamo Prison stating that MATSUI,
7 TOGO and ARAKI are still ill and unable to attend
8 the trial today. The certificate will be recorded
9 and filed.

10 CAPTAIN ROBINSON: Mr. President, Members
11 of the Tribunal.

12 - - - -

13

14 D O U G L A S W I L L I A M B O G U E, called
15 as a witness on behalf of the prosecution, resumed
16 the stand and testified further as follows:

17 DIRECT EXAMINATION (Continued)

18 BY CAPTAIN ROBINSON:

19 Q On the morning of 14 December 1944, how many
20 American prisoners of war were there at Palawan?

21 A One hundred fifty.

22 Q To what service branches did they belong?

23 A There was 100 soldiers in the United States
24 Army, approximately fifteen of the United States Navy,
25 and about thirty-five United States Marines.

BOGUE

DIRECT

1 Q How many died on that day?

2 A About 141.

3 Q What caused their deaths?

4 A They were killed by approximately 70 to 80
5 Japanese soldiers and sailors.

6 Q By what means?

7 A By shooting with rifles and machine guns,
8 bayoneting, clubbing, killed with dynamite, hand
9 grenades and ignited gasoline.

10 Q Where were the killings committed?

11 A Approximately 111 of the prisoners of war
12 were killed in the air raid shelter area of the prisoner
13 of war compound. Approximately 30 more were killed on
14 the beach below the compound and in the Puerto Princesa
15 Bay.

16 Q Where were you at the time of the killings?

17 A First I was in my air raid shelter in the
18 air raid area of the prisoner of war compound. I was
19 then later on the beach and later swimming across the
20 Bay to make my escape.

21 Q How many of the 150 of you escaped?

22 A Nine, I believe.

23 Q Did you and the other prisoners have any
24 warning of the attack?
25

A Not on that day but as early as 1942 the

BOGUE

DIRECT

1 American prisoners of war other than -- including
2 myself, in conversations with Japanese soldiers,
3 discussed the disposition of the American prisoners
4 of war. These Japanese soldiers informed myself and
5 others that if America lost the war we would be re-
6 turned to America but if Japan lost the war we would
7 all be killed. After my arrival along with other
8 prisoners of war at Palawan a Captain KINOSHITA, who
9 was then the commander of the prisoner of war camp at
10 Puerto Princesa, Palawan, in 1942 informed us that
11 he and his men would strike the prisoners of war like
12 Pearl Harbor if there was any trouble. In October of
13 1944, a few days after the first American air raids
14 at Puerto Princesa, in a conversation with a Japanese
15 cook with myself, this Japanese cook named HAYAKA told
16 me that if the Americans invaded Palawan all the
17 prisoners, American POWs, would be killed. Also a
18 corporal, Rufus Smith of the United States Marine
19 Corps, who was also a prisoner of war at Puerto
20 Princesa, told me that while he was on a working
21 party a YAMADA, who was in charge of this working
22 party, Japanese soldier, told him that if the Americans
23 invaded Palawan all the prisoners would be killed.
24 This conversation between Smith and YAMADA took place
25 approximately two weeks before the actual attack. In

BOGUE

DIRECT

1 a conversation between myself and a Japanese radio-
2 man stationed at Puerto Princesa, he told me, through
3 Japanese and broken English and signs, that the Japan-
4 ese commander at Puerto Princesa had been receiving
5 many, many messages from Manila concerning the POWs.
6 Many other prisoners at this camp had like conversa-
7 tions with Japanese guards and interpreters from 1942
8 until 14 December 1944 and they had told me their
9 conversations and vice versa.

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BOGUE

DIRECT

1 Q Were you Americans the only prisoners of war
2 on Palawan?

3 A Yes.

4 Q And about how many Japanese service personnel,
5 Army, Navy or others were on Palawan?

6 A The combined Japanese forces to my knowledge
7 at Puerto Princesa and the surrounding area consisted
8 between 2500 and 3000.

9 Q Did the Japanese take any action which you
10 considered to have been preparations for such an
11 attack?

12 MR. LOGAN: I object to the form of that
13 question, your Honor. Also, it is leading.

14 THE PRESIDENT: Well, it is a leading question
15 undoubtedly, but I do not think it matters very much.
16 My Brothers and I do not share the same opinion as to
17 what is leading and what is not very often. At least
18 some of them do not agree with me about this, but
19 I do not see anything wrong. That question is leading,
20 but, in the circumstances, I don't think it ought
21 to be prevented.

22 A leading question is one, of course, which
23 suggests what the answer should be and it is never
24 allowed in examination in chief on a matter of importance.
25 But I wish counsel would avoid leading questions. They

BOGUE

DIRECT

1 waste a lot of time here and they are very easily
2 avoided.

3 Let him answer.

4 A The preparation that I know of was the
5 construction of our air raid shelters in such a
6 confined area and in such a manner as to make them
7 a trap for what was done on 14 December 1944.

8 Q Will you describe the matter to which you
9 refer?

10 A After October 19, 1944, which was the date
11 of the first air strike by Allied planes at Puerto
12 Princesa, Palawan, it became quite apparent that
13 shelter from these attacks was necessary. At first
14 the Japanese merely herded the prisoners of war under-
15 neath the constabulary barracks, which only had one
16 entrance but was above the ground and was no cover
17 from the actual air attacks. The American officers
18 at Puerto Princesa complained to the Japanese interpreters
19 that a better shelter was necessary and the interpreters
20 replied that they would take the matter up with their
21 Commander and let them know in a few days his answer.
22 The American officers also submitted by diagram their
23 idea on what was necessary for these air raid shelters,
24 which consisted of an open zig-zag trench right close
25 to the actual barracks where the POWs were quartered.

BOGUE

DIRECT

1 The Japanese interpreters SABATA and TANAKA returned
2 their Commander's decision several days later. Their
3 Commander's decision was to build 3 separate shelters
4 in the same -- in a very confined area right next to
5 the barracks where the prisoners of war were quartered,
6 but these shelters must have an overhead covering and
7 only one entrance was permitted. 50 prisoners were
8 supposed to occupy each shelter. Lieutenant Knight,
9 United States Navy, and Captain Bruni, United States
10 Army and Lieutenant Mango, United States Army continually
11 haggled with the interpreters to speak to their Commander
12 that more entrances were necessary. The American
13 officers explained that more entrances were necessary,
14 both to get in in case of a sudden attack and also to
15 get out in case of any direct hits. Several days later,
16 the Japanese interpreters informed the American officers
17 that their Commander would permit two entrances to each
18 shelter.

19 Q Have you prepared a sketch to show the area
20 to which you have been referring and to which you will
21 refer in describing the attack?

22 A I have.

23 Q I hand you document, marked No. 8487, and
24 ask you to state whether that paper is an accurate
25 representation of your POW Camp No. 10-A, showing

BOGUE

DIRECT

1 the air raid shelter area as it was on 14 December
2 1944.

3 A It is.

4 CAPTAIN ROBINSON: If the Court please,
5 prosecution document No. 8487 is offered in evidence.

6 THE PRESIDENT: Admitted on the usual terms.

7 CLERK OF THE COURT: Prosecution document
8 No. 8487 will receive exhibit No. 2109.

9 (Whereupon, the document above
10 referred to was marked prosecution's ex-
11 hibit No. 2109 and received in evidence.)
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BY CAPTAIN ROBINSON (Continued):

1 Q On this document what does the "X" line or
2 border represent?

3 A It represents a double barbed wire fence
4 which encircled the complete compound, which is ap-
5 proximately seven feet high, and the two fences were
6 about two feet apart.
7

8 Q On the left, or southeasterly side of the
9 fence, what is indicated?

10 A A sharp cliff, with some underbrush de-
11 scending to the beach, bordering Puerto Princesa Bay.
12 This cliff is approximately fifty to sixty feet high.

13 Q On the top and right, or westerly side of the
14 dotted squares and the solid circles, what do the
15 pointer lines represent?

16 A Those squares are symbols representing
17 Japanese riflemen, and the circles with the arrows
18 extending from them represent Japanese machine gunners.

19 Q Through the central portion of the sketch, what
20 do the eight diagonal shaded portions represent?

21 A They are the air raid shelters themselves.
22 The numbers along the edge of each is the number of
23 men who occupied these shelters.

24 Q Which shelter was yours?
25

BOGUE

DIRECT

1 A The square one with the opening in the
2 center in the upper left-hand corner.

3 Q Will you describe the construction and size
4 of the shelters and state who occupied them?

5 A These shelters were approximately four to
6 four and a half feet deep, and the shelter by the
7 staircase directly southeast of the barracks with the
8 "2" alongside -- this shelter had an overhead and a
9 very small entrance, and two men were in it named King
10 and Adams. In the right-hand side of the sketch this
11 air raid shelter contained approximately fifty men and
12 was about four to four and a half feet in depth, had a
13 very thick overhead which rose to about eighteen inches
14 above the ground, having one main entrance, circled with
15 rice bags filled with dirt. This shelter was for men
16 of "A" Company. The next shelter is slightly above and
17 to the left of "A" Company's shelter and was built
18 in the same manner, with a very small entrance in the
19 lower right-hand corner, and this shelter was for the
20 four American officers at this camp, Captain Fred T.
21 Bruni, Lieutenant Carl Mango, Lieutenant Knight, and
22 Warrant Officer Turner, and they were in this shelter
23 at the time of the attack. The two shelters marked
24 "B Company" and "C Company" to the left of the diagram
25 were built similiar to a trench, four to four and a half

BOGUE

DIRECT

1 feet in depth, with a thick overhead put over the
2 top, and two very small entrances were at each end.
3 Due to the length of these shelters and the depth, the
4 men had to sit bunched up, with their knees under
5 their chin in these shelters to get everybody under
6 cover. At one entrance of the "C" Company shelter,
7 between the galley and the "C" Company shelter, the
8 drawing there, with the name Stidham underneath, re-
9 presents a man who was wounded during an air raid on
10 the airport and who was paralyzed from this wound,
11 and during actual air raids he was carried on a
12 stretcher and placed near the entrance of this air
13 raid shelter, but due to the air raid shelter's size
14 the stretcher couldn't be carried inside, so during
15 the air raid that followed he was forced to lie on
16 the stretched exposed to the actual raids.

17 Q Mr. Witness, is he the same man about whom you
18 testified yesterday, in regard to his injury?

19 A He is. Directly south of "B" Company shelter
20 from the southern entrance is a square shelter with
21 a very small entrance, square entrance to the over-
22 head, where three men were sheltered. The shelter
23 itself was built similiar to the others, corresponding
24 to the others. These three men's names were Gabriel
25 Sierra, United States Army, Stephen Kozuch, United

BOGUE

DIRECT

1 States Marine Corps, and myself. The entrance to this
2 shelter was so small it only permitted one man to go
3 in or out at a time. The Japanese wouldn't permit a
4 larger entrance. The air raid shelter directly above
5 this one was built corresponding to the others exactly
6 and there were five men in it and the entrance was
7 also restricted to such a size that only one man
8 could get in or out at a time. The remaining shelter
9 was also constructed to specifications of the other
10 shelters, with the entrance being made just large
11 enough for one man to get in or out at a time.

BOGUE

DIRECT

1 Q Will you describe what happened in or near
2 this area on 14 December, 1944.

3 A At 1400, 14 December, 1944 all prisoners of
4 war at Puerto Princesa were gathered in this air
5 raid shelter area. They had been brought in from
6 working on the airfield at noon that day. The
7 Japanese guards permitted no one to leave this area
8 for any reason between noon and 1400 of that day.

9 Just prior to 1400 Japanese soldiers, in-
10 cluding riflemen and some armed with machineguns,
11 approached the outer fence of the air raid shelter
12 area and took up positions corresponding to those
13 on the diagram. A Lieutenant SATO of the Japanese
14 Army was in command of the forces guarding the Ameri-
15 can prisoners of war at this area at this particular
16 time.

17 At approximately 1400, while sitting out-
18 side the air raid shelters, myself along with
19 several others noticed two American P-38's circling
20 overhead at about ten to twelve thousand feet.
21 Lieutenant SATO and the Japanese guards then began
22 yelling and ordering all American prisoners to get
23 in their air raid shelters and keep their heads
24 down below the level of the entrances, with the
25 excuse that there was hundreds of American planes

BOGUE

DIRECT

1 coming to bomb. This is the first time that the
2 Japanese were so concerned about our getting com-
3 pletely under cover or under cover at all in case
4 of an air raid. The two men with me in our shelter
5 mentioned the fact that this might be the actual
6 invasion of Palawan, and it would be best to obey
7 so as not to get the guards nervous and start
8 shooting..

9 No sooner had we got under cover when I
10 heard a dull explosion and incessant yelling and
11 laughing and the shooting of machineguns and rifles.
12 I immediately stuck my head out of the entrance of
13 my shelter to see what was taking place. The
14 first thing I saw was a black pillar of smoke
15 coming from the entrance of A Company shelter. In
16 the few seconds that I had my head up, I was able
17 to see the following events:

18 It appeared to me that approximately fifty
19 to sixty Jap soldiers, armed with rifles, hand
20 grenades, light machineguns and buckets containing
21 gasoline, with torches, were attacking this A
22 Company shelter. With these buckets of gasoline
23 they were thrown into the entrance of A Company
24 shelter, then a lighted torch was thrown in to
25 ignite the gasoline; and, as the men were forced

BOGUE

DIRECT

1 to come out on fire, they were bayoneted or shot or
2 clubbed or stabbed. I saw several of these men
3 tumbling about, still on fire, and falling from
4 being shot.

5 Some of the other Japanese of the attacking
6 force branched off and attacked the entrances of
7 C Company -- northeast entrance of C Company
8 shelter and the north entrance of B Company shelter.
9 Due to the confined space, the whole attack was
10 visible at a glance. I saw several Japanese
11 shooting and stabbing with their bayonets directly
12 above or where Stidham, who was lying helpless on
13 a stretcher, should be.

BOGUE

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1 I saw who I presumed to be Dr. Mango with
2 his clothes smouldering, staggering towards the Japs
3 with his arms outstretched, get mowed down by a
4 Japanese soldier with a light machine gun. Other
5 American prisoners of war who were coming out of
6 these small entrances were being shot and falling
7 while trying to run towards the fence above the
8 cliff.

9 The Japanese soldiers participating were
10 yelling and in such a manner that it seemed to me as
11 if they were enjoying their task. This Lieutenant
12 SATO was running about with his sword out, giving
13 orders, urging his men on.

14 Before I withdrew my head the Japanese
15 guards outside the fence had commenced firing a graz-
16 ing fire over the entrances that the Japanese attack-
17 ing force had not yet attacked, in an effort to keep
18 the men down until the attacking force could get to
19 them and mop them up.

20 I told Sierra and Kozuch, who were in the
21 same shelter as I, what was taking place and that
22 our only escape was out the entrance one at a time
23 and try to get through the fence above the bluff and
24 get down on the beach. I then quickly emerged from
25 the entrance of my shelter and somehow scrambled

BOGUE

DIRECT

1 through the double barbed wire fence. Hanging on
2 the bluff I yelled back to Sierra and Kozuch that
3 they could make it now. In the few seconds that I
4 was exposed I was hit by a bullet in the right leg.
5 Kozuch was next to try, and Sierra was directly behind
6 him. Both of these men were shot down hanging partly
7 through the fence and lying across the shelter. I
8 could see the bullet holes in Kozuch's back as he
9 was hanging through the wire.

10 A number of other men were scrambling down
11 this cliff from C Company shelter where they had a
12 previously arranged escape hatch. This escape hatch
13 was made due to the indications that we had received
14 through conversation and events with the Japanese
15 that just such a thing might take place.

16 At the southern entrance of B Company shelter
17 I saw one man crawl -- manage to crawl under the
18 barbed wire fence and tumble down the bluff. I then
19 let go of the bluff and scrambled down the cliff to
20 the water's edge.

21 Upon arriving at the water's edge I noticed
22 two bodies of American prisoners of war lying face
23 down, half in the water, shot through the back. The
24 Japanese participating in the attack were standing
25 along the barbed wire fence above the bluff and

BOGUE

DIRECT

1 shooting at the men who had managed to get over the
2 bluff, either through the fence or through the
3 escape hatch.

4 It was then that I was joined by two other
5 prisoners named Ayres and Hale. I told them I was
6 going to follow up close to the rocks on the beach,
7 around to the southwest by the dock area and try to
8 get into the underbrush, circling from there into
9 the jungle. Neither Ayres nor Hale agreed with my
10 plan and attempted to swim the bay but were -- Hale,
11 after swimming approximately thirty yards from shore
12 was brought under fire by the Japanese on the bluff
13 and after a few shots struck the water alongside of
14 him he was hit, rolling over on his back, saying,
15 "They got me," and drowned.

16 THE PRESIDENT: We will recess for fifteen
17 minutes.

18 (Whereupon, at 1045, a recess
19 was taken until 1100, after which the pro-
20 ceedings were resumed as follows:)
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1 MARSHAL OF THE COURT: The Tribunal is now
2 resumed.

3 BY CAPTAIN ROBINSON (Continued):

4 Q Mr. Witness, will you continue?

5 A After seeing Ayres and Hale get killed
6 I proceeded around the rocks towards the dock
7 area I had previously had in mind, and after pro-
8 ceeding fifty to a hundred feet the rocks ended
9 and I stumbled upon three Japanese sailors, which
10 I recognized by the anchor on their cap, attempt-
11 ing to set up a Lewis gun to cover the path which
12 I had just come over. I had no alternative but
13 to jump these three Japanese sailors in an attempt
14 to get this machine gun away from them.

15 We finally fought out into the water, where,
16 due to their weight, I fell under the water and
17 remained under the water, holding them under with
18 me, forcing them finally to release their hold on
19 the gun and on me, and they attempted to return to
20 the beach.

21 Coming out of the water myself, I pulled
22 the actuator back on the Lewis gun and managed to
23 kill these three Japanese sailors. But seeing
24 another machine gun being set up a little further
25

BOGUE

DIRECT

1 down the beach, I was forced to return the way
2 I had come, in an effort to find a hiding place
3 among the rocks. In order to get in a small
4 crevice that I found, I was forced to throw the
5 machine gun into the water. While in this crevice
6 I could easily discern the difference between
7 the Japanese hollering and laughing and the
8 Americans' screams being killed. I could also
9 smell the burning flesh and the odor of dynamite.

10
11 A short time later a Japanese landing barge
12 patrolled within a few feet of the rocks in an
13 effort to find or locate any prisoners who had
14 managed to get to them, and upon finding them,
15 they would be shot from the barge. Patrols con-
16 tinued to comb the rocks and the beaches for the
17 rest of the day, and about 2100, or 9 p. m., that
18 night myself, along with four others, swam the
19 bay and managed, after a few days in the jungle,
20 to join up with the Filipino guerillas.

21 CAPTAIN ROBINSON: You can question the
22 witness.

23 MR. LOGAN: If the Tribunal please.
24
25

BOGUE

CROSS

CROSS-EXAMINATION

BY MR. LOGAN:

Q Sergeant, at the time you were captured at Corregidor was the supply of medicines of the United States Army very well exhausted?

A I was in no direct position to know of the exact amounts of supply that the Americans had on hand at Corregidor at that time other than the fact that it was impossible just prior to the surrender to obtain any quantity of quinine or alcohol in the field, that is, out other than right in the Malinta Hospital, where I was at.

Q Do you have any knowledge as to whether or not the Japanese supplied any medicines to the hospital at Corregidor while you were there from May 6 to May 29?

A Not in so many words, other than a Doctor Holstein, of the United States Army, who was treating me for amoebic dysentery, told me that their supply of Emetine, which I believe is the medicine used to cure amoebic dysentery, was very, very low and that there was no means to replenish this supply.

BOGUE

CROSS

1 Q By this do you mean that the Japanese
2 Army had no Emetine either?

3 A That he didn't say, sir.

4 Q Did you hear from anybody else as to whether
5 or not the Japanese Army at Corregidor had an
6 ample supply of drugs?

7 A I did not.

8 Q But you do know that the wounded who were
9 taken to the hospital were given the best atten-
10 tion possible while you were on Corregidor from
11 May 6 to May 29?

12 A I presume it was the best possible with
13 what they had. There seemed always to be con-
14 tinual complaining by the doctors and nurses that
15 there was shortages in the major medicines, that
16 is, of medicines and instruments and things that
17 we had most commonly used.

18 Q And the Japanese Army was also short of
19 these at that time, is that right?

20 A That I don't know except that the Japanese
21 told the American doctors there that they must
22 get by with what they had.
23
24
25

BOGUE

CROSS

1 Q Now, would you say, Sergeant, that these
2 men who were not fortunate enough to go to the
3 hospital and were treated at these aid stations were
4 given the best attention possible under the circum-
5 stances?

6 A Does Mr. Logar mean before or after the
7 surrender?

8 Q Between May 6th and May 29th.

9 A As I was only outside of the Malinta Hos-
10 pital, and about two days after the surrender before
11 I was interned in Malinta Hospital, I could not say
12 as first-hand the conditions prevailing in those
13 aid stations from then on.

14 Q Was your own sickness two days after the
15 capture due to anything that the Japanese did to
16 you, or was that due to the last few days before
17 your capture?

18 A No. It was contracted somewhere on Bataan;
19 due to conditions of serving in the field, whv, it
20 became serious at that time.

21 Q And between those dates of May 6th and
22 May 29th when there was a lack of food, was that
23 also due to the fact that the United States Army
24 had lost a great deal of its food in the last few days
25 of the fighting?

BOGUE

CROSS

1 A That, and not getting it to the men due
2 to the intensive shellings and bombings keeping
3 all roads blocked off from transporting food out
4 to the outlying positions.

5 Q In other words, Sergeant, the lack of food
6 during this time was due to the state of disorder
7 that existed, and not to any plan on the part of
8 the Japanese, isn't that so?

9 A It all would depend more or less where you
10 was at. If you were near a chow dump, why, you
11 could get food. If you was not, why, there was no
12 effort made by the Japanese to see that you got any.

13 Q Were you able to get food at the place you
14 were at?

15 A If -- when I was on a working party, I was
16 furnished food which was American food, a couple of
17 cans of C-rations or something like that.

18 Q Was any effort made by the Japanese to see
19 that you got food between May 6th and May 29th?

20 A The first two days before -- after the sur-
21 render before I turned into the hospital, there was
22 no effort made by the Japanese to see that we would
23 either receive food or water; but, after being in
24 the Malinta Hospital, why, there was so much food
25 given to the hospital by the Japanese to feed the

BOGUE

CROSS

patients and personnel working there.

1 Q Was Bilibid Prison Hospital crowded?

2 A Not being in the hospital at that time, I
3 don't know.
4

5 Q Well, how about the prison itself, was that
6 overcrowded when you were there?

7 A When we arrived there, it was so crowded,
8 in order to sleep inside you had to sleep on top
9 of one another.

10 Q Was that one of the reasons why it was
11 necessary to relieve the congestion there that
12 you were taken up to Cabanatuan?

13 A To my knowledge, this was just a stop-over
14 for the night until we could be transported by trains
15 to Cabanatuan and the Phillipine constabulary camp
16 there which had been prepared as a large POW camp
17 for further distribution of POW's into working parties.

18 Q With respect to these two men who died on
19 the train on the way up there, do you know from what
20 they died?

21 A I could not speak with the capacity of a
22 doctor, but it appeared to me that it was malaria
23 and dysentery.

24 Q Do you know if they had contracted that
25 prior to the surrender?

BOGUE

CROSS

1 A Maybe the malaria, but the dysentery is
2 just as probable one way as another.

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1 THE PRESIDENT: The obligation is the same
2 no matter when contracted.

3 MR. LOGAN: If the Tribunal please, I am just
4 trying to find out if he contracted this while in the
5 hands of the Japanese or whether he contracted it
6 before.

7 THE PRESIDENT: It is immaterial when he
8 contracted it. The duty of the Japanese is the same.

9 MR. LOGAN: I think it makes a difference,
10 your Honor, if the Japanese did anything that caused
11 him to contract it.

12 Q While you were at Palawan you say you were
13 supplied with quinine and lotions for the feet. Did
14 you receive any other medical supplies while you were
15 there?

16 A From the Japanese, other than that foot
17 lotion and quinine, we received some gauze and adhesive
18 tape -- let me see. These were never of sufficient
19 quantity to take care of all the men. They were just
20 maybe one roll of bandage and one roll of adhesive
21 tape that was to last 150 men for a week, and when we
22 had more men, why, we received a little more.

23 Q Were these drugs supplied from the camp at
24 regular intervals by the Japanese?

25 A Every week one of the corpsmen would go over

BOGUE

CROSS

1 to the supply house -- be taken over, rather -- and he
2 would draw his one roll of bandage and one roll of
3 adhesive tape, maybe one bottle of foot lotion, and
4 enough quinine to be distributed to the men allowing
5 one tablet a day for that week or week or ten days
6 until they told him to come and get some more supplies.
7 No instruments, medical instruments, or drugs were ever
8 given to the Americans.

9 Q Do you know if the Japanese had the drugs or
10 instruments which the Americans needed?

11 A Due to the fact they had a separate building
12 used solely for the purpose of hospitalizing Japanese
13 troops only, and the fact that the Japanese doctor
14 there would continually converse with Dr. Mango on
15 medicines and tell of different sicknesses and wounds
16 and operations that he had performed and treated there
17 at Puerto Princesa on the Japanese, I would presume
18 that they had adequate equipment.

19 Q Now, when Stidham was injured and the Japanese
20 doctor told Dr. Mango that he must do what he could as
21 the Japanese medical supplies were very meager and
22 they were very sorry that they were unable to help,
23 do you know at that time that the Japanese had drugs
24 which Dr. Mango could have used for Stidham?

25 A Some time before that we received a Red Cross

BOGUE

CROSS

1 shipment, one shipment for the two and a half year period
2 we were there. Among this Red Cross equipment was one
3 or two boxes of medical supplies for the American POW's.
4 These two boxes before being given to the American doc-
5 tors had been opened by the Japanese and the drugs and
6 medical instruments removed, and the remainder given to
7 the Americans, which was discovered by the inventory
8 slip which came with each box of medical supplies; which
9 was conclusive to us that they not only had their own
10 but they had ours and had no intentions of rendering
11 any of them to us.

12 Q Was this before or after Stidham was injured?

13 A Before.

14 Q Do you know if any of those drugs were avail-
15 able, and still available, at the time Stidham was in-
16 jured?

17 A Due to the few men that were in the Japanese
18 hospital suffering from illness and wounds, it seemed
19 obvious that it all could not have been used up over
20 that period of time on such few men.

21 Q When this Japanese doctor told Dr. Mango that
22 the Japanese medical supplies were very meager, did
23 Dr. Mango do anything to try and check up on that?

24 A There was no way possible for him to check up
25 on that.

BOGUE

CROSS

1 Q Did Dr. Mango tell you that he believed that
2 to be the fact?

3 A I heard it through his discussion with Dr.
4 Knight and some of the other officers, because my bunk
5 was right next to the officers' quarters and it was only
6 separated by a very thin partition, and I could hear
7 their conversation.

8 Q Did you ever hear them saying anything about
9 believing this to be a fact?

10 A Dr. Knight mentioned that it was similar to
11 their saying that they were short on food when they re-
12 quested more rice and all the time there was two thousand
13 110 kilo sacks directly underneath the barracks we were
14 sleeping in.

15 Q When was it Stidham was injured?

16 A The exact date I do not know.

17 Q The approximate date.

18 A November sometime.

19 Q 1944?

20 A 1944.

21 Q Weren't the Japanese medical supplies being
22 exhausted by that time?

23 A That I don't know.

24 Q Do you know if they had any anesthetics in
25 the camp at the time Stidham was operated on by Dr.

BOGUE

CROSS

1 Mango?

2 A That I don't know.

3 Q When was McDole operated on?

4 A I believe it was around the first part of '44.

5 Q Do you know if the Japanese had any anesthetics
6 there at that time?

7 A That I don't know.

8 Q Did one of the Japanese doctors assist in the
9 operation of McDole?

10 A He merely looked on.

11 Q Did Dr. Mango operate on any Japanese?

12 A No.

13 Q Do you know if these four men who were executed
14 had stolen any of the food of which they were accused?

15 A Not knowing these men personally, merely ob-
16 serving their torture and execution, I heard several
17 stories concerning these four men, these four American
18 prisoners, but they all were based -- came to the same
19 conclusion that they were merely trying to buy some food
20 from some Filipinos in a small store alongside the road
21 when the Japanese guards picked them up.

22 Q When did this take place?

23 A In 1942 while I was at Camp 3 there, between
24 June and July.

25 Q Do you know if they had a trial?

BOGUE

CROSS

1 A There was no trial because they were never
2 taken inside. They were continually kept in this one
3 spot where they were tortured, and were taken from there
4 directly to these shallow graves and shot.

5 Q How long a period of time elapsed between the
6 time they were caught and the time they were shot?

7 A A couple days.

8 Q Was it possible they could have had a trial
9 without you knowing it?

10 A As far as me personally, yes. But they was
11 always in view of some of the men in the camp who said
12 that they were kept out in the open and beaten until
13 they were taken out and shot.

14 Q How large an island is Palawan?

15 A The exact dimensions I don't know.

16 Q Approximately?

17 A I would say maybe two to three hundred kilo-
18 meters long and 60 to -- 50 to 80 kilometers wide.

19 Q How many times was your camp bombed between
20 October 15, 1944 and December 14th?

21 A The first raid was on October 19, 1944, and
22 several times there was a few days that lapsed between
23 raids. But towards December 14 '44 the raids became
24 daily and also at night.

25 Q Prior to December 14, 1944 had any United States

BOGUE

CROSS

1 Army forces landed on Palawan?

2 A Not to my knowledge.

3 Q Had any Japanese of the retreating army landed
4 there?

5 A There were several crews from Japanese vessels
6 that were stranded there.

7 Q When you arrived at this camp were these machine
8 guns set up at that time; machine guns around the barbed
9 wire fences?

10 A No.

11 Q When were they set up?

12 A Just a short time prior to the attack on
13 14 December 1944.

14 THE PRESIDENT: The same day or earlier?

15 THE WITNESS: The same day, sir.

16 Q Where had those machine guns been before?

17 A That I don't know.

18 Q You said that there were 2500 Japanese in this
19 camp and vicinity; how many were actually in the camp?

20 A They were quartered throughout the town, and
21 as to their exact number in any one spot, that would be
22 impossible for me to know.

23 Q How many were assigned to guard your compound?

24 A The compound itself, there was a regular guard
25 consisting of approximately twenty-five Japanese.

BOGUE

CROSS

1 Q Now, when you sa. Captain KINOSHITA told you
2 in 1942 that he and his men would strike as at Pearl
3 Harbor if there was any trouble, are those his exact
4 words?

5 A They are, as interpreted to us by the Japanese
6 interpreter.

7 Q You talked about a previously arranged escape
8 hatch, will you describe that for us?

9 A In this C Company shelter, why, as I mentioned
10 before, due to different rumors and circumstances the
11 feeling became apparent as to what might actually take
12 place at this point. So, after the overhead had been
13 placed on this shelter, a few of the men had smuggled a
14 pick and a shovel into the shelter and dug from the bank
15 side of the shelter to within 6 to 12 inches of opening
16 out onto the bank. This was done without the Japanese
17 knowledge, and the pick and shovel was then concealed --
18 just concealed there in the shelter.

19 THE PRESIDENT: We will adjourn until half
20 past one.

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

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3 The Tribunal met, pursuant to recess,
4 at 1330.

5 MARSHAL OF THE COURT: The International
6 Military Tribunal for the Far East is now resumed.

7 - - -

8 D O U G L A S W I L L I A M B O G U E, called as
9 a witness on behalf of the prosecution, resumed
10 the stand and testified as follows:

11 THE PRESIDENT: Mr. Logan.

12 MR. LOGAN: If the Tribunal please.

13 CROSS-EXAMINATION

14 BY MR. LOGAN: (Continuing)

15 Q Sergeant, was there another means of escape
16 from this camp devised by the prisoners?

17 A No.

18 Q Wasn't there a drain which was enlarged
19 and was to be used as an escape?

20 A If there was, I knew nothing about it.

21 Q Do you know a Fern Joseph Barta who was at
22 that camp?

23 A I do.

24 Q As a matter of fact, he used that drain, a
25 drain which had been made for the purpose of escape

BOGUE

CROSS

1 that day. Don't you know that to be a fact?

2 A Other than reading it in his statement,
3 in personal conversations with him, I don't believe
4 that he mentioned that fact in detail.

5 Q Prior to December 12 -- 14, have any other
6 prisoners escaped from this camp?

7 A Yes.

8 Q How many?

9 A Well, there was, I believe, 2 or 3 successful
10 attempts.

11 Q How many unsuccessful attempts?

12 A Not that I know of.

13 Q How long a period of time elapsed from the
14 time you reached your shelter and got into it till
15 the time you heard the explosion?

16 A A very few minutes.

17 Q Is it possible that explosion came from a
18 bomb?

19 A Impossible.

20 Q You didn't look out of that shelter from the
21 time you got into it until after you heard this
22 explosion, is that right?

23 A That is right.

24 Q So you don't know whether any of the prisoners
25 tried to escape, either through that drain or through

BOGUE

CROSS

1 that previously arranged escape hatch after you got
2 into the shelter and before you heard that explosion,
3 isn't that so?

4 A They had nothing to escape from.

5 Q They had the escape -- they had that escape
6 hatch, didn't they, Sergeant?

7 A The way I meant my answer was there was no
8 reason for them to attempt to escape.

9 Q Irrespective of any reason, you don't know
10 whether or not some of them did try to escape during
11 that period of time, do you?

12 A I do as far as conversing with the men that
13 did survive, especially men that used that escape hatch
14 and who had participated in the breaking through of that
15 escape hatch, who told me days later that they did
16 not make any attempt to use that escape hatch until
17 after they had heard the explosion and under the same
18 circumstances as myself.

19 Q How long a period of time elapsed from the
20 time when you first went into the shelter and by the
21 time you reached the beach?

22 A It was very few minutes from the time that
23 I got into the shelter to the time of the first
24 explosion and my -- for my part, it was just a matter
25 of minutes that I was through the barbed wire and down

BOGUE

CROSS

1 on the beach.

2 Q By the time you got to the beach you had
3 already two prisoners of war dead there, isn't that
4 so?

5 A That is so.

6 MR. LOGAN: That is all, your Honor.

7 THE PRESIDENT: Mr. Blewett.

8 MR. BLEWETT: If the Tribunal please.

9 CROSS-EXAMINATION: (Continued)

10 BY MR. BLEWETT:

11 Q By whom were you captured, Sergeant?

12 A By the Japanese.

13 Q I mean what branch of the service?

14 A Japanese Army.

15 Q What were the terms of surrender, if you
16 know?

17 A In the last position that I was holding on
18 Corregidor on the day of the surrender, I was approached
19 by a Japanese officer, several Japanese soldiers and
20 an American officer who was acting as an interpreter.
21 They approached our position and the American officer
22 hailed us, and, upon being acknowledged, stated that the
23 surrender -- the Philippines had been surrendered and
24 that this Japanese officer was here to accept our
25 surrender and we would be given about 3 minutes to make

BOGUE

CROSS

1 up a decision. If we did not come down from our
2 position with our hands up they would continue the
3 attack and annihilate us. The American officer
4 also mentioned the fact that if we did surrender we
5 would be taken alive and treated as prisoners of
6 war. There was approximately 12 of us alive in this
7 position and amongst us we decided to take the chance
8 and surrender and we approached the Japanese force
9 with our hands up, and, upon approaching the party the
10 Japanese officer asked, through the interpreter, who
11 was in charge of this position. Nobody answered,
12 but he looked each of us in the face and as he looked
13 at me he called me towards him and had me put my hands
14 down and he was leaning on his sword which was in the
15 scabbard. After making a few remarks in Japanese,
16 he picked up his sword in both hands in the scabbard
17 and hit me alongside the head knocking me unconscious.
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BOGUE

CROSS

1 Q Who was the highest ranking Japanese officer
2 in charge of the prisoners of war on Corregidor?

3 A That I don't know.

4 Q What branch of the service was in control of
5 your group from May 6 until August 5 when you reached
6 Palawan?

7 A Japanese army.

8 Q What was the highest ranking officer in
9 charge of that group at any time?

10 A The highest commander we had there at
11 Puerto Princesa, Palawan was a captain.

12 Q How many days a week did the men work at
13 Palawan?

14 A The days we worked varied. It was on an
15 average of six days a week except for inclement
16 weather until after the air raids started when we
17 worked seven days a week on the average of ten to
18 eleven hours a day.

19 Q How long did the work continue?

20 A We worked from the day we arrived at Palawan
21 until -- except for the few days off, non-working
22 days -- we worked from the day we arrived there until
23 the day of the attack.

24 Q What men were compelled to work?

25 A Any man that was able to be on his feet.

BOGUE

CROSS

Q What was your position there?

A I had several positions. From regular work on the field, that is, on the airfield, with a pick and shovel, or fallen trees with axes and cross-cuts, shopping wood for the rice pots, breaking down coral for the foundation, the concrete, used to pour on this airfield.

Q Did you have any administrative work?

A No.

Q Who made up the guards at this camp, that is, what branch of the service were they from?

A Japanese army.

Q Have you had any experience or training in medicine, Sergeant?

A Not in recognizing different drugs or medicines, things like that, but as far as first-aid or aid in the field under combat conditions and things like that, yes.

Q Was the Red Cross on the hospital during the raids during October, November and December?

A It was.

Q Did you observe any reconnoitering planes above the camp at any time prior to December 14?

A You mean American?

Q Yes, American?

BOGUE

CROSS

1 A The only planes passing over Puerto Princesa,
2 American planes passing over Puerto Princesa prior to
3 14 December 1944 were -- came in for the purpose of
4 attack; but December 14 there was two P-38s that
5 circled overhead and during the actual attacks on
6 Corregidor the planes would after they dropped their
7 bombs -- on Puerto Princesa after they dropped their
8 bombs would come in low and strafe and circle the area.

9 THE INTERPRETER: Mr. Witness, you meant
10 Puerto Princesa or Corregidor?

11 THE WITNESS: Puerto Princesa.

12 Q What time of day was the attack on the 14th
13 of December?

14 A Approximately 2:00 p.m.

15 Q Men were not working at that time, I take it?

16 A The men had worked up till noon that day
17 when they had been called in from the field and caused
18 to remain in the air raid shelter area.

19 Q What was it that gave you the impression
20 that the island might be retaken on that date?

21 A Well, due to the preparation from attacks in
22 the air and also due to the Japanese preparedness as
23 two o'clock that morning we had heard Japanese troops
24 who were quartered right next to the prisoner of war
25 compound shuffling -- the Japanese troops were shuffling

BOGUE

CROSS

1 around. We could hear them getting their equipment
2 ready, and early that morning at dawn they was falling
3 out in the road in formations, armed with extra am-
4 munition and full equipment, and also early in the
5 morning, during the morning, the Japanese clerks
6 were burning papers and things in fires under the
7 rice pots. Also, Americans working on the airfield
8 told me that they had seen these troops and others
9 armed, fully equipped for combat, moving down past
10 the airstrip towards the beach where their beach
11 defense positions were.

12 Q When was the island retaken, if you know?

13 A I believe it was taken on February 28, 1945.

14 Q Do you know whether or not Lieutenant SATO
15 was ever tried by a military court or commission?

16 A I do not.

17 Q Now, was your camp ever inspected by any
18 high-ranking Japanese officer?

19 A It wasn't.

20 MR. BLEWETT: Thank you, Sergeant. Thank you.
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1 THE PRESIDENT: Captain Brooks.

2 CROSS-EXAMINATION (Continued)

3 BY MR. BROOKS:

4 Q Now, Mr. Witness, in May, 1942, prior to the
5 surrender of the Japanese, what special preparations
6 were made prior to that surrender?

7 A Special preparations for what?

8 Q Was there any destruction of papers at that
9 time?10 A You mean documents, equipment, or anything
11 of that nature, that is, on Corregidor?

12 Q Yes.

13 A No, we had our orders -- from my position --
14 speaking purely from my position, our orders were to
15 defend the beach to the last.16 Q Now, when you finally surrendered that place,
17 was there any destruction made prior to surrender of
18 equipment and supplies?19 A The only destruction I know of is that the
20 twelve men, approximately twelve men who surrendered
21 with me, we destroyed our weapons before surrendering
22 to the Japanese.23 Q Do you know whether in the areas in the
24 rear any supplies or equipment were destroyed?

25 A I don't know.

BOGUE

CROSS

1 Q Now, on this movement, this transfer to
2 Cabanatuan, at that time had your party of prisoners
3 of war been organized under their own officers?

4 A They had a slight organization on Corregidor
5 after -- that is, speaking for the one day after I
6 come out of the hospital that I was with the other
7 prisoners in the 92nd Garage Area before being
8 transferred to Manila; but due to the transfer from
9 Corregidor to Manila and from Manila to Cabanatuan,
10 we were merely counted off in columns of four, groups
11 of different numbers, and placed under so many
12 Japanese, so many Japanese guards, and that is all
13 there was.

14 Q On your arrival there at Manila were there
15 any of the prisoners of war placed in sick bay or the
16 hospital?

17 A All I know is when we moved out a lot of
18 them that moved out with us should have been, but
19 weren't.

20 Q But you don't know whether they were trans-
21 ferred to any hospital that were sick at that time?

22 A No.

23 Q Was there any administrative officer
24 set up to be placed in charge of this group of prison-
25 ers for administration while you were at Manila?

BOGUE

CROSS

1 A Not to my knowledge.

2 Q Who was the -- what was the rank of the
3 senior officer present in your group?

4 A I never saw the Camp Commander at Bilibid.
5 We were only there a couple of days, and in the move-
6 ment from Manila to Catabanuan I remember seeing
7 some high-ranking noncommissioned officers and a
8 couple of junior officers.

9 Q Do you know of what branch of the service
10 this Camp Commander was?

11 A It was all Army personnel there -- probably
12 Army.

13 Q Do you know whether they had a separate
14 building, office for the prisoners of war administra-
15 tion there at that camp?

16 A No, I don't.

17 Q Were you given any information as to the
18 organization of the men for this transfer at that
19 place from any of the prisoner of war administrative
20 officials?

21 A What prisoner of war administrative officials?
22

23 Q I am talking of the time before you left
24 Manila, while you were there?

25 A There was no official there to my knowledge.
We were sorted out, four ranks, and moved out, and

BOGUE

CROSS

1 we never saw no prison officials or had any conversa-
2 tion with any such people.

3 Q Prior to leaving Corregidor for Manila was
4 there any selection of those to be transferred and --
5 first answer that question.

6 A The only selection was done in the hospital
7 on Corregidor.

8 Q Were hospital patients executed?

9 A The selection that I was referring to in the
10 previous question was that the Japanese had ordered
11 any man that was able to work, regardless of his
12 wounds, was to be evacuated from the hospital the day
13 before Corregidor was evacuated, and that he would
14 have to go with the rest of the prisoners from the
15 92nd Garage Area.

16 Q In other words, ambulatory patients were
17 placed on the list, and those that were bedfast were
18 excluded from the list; is that correct?

19 A I guess it could be worded like that.
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BOGUE

CROSS

1 Q Do you know on this group that were
2 selected if the men that died on this transfer to
3 Cabanatuan, if they were ambulatory patients at the
4 time they were selected?

5 A No.

6 Q You don't know whether they were or not?

7 A I don't know.

8 Q Do you know whether they made any previous
9 request to be excluded from the list to be transferred?

10 A Many of the men requested to be accepted by
11 the hospital facilities there at Bilibid Prison.

12 Q I am talking about previous to leaving Cor-
13 regidor.

14 A There was nobody to make a request to there.

15 Q You mean at Corregidor before you left there
16 was no prisoner of war administration?

17 A No administration other than the guards and
18 Japanese officers commanding.

19 Q Then you did not have any prisoner of war
20 leader selected for administration from your group
21 at that time?

22 A As I mentioned, I was in the hospital from
23 about two days after the surrender until the day be-
24 fore the departure of the troops from Corregidor to
25 Manila.

BOGUE

CROSS

1 Q I take it then that you don't know of that?

2 THE PRESIDENT: An army taking prisoners
3 must provide an administration.

4 MR. BROOKS: It makes their handling much
5 easier. That is why I was inquiring of the witness
6 if there was any.

7 THE WITNESS: I see that defense counsel is
8 not familiar with the Japanese way of handling prison-
9 ers.

10 THE PRESIDENT: You must not make any com-
11 ments, Witness. Just answer questions.

12 BY MR. BROOKS (Continued):

13 Q Now, as to Corporal Wood, who had the shell
14 fragment, was he in the hospital at Corregidor prior
15 to this transfer being made?

16 A He was.

17 Q Was he in the hospital at the time of the
18 selection of those to be transferred?

19 A He was.

20 Q Was he an ambulatory patient at that time?

21 A He was.

22 Q Were you in the hospital with him at that
23 time?

24 A I was.

25 Q Did he call his wound and condition to the

BOGUE

CROSS

1 Japanese prior to being placed on this list for
2 transfer?

3 A There was no Japanese there for him to call
4 his attention to.

5 Q Who was in charge there?

6 A Some American doctors.

7 Q Then you did have an American medical ad-
8 ministration of your hospital at that time?

9 A Only in carrying out Japanese orders.

10 Q And did these American medical doctors
11 select the men to be placed upon this list?

12 A Under Japanese supervision.

13 Q You mean the Japanese went with them at
14 the time?

15 A A group of Japanese, including officers,
16 passed through the Malinta Hospital just prior to
17 issuing these orders, and we were told after they had
18 left that the prisoners were going to be taken from
19 Corregidor and that any man that was able to walk,
20 regardless of his wounds, would have to leave.

21 Q So that after they left the selection was
22 left to the American medical doctors there and your
23 friend did not have a chance to call to the attention
24 of the Japanese his wound, only to the American doc-
25 tors, is that correct?

BOGUE

CROSS

1 A It may have been different in his ward, but
2 where I was at the selection was made by American
3 officers.

4 Q I think you stated the policy was to keep
5 the prisoners well if possible because certain work
6 must be done?

7 A That's right.

8 Q Was there any assistance given the American
9 doctors by Japanese doctors in carrying out this policy?

10 A Only in the issuing of quinine for malaria,
11 but not in participation of operations.

12 Q Now, besides the two American doctors that
13 were transferred with you, there was other medical
14 personnel, was there not?

15 A Yes.

16 Q Medical Corps men, internes, nurses?

17 A Three or four army medics.

18 Q How about men trained in first aid?

19 A All medics are trained in first aid, except
20 for military personnel there, who through the course
21 of military training have to know first aid.

22 Q Were there any emergency supplies or food or
23 medicine or other supplies held by the Japanese in
24 times when shipping would be cut off so there would
25 be a delay?

BOGUE

CROSS

1 A Not to my knowledge.

2 Q I thought you testified that there was a
3 large quantity of food under some building that you
4 were held in.

5 THE PRESIDENT: He didn't suggest it was
6 held for that purpose.

7 THE WITNESS: The reason that rice was there
8 was because the Japanese heard that American planes
9 might get some information that there was American
10 prisoners of war there and would not bomb our barracks,
11 thus destroying their food.

12 Q Was there anything else in this storeroom
13 besides food?

14 A Not in that storeroom.

15 Q Was it kept locked?

16 A It was.

17 Q Was the food issued from that daily?

18 A That was Japanese -- issued for the Japanese.

19 Q Was it issued to the Japanese daily from
20 that storeroom?

21 A Yes.

22 Q And was it replenished from time to time?

23 A It was.

24 Q You don't know whether there were any other
25 large storerooms of medical supplies or food materials

BOGUE

CROSS

1 in the area, do you?

2 A There was other supplies stored in that
3 area, but exactly where I don't know.

4 Q Now, you say Dr. Mango performed three
5 other successful operations. Did the Japanese doctors
6 help him with these operations and supply him with
7 any equipment or materials for these operations?

8 A Not to my knowledge.

9 Q Where were these operations performed?

10 A At Iwaki.

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1 Q And how far is that from where you were
2 confined?

3 A Maybe twenty, thirty kilometers.

4 Q So you had no opportunity to know what was
5 supplied or under what conditions the operations were
6 conducted?

7 A Except for what Dr. Mango and the men that
8 were operated on told me.

9 Q Did Dr. Mango tell you that the Japanese
10 had supplied any equipment or medicines or medical
11 aid for these operations?

12 A Other than the scalpel and forceps--

13 Q I am talking about the latter three operations
14 now.

15 A No.

16 Q What form of recreation and sports were
17 provided for the prisoners of war at this place?

18 THE PRESIDENT: It does not arise out of
19 the examination in chief. He did not make any
20 allegations of a breach of that particular term of
21 the Convention. I am not saying the cross-examination
22 is not relevant or is not material, but it is worthy
23 of comment that it is directed to the least important
24 part of this witness' testimony. One would hardly
25 believe that this witness has said the things he has

BOGUE

CROSS

1 after you listen to the cross-examination.

2 MR. BROOKS: Mr. President, the same remark
3 might well apply to the reason for lack of cross-
4 examination in certain points.

5 THE PRESIDENT: I make every allowance for
6 your situation, Captain Brooks.

7 MR. BROOKS: I thought that the question
8 might follow from the line of the policy to keep the
9 prisoners well if possible, that something besides
10 medical aid might have been provided by way of
11 recreation and sports.

12 May the witness answer the question?

13 THE PRESIDENT: He may.

14 A When we first arrived at Palawan we were
15 only working six days a week. The seventh day, why,
16 there was no church or religious services offered
17 and so the Japanese commander suggested sports. But
18 when it came time to play them, why, the men complained,
19 saying that they was too tired from working all week
20 to go out on their day of rest and start playing base-
21 ball or football or something like that.

22 Q Were there any games actually played?

23 A Very few.

24 Q Now, as to the church part, were there any
25 chaplains present in your group?

BOGUE

CROSS

1 A No.

2 Q In the describing the disciplinary action
3 on these four prisoners that were picked up by the
4 guards -- or these prisoners that were picked up by
5 the guards and tied to a pole, was this pole fastened
6 to anything?

7 A This pole was passed under the backs of
8 their knees and they were forced to squat down on
9 it and then their arms -- it went on the inner side
10 of the arms so that they bent just opposite, and
11 they were securely lashed to their arms and across
12 their knees.

13 Q Were they all fastened to the same pole?

14 A No.

15 Q Now, as to the disciplinary action that was
16 taken here as to the beating of these men, were these
17 men tied to this tree while they were being beaten?

18 A There was a coconut tree -- it was coconut
19 trees, and they were compelled to circle it with their
20 arms and clasping their hands. They were not tied.

21 Q And they weren't fastened to the tree in any
22 way? They just stood there hugging the tree; is that
23 right?

24 A That is right.

25 Q During this time they were being beaten

BOGUE

CROSS

1 with poles six foot long and two to three inches in
2 diameter?

3 A While they were being beaten across the
4 buttocks with these poles approximately five or six
5 feet long and two or three inches in diameter, the
6 shock was so terrific that after three or four -- after
7 they were struck three or four times the man would
8 fall away from the tree in a semi-conscious or uncon-
9 scious condition. He would then be revived with
10 water and drug back to the tree and forced to resume
11 his position and the beating would resume.

12 Q How long did this continue, in time?

13 A The time varied. It all depended on the stamina
14 of the guard. When the Japanese guard who was doing
15 the beating became exhausted, why, the man would be --
16 as far as his beating was concerned, would stop.

17 Q I think you said you watched this beating?

18 A I did.

19 Q How long were you there?

20 A Until the men were drug back into the brig.

21 Q When did this start? What time of day?

22 A Other than saying in a day, why, it is pretty
23 hard to remember the exact time.

24 Q Was it before dinner or after?

25 A I couldn't say that, either.

BOGUE

CROSS

1 THE PRESIDENT: You said the men were
2 beaten with wire whips. Can you describe those whips?

3 THE WITNESS: It was a piece of cable that
4 had been made -- had some semblance of a handle attached
5 to it.

6 Q What had you been doing previous to watching
7 this?

8 A I don't recall.

9 Q You don't know whether this was in the
10 morning or the afternoon?

11 A That is right.

12 THE PRESIDENT: You won't test his credibility
13 that way.

14 MR. BROOKS: I thought he remembered it so
15 vividly, the various parts, your Honor, that he would
16 surely know what time of day it was.

17 That is all.

18 MR. LEVIN: Mr. President, there will be no
19 further cross-examination of the Sergeant.

20 CAPTAIN ROBINSON: This concludes the
21 examination of the witness, and permission of the
22 Tribunal for the witness' departure or return to other
23 duty is requested on the usual conditions.

24 THE PRESIDENT: He is released on the usual
25 terms.

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1 (Whereupon, the witness was excused.)

2 THE PRESIDENT: We will recess for fifteen
3 minutes.

4 (Whereupon, at 1445, a recess was
5 taken until 1500, after which the proceedings
6 were resumed as follows:)

7 MARSHAL OF THE COURT: The Tribunal is
8 now resumed.

9 CAPTAIN ROBINSON: May it please the Court.

10 THE PRESIDENT: Captain Robinson.

11 CAPTAIN ROBINSON: Prosecution document
12 No. 8350 is now offered in evidence. It is the
13 affidavit of Rufus W. Smith, sworn to on 20 September
14 1946.

15 THE PRESIDENT: Admitted on the usual
16 terms.

17 CLERK OF THE COURT: Prosecution document
18 No. 8350 will receive exhibit No. 2110.

19 (Whereupon, the document referred to
20 was marked prosecution's exhibit No. 2110 and
21 received in evidence.

22 CAPTAIN ROBINSON: This statement, like
23 the two following documents, supplements the testi-
24 mony of Sergeant Bogue and will not be read.
25

1 Prosecution document No. 8258, the sworn
2 statement of Sergeant William J. Balchus, Edwin A.
3 Petry, Corporal Eugene Nielsen, and Sergeant Alberto
4 Pacheco, sworn to on 17 March 1945, is offered in
5 evidence.

6 THE PRESIDENT: Admitted on the usual
7 terms.

8 CLERK OF THE COURT: Prosecution document
9 No. 8258 will receive exhibit No. 2111.

10 (Whereupon, the document referred to
11 was marked prosecution's exhibit No. 2111 and
12 received in evidence.)

13 CAPTAIN ROBINSON: Prosecution document No.
14 8260, the affidavit of Fern Joseph Barta, radioman
15 first class, United States Navy, sworn to on 13
16 February 1945, is offered in evidence.

17 THE PRESIDENT: Admitted on the usual
18 terms.

19 CLERK OF THE COURT: Prosecution document
20 No. 8260 will receive exhibit No. 2112.

21 (Whereupon, the paper referred to was
22 marked prosecution's exhibit No. 2112 and
23 received in evidence.)
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1 CAPTAIN ROBINSON: May it please the Tribunal,
2 this concludes the evidence of offenses against
3 prisoners of war and civilians committed on Pacific
4 Islands and at sea in the Pacific Ocean and the
5 Indian Ocean, as charged in the indictment, particu-
6 larly in Counts 53, 54, and 55 and Appendix D,
7 particulars of breaches of the laws of war, Sec-
8 tions 1, 2, 3, 4, 5, 7, 8, 10, 13, and 14.
9

10 The permission of the Tribunal is reques-
11 ted for the substitution of certified true copies
12 in the place of original documents introduced from
13 permanent official files, such as the official files
14 of the Swiss Legation and the Navy Department.

15 THE PRESIDENT: Permission is given, there
16 being no opposition by the defendants.

17 CAPTAIN ROBINSON: Mr. Higgins will now
18 continue the prosecution's case.

19 THE PRESIDENT. Mr. Higgins.

20 MR. HIGGINS: Members of the Tribunal,
21 on 12 November 1946, page 10,140 of the record,
22 I.P.S. Document No. 1855, which is a list of the
23 persons attending the Imperial Conference held 2
24 July 1941, was received in evidence and given ex-
25 hibit No. 1107. The Tribunal ordered that Mr.

1 IGUCHI, who certified to the document, be called
2 for the purposes of cross-examination. Investiga-
3 tion disclosed that while Mr. IGUCHI certified to
4 the document, the information contained in the cer-
5 tificates was within the knowledge of Mr. ONO, one
6 of his subordinates. Mr. Fihelly, representing the
7 prosecution, and Mr. Logan, representing the defense,
8 agreed that Mr. ONO should be called for cross-
9 examination in lieu of Mr. IGUCHI. Mr. ONO is here
10 for the purpose ordered by the Tribunal.

11 THE PRESIDENT: We must agree also, and
12 we do.

13 O N O K A T S U M I, being first duly sworn,
14 testified as follows:

15 MR. HIGGINS: You may cross-examine the
16 witness.

17 THE PRESIDENT: Mr. Blewett.

18 MR. BLEWETT: If the Court please, it
19 seems rather unusual -- of course this witness
20 has no testimony on the record unless we assume,
21 which we are willing to do, that he has taken this
22 affidavit or that he is willing to testify to the
23 same affidavit that was signed by Mr. IGUCHI. I
24 don't know what to do.
25

ONO

CROSS

1 THE PRESIDENT: You must examine him as
2 though he were a witness called by you, but you can
3 lead him. He is in fact the prosecution's witness
4 and they should have got his name and address and
5 occupation, but you can get it, Mr. Blewett.

CROSS-EXAMINATION

BY MR. BLEWETT:

Q What is your full name?

A Mr. Katsumi.

Q Where do you reside?

A In Tokyo.

Q What address?

A No. 78 Sanya - cho, Meguro - Ku, Tokyo.

Q What is your occupation?

A Government official.

Q In what department?

A Foreign Office.

19 Q How long have you been connected with the
20 Foreign Office?

A From 1929 up to the present.

22 Q Did you make any investigation as to the
23 persons attending certain liaison conferences held
24 during 1941?

A I did.

ONO

CROSS

1 Q And for whom did you make that investiga-
2 tion?

3 A For the Japanese Government.

4 Q From what sources did you ascertain the
5 various persons that attended the conference of
6 July 2, 1941?

7 A They were learned by me on the basis of
8 memorandums and other documents left by officials
9 in charge or who were concerned with liaison con-
10 ferences and Imperial conferences in the various
11 government ministries concerned, and after gathering
12 this data I studied them.
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1 Q Did you make this investigation personally?

2 A I studied and edited the matter by order
3 of my senior official.

4 Q Are you familiar with a report submitted
5 by IGUCHI?

6 A I know its substance.

7 Q Dated June 10, 1946?

8 A I have not read the document, but I know
9 that it has been sent out by the Central Liaison
10 Office of the Japanese Government.

11 Q Do you know whether or not that contains
12 a list of the members of the government who attended
13 these four conferences?

14 A Yes, I do.

15 Q Now, can you tell me how you know that the
16 Home Minister attended the conferences of July 2nd
17 and September 6th and not the conferences of November
18 5th and December 1st?

19 A I do not have accurate knowledge whereby
20 I can speak of such matters at this time at this
21 place now.

22 Q Can you certify or say definitely whether
23 or not the Ministers of Justice, Education, Agri-
24 culture and Commerce attended the conference of
25 December 1, 1941?

ONO

CROSS

1 A That I cannot do.

2 Q Now, was this memorandum made up by you
3 on the assumption that it was customary for these
4 officials to attend these meetings, or do you have
5 definite knowledge that they did attend?

6 A It is largely based on the assumption
7 that these officers would attend, but it was also
8 based on the knowledge of the officials concerned
9 in the competent ministries which had anything to
10 do with these conferences at that time. The knowledge
11 of these men were used as reference.

12 Q Well, then, you cannot say definitely
13 that all the men listed in this memorandum actually
14 attended all these four conferences, can you?

15 A Inasmuch as many of the documents which
16 have anything to do with the problems concerning
17 those conferences were lost in the air raids, docu-
18 ments which should have been preserved if it had not
19 been for such disaster, the necessary data was not
20 completely available; and, therefore, the memory
21 and knowledge and recollection of the competent
22 officials in the various ministries were gathered
23 together and used as reference.

24 MR. BLEWETT: That is all, sir.

25 THE PRESIDENT: Mr. Levin.

ONO

CROSS

CROSS-EXAMINATION

1 BY MR. LEVIN (Continued):

2 Q Then do I understand that this list was
3 not prepared from any written record?
4

5 A Yes, you may understand it as such.

6 MR. LEVIN: There will be no further
7 examination of this witness, if the Tribunal please.

8 THE PRESIDENT: Mr. Higgins.

9 MR. HIGGINS: With the Tribunal's permission,
10 I want to ask one question.

REDIRECT EXAMINATION

11 BY MR. HIGGINS:

12 Q Was any Japanese official certified as
13 attending these conferences as indicated on this
14 list except those where the records of the office
15 available and the recollection of those present in
16 the office --
17

18 THE MONITOR: Will you read that back, please?

19 (Whereupon, the last statement was read
20 by the official court reporter.)

21 THE PRESIDENT: It is not a complete question,
22 is it?

23 MR. HIGGINS: No, I am not through.

24 Q (Continuing): --indicated that such officer
25 was present?

ONO

REDIRECT

1 MR. LEVIN: We object to the form of his
2 question, and also object on the ground that it
3 assumes something that is not in evidence.

4 THE PRESIDENT: I take this to be re-examin-
5 ation arising out of the cross-examination and to
6 be allowable; but the witness may understand you
7 better if you put the questions in the following
8 form:

9 Are the lists of attendance and the dates
10 of those lists reliable?

11 MR. LOGAN: With all due respect to the
12 Court, I object to that question, the form of it.

13 THE PRESIDENT: Objection overruled.

14 Answer the question, Witness:

15 THE WITNESS: I think they are reliable.

16 THE PRESIDENT: On what grounds do you think
17 they are reliable?

18 THE WITNESS: In cases where the originals
19 of the documents were lost as a result of air raids,
20 the knowledge of the competent officials in the
21 competent ministries were relied upon for information;
22 and it is my belief that the lists were prepared under
23 such conditions by the fair and just efforts on the
24 part of these officials concerned.

25 MR. HIGGINS: May the witness be excused?

ONO

REDIRECT

1 MR. LEVIN: Just a moment, please.

2 THE PRESIDENT: Mr. Levin.

3 MR. LEVIN: Mr. President, I move the
4 Tribunal disregard exhibit 1107 on the ground there
5 is no competent evidence to indicate the reliability
6 of the evidence which has been tendered in this
7 document.

8 Mr. President, I would like to add this
9 before the Court announces its decision, that the
10 witness has indicated that there is a possibility
11 that competent evidence is available in relation
12 to this very important subject. This apparently
13 is third-hand evidence and it is hearsay upon hearsay,
14 and certainly the evidence is tenuous, to say the
15 least, and should not be permitted in such a very
16 important matter.

17 THE PRESIDENT: We are all of the opinion
18 that your motion should be dismissed and that the
19 evidence should be received. At the same time we
20 realize that the evidence has not great value, but
21 it is for the prosecution to say whether they will
22 supplement it by calling the persons who advised
23 the witness.

24 MR. HIGGINS: Mr. President, may this
25 witness be now excused?

ONO

REDIRECT

1 THE PRESIDENT: He is at liberty on the
2 usual terms.

3 (Whereupon, the witness was
4 excused.)
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1 THE PRESIDENT: Mr. Justice Mansfield.

2 MR. JUSTICE MANSFIELD: Mr. Oneto will now
3 continue with the case for the prosecution.

4 MR. LEVIN: Mr. President, at the conclusion
5 of the French phase of the case no reservation had been
6 made with reference to offering any additional testi-
7 mony on the part of the French. We had assumed that
8 upon the conclusion of the evidence which they had
9 offered that that was the end of their case. As I
10 understand it, to date no permission has been requested
11 from the Court to offer additional evidence on their
12 part, and under the circumstances we object to their
13 presentation of this additional phase of the case.

14 THE PRESIDENT: We will receive the evidence,
15 Mr. Justice Mansfield, but we would like to know the
16 extent to which French is going to be used. I think
17 I understand the extent to which it is going to be
18 used, but my colleagues may not. They may or may not
19 approve of French being used to the extent proposed.
20 Where French is to be used you might give the reason.

21 MR. JUSTICE MANSFIELD: Mr. Oneto is to make
22 a short introductory statement in French. After that
23 Major Depo will present the evidence, documentary evi-
24 dence in English, and then Mr. Oneto will examine a
25 French-speaking witness in French. That is the extent

1 to which French will be used during this part of the
2 prosecution's case.

3 THE PRESIDENT: Are there no documents to be
4 tendered and explained?

5 MR. JUSTICE MANSFIELD: The documents will be
6 tendered by Major Depo and he will speak in English,
7 tendering them and explaining them and reading the
8 documents in English.

9 THE PRESIDENT: Mr. Oneto.

10 MR. ONETO: Mr. President and Members of the
11 Tribunal. The French Division, I.P.S., submits for
12 the attention of the Tribunal a limited amount of evi-
13 dence drawn from a pile of documents relating the
14 atrocities and murders committed throughout the terri-
15 tory of Indo-China by the Japanese troops, with regard
16 to both civilian internees and prisoners of war.

17 The exhibits referring to Class B and C
18 crimes put in on previous days by other sections of
19 the International Prosecution Section makes it useless
20 to put in a large number of documents repeating for
21 the Union of Indo-China the details already given for
22 other territories. The documents which we are about to
23 present to the Tribunal are aimed only at giving some
24 examples of the actions of the Japanese Army in Indo-
25 China.

1 Before beginning the presentation of these
2 documents we ask permission to recall briefly three
3 documents already known to the Court:

4 I. I.P.S. document No. 2667, exhibit No.
5 663, is an official report of Supreme Headquarters
6 of the Japanese Army of the South. On page 5 of this
7 document, first paragraph, letter A, page 7176 of the
8 record, we can read the following instructions of the
9 Japanese Government decided in the course of the
10 Supreme War Guiding Conference of February 1945:

11 "Even if the French reject the Japanese de-
12 mands, the relations between the two countries will
13 not be considered as being at war. However, Japan
14 will not be bound by the existing treaties, concerning
15 French Indo-China."

16 II. I.P.S. document No. 2655, exhibit No.
17 665, record pages 7193 and 7194, contains the text
18 of the solemn warning addressed by the French Govern-
19 ment to the Japanese Government on the subject of
20 violences perpetrated on the peoples of Indo-China by
21 the Japanese Imperial Armed Forces.

22 III. I.P.S. document No. 2667, exhibit No.
23 663, page 7 of the document, conclusion, last para-
24 graph, pages 7181 and 7182 of the record, the Supreme
25 Headquarters of the Japanese Army of the South declares:

1 "Moreover, the disposition of French Indo-
2 China was based upon the directives of Tokyo and was
3 not an arbitrary decision of local Japanese Army. All
4 the Japanese troops, militarists, officials, civilians,
5 however humble their posts might have been, always
6 acted solely by orders of superior commanders, and
7 fulfilled their responsibilities most faithfully ac-
8 cording to each given duty."

9 With the permission of the Court, the docu-
10 ments relating to this phase of the Indictment are
11 now going to be presented by my assistant, Major
12 Roger Depo.
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1 THE PRESIDENT: Major Depo..

2 MAJOR DEPO: Civil population.

3 Prosecution document No. 2772-I-1, affidavit
4 of Jullien Remy, is offered in evidence.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: Prosecution's document
7 No. 2772-I-1 will receive exhibit No. 2113.

8 (Whereupon, the document above re-
9 referred to was marked prosecution's exhibit
10 No. 2113 and received in evidence.)

11 MAJOR DEPO: In this document, the witness
12 relates the ill-treatment and tortures inflicted on
13 French civilians and on an American Air Officer in the
14 spheres of the Japanese Military Police of Vinh. Some
15 of these victims died of the treatment undergone.

16 I will read this document with the Court's
17 permission:

18 "War Crimes Service. Stamp: Saigon,
19 24 September 1946. 654 A

20 "M'sieu Jullien Remy. Born, 21 Feb. 1912 at
21 Phan Rang (Annam). Parents: Remy and Juliette Mot.
22 Profession: Merchant at the U.C.I.A. Address: The
23 U.C.I.A.

24 "Being at Vinh on 9 March, I was arrested on
25 the 10th by the Japanese Gendarmerie and held for two

1 days.

2 "On 13th same month I was at home when two
3 Japanese soldiers got into my house about 2 a.m. with
4 the object of robbing. I interposed and got a bayonet
5 thrust in the belly. The Japanese ran away not with-
6 out carrying off some articles.

7 "From 5 April I was appointed Representative
8 of the French in Vinh and Nord Annam, with the Japanese
9 authorities.

10 "In this capacity I have been able to prove
11 the deaths of several French killed by the /Japanese/
12 Military Police as a result of ill-treatment, cruelty
13 and privations.

14 "1. Mr. Goudenant, collector of P.T.T.,
15 arrested by the Military Police on 14 March 1945 for
16 unknown reasons. He was released to Hospital in a
17 dying condition on 21 July 1945. He died insane and
18 from physiological injuries.

19 "2. Mr. Sureau, Customs and Excise, was
20 arrested in June and taken to hospital 20 days later.
21 This man could no longer stand upright. He died 48
22 hours after his admission to hospital. His body was
23 covered with traces of burns and bruises.

24 "3. Mr. Nuriet, agent of P.T.T., arrested
25 without reason in June and died fifteen days after going

1 into /Japanese/ Military Police H.Q. in spite of the
2 fact that he was a man of robust physique.

3 "4. M. Noel, Railway Agent, entered the
4 /Japanese/ Military Police H.Q. at the end of March,
5 was not delivered to us on 21 August after the ces-
6 sation of hostilities. In spite of our representations
7 to the Military Police we could not get from them any
8 information as to the disappearance of this man.

9 "Inasmuch as I was a delegate, I had occasion
10 to enter the local offices of the Japanese Military
11 Police at Vinh repeatedly. I heard cries of anguish
12 coming from the torture chambers where Frenchmen were
13 undergoing corporal punishments.

14 "During the month of May, I saw an American
15 Air Officer being taken to the /Japanese/ Military
16 Police Headquarters. This officer was taken into the
17 torture chamber and I could hear the cries of pain.

18 "Normally, this officer, being a prisoner of
19 war should never have been taken to the Military
20 Police H.Q. at all nor interrogated there. Some days
21 afterwards the secretary of the Military Police H.Q.
22 offered me the ring belonging to this Air Officer.
23 Monsieur Richard bought this ring for 200 piastres with
24 the intention of sending it back to the officer's
25 family.

1 "This ring was restored to the first American
Mission to pass through Vinh."

2 Signed: "R. Jullien."

3 Prosecution document No. 2772-I-2, affidavit
4 of Coudoux, Jean Francois, is offered for identification
5 and the marked excerpts offered in evidence.
6

7 THE PRESIDENT: Admitted on the usual terms.

8 CLERK OF THE COURT: Prosecution's document
9 No. 2772-I-2 will receive exhibit No. 2114 for identifi-
10 cation only, and the marked excerpts therefrom, bearing
11 the same document number, will receive exhibit No.
12 2114A.

13 (Whereupon, the document above referred
14 to was marked prosecution's exhibit No.
15 2114 for identification, the excerpts there-
16 from being marked prosecution's exhibit No.
17 2114A and received in evidence.)

18 MAJOR DEPO: This document, on the fate of
19 civilian prisoners of the Japanese Military Police at
20 Vinh, completes the previous document No. 2772-I-1
21 already introduced in evidence and bearing exhibit
22 No. 2113.

23 It gives details on the tortures followed by
24 death, inflicted on two French civilians, Messrs.
25 Sureau and Uriet.

1 With the Court's permission I will read the
2 marked excerpts:

3 "Affidavit. "COUDOX, Jean Francois. Born
4 at Ba Don (Donhoi) on 1 February 1910, son of Paraon
5 Coudoux and Tran Thi Thai. Address in Indo-China;
6 At Paksong via Pakse, Laos.

7 "At Vinh:

8 "I was arrested on 13 June 1945 with my
9 brothers, Gaston and Lucien, at Phy Quy by Chief
10 Sergeant MAORII of the Japanese Military Police for
11 having hidden and supplied with food Tisserand and
12 Lieut. Chenives, the latter being a fugitive from the
13 fight at Keheo.

14 "I was taken to the Japanese Military Police
15 H.Q. at Vinh on 14 June 1945 about 10 a.m., there I
16 remained till 18 August 1945.

17 "While I was in confinement I heard at least
18 four times the punishments inflicted on Mr. Sureau,
19 who was in the cell with us. It went on about 4 meters
20 away from the cell door and always during the night.

21 "These corporal punishments were inflicted
22 by a sergeant dressed in civilian clothes. He had
23 long hair, was of medium height and slender. I do
24 not know his name but I will be able to recognize
25 him. He was the most feared of the military police.

"Mr. Sureau was undressed and laid on the ground

1 naked, his arms stretched out and fastened to a bar.
2 This sergeant amused himself by passing a lighted
3 torch soaked in petrol all over his body, burning him
4 on different parts of his body, some more sensitive,
5 others less, to cause him to utter cries more or less
6 loud. He had burns all over his body, chest, legs,
7 back, hands and soles of the feet.

8 "At times the torture changed. The submitted
9 Sureau to the water punishment (see deposition of
10 Gaston Coudoux) also causing an electric current to be
11 passed into his body or to his jaw. These proceedings
12 lasted as a rule for three hours.

13 "I then used to see this brave Mr. Sureau
14 return exhausted, his whole body covered with burns,
15 with wounds running blood. For 10 days they refused
16 to let him attend to these wounds, which had rotted
17 and were eaten by maggots. (see deposition of Dr.
18 Mathieu on this subject).

19 "Mr. Sureau's testicles were also swollen as
20 a result of the blows received.

21 "When he was at the point of death he was
22 hospitalized and died of his injuries about 20 August.

23 "In similar circumstances I witnessed the
24 corporal punishments inflicted on Mr. Uriet, who was
25 also shut up with us in the same cell.

"On 28 June 1945, he was interrogated for

1 the last time, on his knees with his trunk bare, by
2 the same Annamese interpreter, and the same sergeant in
3 civilian clothes. He was struck on the back and on the
4 arms with a heavy cudgel by Sgt. ARATA and another
5 sergeant. After two days of this treatment the body of
6 Uriet was covered with wounds and purple all over.
7 He could no longer either move or lie down.

8 "What with the diet of the ball of rice and
9 the tortures inflicted on him, he went downhill very
10 rapidly and the 29th day he was so feeble that we our-
11 selves asked the Japanese to have him sent to the
12 hospital. They refused. On the 30th day he was in
13 a dying condition in the cell and the Japanese placed
14 him on a ricksha in order to transfer him to the
15 Provincial Liaison of the Citadel, but he died in
16 the ricksha during this transfer."

17 Signed: "J. Coudoux. Coudoux, Jean Francois."

18 The affidavit of Madame Veuve Bertrand,
19 prosecution document No. 2772-J-1 is offered in
20 evidence.

21 THE PRESIDENT: Admitted on the usual terms.

22 CLERK OF THE COURT: Prosecution document
23 No. 2772-J-1 will receive exhibit No. 2115.

24 (Whereupon, the document above re-
25 ferred to was marked prosecution's exhibit
No. 2115 and received in evidence.)

1 MAJOR DEPO: In this affidavit, the witness
2 describes the discovery of the body of her husband,
3 a civilian internee, dead as the result of tortures
4 at the Japanese Military Police Headquarters of
5 Saigon. I quote:

6 "I asked him what my husband died of. He
7 replied, 'Your husband had fever in the night. The
8 Commandant gave him an anti-malaria injection and he
9 slept. This morning he did not wake.' Then they led
10 me to see the body of my husband, it was on the
11 ground floor on a short stretcher covered with a cover-
12 ing in a repulsive condition. The body was covered
13 with bruises, the upper lip swollen and contused,
14 one eye quite shut, the other half open. They then
15 loaded the corpse into a military truck and asked me
16 where they had to take it. I told them the morgue of
17 the Grall Hospital. I got into the same vehicle,
18 accompanied by Capt. TOMONO and two Japanese inter-
19 preters. When we had reached Grall they asked Chief
20 Medical Officer Guedon to come and confirm the state of
21 the body and to have it put in a coffin as soon as
22 possible. The Japanese busied themselves with the
23 papers of the Civil Commission. Friends were for-
24 bidden to enter the morgue. When the blessing of the
25 body and the bestowal of it in the casket were finished

1 TOMONO made me sign a paper ordering me to say nothing
2 on the subject of the death of my husband and a receipt
3 for the sum of 100 Piastres from the Military Police.

4 "Next I went to the cemetery, always accompanied
5 by the Japanese Military Police."

6 Prosecution document No. 2772-E-1, affidavit
7 of Monnet, Jeanne, is offered for identification and
8 the marked excerpts offered in evidence.

9 THE PRESIDENT: Admitted on the usual terms.

10 CLERK OF THE COURT: Prosecution's document
11 No. 2772-E-1 will receive exhibit No. 2116 for identi-
12 fication only and the marked excerpts therefrom, bearing
13 the same document number, will receive exhibit No.
14 2116A.

15 (Whereupon, the document above re-
16 ferred to was marked prosecution's exhibit
17 No. 2116 for identification only, the excerpts
18 therefrom being marked prosecution's exhibit
19 No. 2116A and received in evidence.)

20 MAJOR DEPO: This document describes par-
21 ticularly the violation of the witness by two Japanese
22 officers. I quote:

23 "We slept in the servants' quarters; my sister
24 aged 13 and myself in the same room.

25 "Next day, 14 March, in the evening, about

1 10 o'clock two officers of Col SHIZUME's staff, a
2 major and a captain (I recognized them by what
3 followed) came into our room. While one held me, the
4 other took off my pajama trousers and abused me,
5 then, changing over their roles, I had to submit to
6 the other. It caused me a good deal of pain as I was
7 a virgin and I fainted. For this reason I cannot say
8 what was done to my sister."

9 THE PRESIDENT: We will adjourn now until
10 half past nine tomorrow morning.

11 ("hereupon, at 1600, an adjournment
12 was taken until Thursday, 16 January 1947, at
13 0930.)

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