

1401

NONITO TUBUNGBANWA, after having been duly sworn, testified at No. 99, I. de la Rama St., Iloilo City, Panay Island, on 2 November 1945, as follows:

Q State your name, age, address, nationality and occupation.

A Nonito Tubungbanwa, 27 years old, Santa Ysabel St., Jaro, Iloilo City, Filipino, occupation painter.

Q Do you expect to remain at your present address, or do you expect to move?

A Yes. I expect to remain at my present address.

Q We understand that you may know of atrocities committed by the Japanese MPs while they were in Panay. Will you kindly explain us your association with the Japanese at the time that the atrocities were committed?

A We were prisoners of the Japanese MPs in the Provincial Jail, Iloilo City, from July 5, 1943, until September 9, 1943. On September 9, 1943, we were lined up by Sgt. MANABE, the warden, and those physically fit were forced into service as "cargadors", to carry the equipment of the Japanese in a punitive expedition.

Q Will you kindly describe the details surrounding the atrocities of which you have knowledge?

A On the morning of September 10, 1943, we were loaded into trucks, together with the bundles that we were to carry. Each one of us was assigned a Japanese officer, whose equipment we were to carry. I was assigned to Lt. OTSUKA, who worked under Captain WATANABE. When we arrived at Passi, the Japanese sent out a patrol and brought back three Filipino civilians; two boys and one girl. After questioning these three all night, while they were tied to a stake, the next morning the entire group left, and the three victims were beheaded by a Japanese officer whose name I do not know. Following this, two of my companions were killed. They were cargadors and were killed because they could not carry their burden any longer. They were beheaded by Mess Sgt. HIRATA. We arrived at Barrio Lungao, and we saw that Japanese soldiers were already rounding up Filipino civilians. We saw that they were questioning these civilians; men, women, children and even old men. After questioning them, the Japanese soldiers and officers started killing all the civilians and throwing the bodies to the fire. The whole barrio was set afire. Farther on, we came to a place where three Chinese families were located. These Chinese, were later on separated and killed. At the next barrio, Salangan, the first group of Japanese soldiers had already caught a large number of civilians. When we left, they killed all the civilians, after getting information from them.

Q Up to this time, how many people would you say were killed?

A Around 150 persons.

Q Do you know who did the actual executions?

A Yes. I personally saw Captain WATANABE, W. O. SHIN, of the MPs and Mess Sgt. HIRATA, personally cut off the heads of the civilians, who were made to kneel, with their hands tied behind their backs.

Q Do you know the names of any other people killed?

A Yes. I know of one Chinese family, because they were from Jaro which is the place I live. Their name was UY CHIA.

Q Do you know the reason the Japanese gave for killing these people?

A The first question asked by the Japanese, was if there were any guerrillas around. The civilians answered negatively. The next question was if they had helped any Filipino soldiers passing by the town. When the civilians denied that they helped the Filipino soldiers, the Japanese killed them.

Q Did these punitive expeditions continue to kill civilians after this time?

A Yes. I was with them for 14 days, and I witnessed many killings. From Passi, we passed Mungao, Salngan, till we reached the Headquarters of the Filipino guerrillas in Barrio Jimomomua Nueva Invencion. I know of two families killed. One family was Captain Mariano LIM, 35 years of age, who was killed with his whole family. He was a guerrillero. His wife was about 33. He had 3 children, whose names I do not remember, about 14, 12 and 8. I personally saw SHIN behead this entire family. After this, there were not so many civilians killed, due to the fact that we were able to advise them in advance, as to how to answer the questions regarding guerrillas. We learned that if they admitted that they had helped the guerrillas, the Japanese believed that they were telling the truth and left them alone, and we told them to answer the Japanese questions in this manner.

Q Do you remember the names of any of the other that were on the punitive expedition, outside of WATANABE, HIRATA, and SHIN?

A Yes. Sergeant MATSUZAKI, who was tall, rather good-looking, who was assigned to another group. His distinguishing feature was a scar about 3 inches long on the left cheek. Also Lt. OTSUKA, who took part in the beheadings and tortures of the civilians during the entire trip. He was about 5 feet 10 inches tall, well built, about 170 pounds. Each time he spoke, his upper teeth were bared. He had a long, large, thick mustache which drooped down on both sides of his lips. He was fierce looking and was known as the "Butcher." He was directly under Captain WATANABE in the Iloilo High School Garrison.

Q Can you give us more details of the atrocities as they occurred?

A When we were about to leave Jimomomua, all the civilians were rounded up and asked personally one by one, by Capt. WATANABE, if they were any relation to the BALLEZA family. After all the civilians were questioned, about one-half of them told them that they were related to the BALLEZAS. The civilians thought that if they were relatives of the Ballezas, they would not be harmed, because the Ballezas were prominent people. After they were picked out, they were separated into two groups. The first group, headed by Balleza, were taken to one place, and the officers took the rifles from the soldiers, and shot all the civilians in the group. After killing the civilians, they threw the bodies to the fire. They burned the whole barrio. In one barrio, the Japanese officers were questioning one Filipino. W.O. SHIN personally questioned this man, interpreted by OGINO. While he was being questioned, this man bit the hand of OGINO and tried to escape. He was caught by the Japanese and tied by the feet. He was dragged in this way back to the place where he attempted to escape. When the soldiers arrived at the place, they hit the man in the head, rendering him unconscious. One officer went to the place where the civilians were placed. They took from the group one woman and her 6 children, ranging in ages from 1 to 12 years old. The 1 year old baby was still sucking from the mother. They took this woman with the children to the place where the man was lying,

and they asked her if the man was her husband. She said that he was not her husband. The children were then asked if the man was their father. The children, crying, said that he was not their father. They then took the woman back with her children, and took another girl. They asked the girl if that woman was the wife of the unconscious man. The girl was threatened, and she said that the man was the husband of that certain woman. After that, they went back and took the woman and her children to the place, and they took the baby away and smashed it against the road. The blood splattered on my clothes because I was about 5 meters from the scene of the atrocity. The officer that did this was Captain WATANABE. Meanwhile, other soldiers took hold of the children, holding them by the feet and using them as clubs, beating the man and woman with them until they were both unconscious. WATANABE and SHIN called the Japanese soldiers, and instructed them to bash the head of the man. They used the butts of their rifles to do this, and they destroyed the man's head. The man died and his body was thrown into the fire. When the woman regained consciousness, she was dragged together with her children, to the fire. When they were dragged, the children were dead. They were killed when they were used as clubs. When we were about to leave, they took from the group some civilians and took them to the foot of the hills. There they were made to kneel, and their heads were cut off. They were around 18 civilians, including three children. More than 650 civilians were killed during the 14 days I acted as "cargador." At another place, which I do not remember, two girls were caught with a Filipino guerrillero, and one of the girls was pregnant. In the evening, they were made to dance completely naked before the Japanese soldiers, as well as ourselves until they were exhausted. The next morning, I heard Captain WATANABE give the order for these girls to be killed, and I saw the soldiers take them to a place a short distance from where we were, and there they were bayoneted in the back and killed. After 14 days, I received permission from OTSUKA to return to Iloilo by motor launch from Ajuy, because I was unable to do any work due to swollen legs and sores all over my back. My life was spared, probably due to the fact that I spoke some Japanese and had on occasions acted as interpreter for them.

Q Do you know the names of any of the victims of these atrocities?
A No. I did not know them.

Q Do you have anything further to add to this statement?
A Yes. There are many other incidents of which I could tell you, but they are similar to the atrocities described above and I did not know the names of any of the people who were killed.

/s/ Nonito Tubungbanwa
NONITO TUBUNGBANWA

COMMONWEALTH OF THE PHILIPPINES)
CITY OF ILOILO) SS

I, NONITO TUBUNGBANWA, being duly sworn on oath, state that I have read and understood the foregoing transcription of my interrogation and all answers contained therein, consisting of 3 pages, are true to the best of my knowledge and belief.

/s/ Nonito Tubungbanwa
NONITO TUBUNGBANWA

Subscribed and sworn to before me this 2nd day of November 1945.

/s/ James R. Lynch
JAMES R. LYNCH, 2nd Lt., Inf.
01326712 Investigating Officer,
War Crimes Investigating Detachment

C E R T I F I C A T E

We, JAMES R. LYNCH, 2nd Lt., 01326712, Inf. and MARIANO A. YENKO JR., 1st Lt., O-22509, Inf. (PA), certify that on the 2nd day of November 1945, personally appeared before us NONITO TUBUNGBANWA, and gave the foregoing answers to the several questions set forth; that after his testimony had been transcribed, the said NONITO TUBUNGBANWA, read the same and affixed his signature thereto in our presence.

/s/ James R. Lynch
JAMES R. LYNCH, 2nd Lt., Inf.
01326712 Investigating Officer,
War Crimes Investigating Detachment

City of Iloilo

2 November, 1945

/s/ Mariano A. Yenke Jr.
MARIANO A. YENKO JR., 1st Lt., Inf.
(PA) O-22509 Investigating Officer
War Crimes Investigating Detachment

C E R T I F I C A T E

I, Alva C. Carpenter, Chief, Legal Section,
General Headquarters, Supreme Commander for the
Allied Powers, do hereby certify that the attached
photostatic copy of the affidavit of NONITO TUBUNGBANWA
is a true and correct reproduction of the original
affidavit; and that a signed and sworn copy of
said affidavit is presently on file with this
Section.

/s/ Alva C. Carpenter
Alva C. Carpenter,
Chief, Legal Section.

Witness: /s/ John R. Pritchard

Sworn to before me this 29th day
of October, 1946, Tokyo, Japan.

/s/ John R. Pritchard
Captain, Infantry
Summary Court

CAYETANO NARRA, after having been duly sworn, testified at Ajuy, Iloilo Province, Panay, P. I., on 26 November 1945, as follows:

Q Please state your name, age, nationality and present address.

A Cayetano NARRA; 38 years old; Filipino; Soledad Street, Ajuy, Iloilo, Panay.

Q Do you expect to remain at your present address?

A Yes.

Q What were your activities during the Japanese occupation?

A I was engaged in farming until I was apprehended on September 18th, 1943, by the Japanese forces under the command of Col. WATANABE conducting a punitive expedition at Sitio Batocinsay, Barrio Progreso, Ajuy, Iloilo.

Q Have you been a victim of any atrocity committed by the Japanese forces at any time during that punitive expedition?

A Yes. I was apprehended by the Japanese on September 18th, 1943, at Barrio Gobatan. At that time I was questioned and beaten up by two Japanese soldiers; one was questioning me while the other beat me all around the body with a thick piece of wood. I was then taken to the Command Post of Colonel WATANABE who proceeded to question me personally regarding guerrilla activities. As soon as I made an answer, Colonel WATANABE struck me in the face with his fist, knocking me down. After this I was returned to the Japanese soldiers who started to kick, slap and beat me until I fell to the ground.

Q How do you know that it was Colonel WATANABE who hit you?

A On the way to his Command Post, a Filipino spy by the name of Francisco MAGALONA, told me, "better tell Colonel WATANABE the truth and save yourself from further punishment."

Q Would you be able to recognize Col. WATANABE?

A Certainly. I can identify him the moment I see him.

Q Did you ever have occasion to witness any Japanese atrocities during this punitive expedition?

A Yes. On September 18th, 1943, immediately prior to my arrest at Barrio Gobatan, I personally witnessed the killing of six Filipino civilians, among them, my own father, Leonardo NARRA, 55 years old. The names of the others killed were: Jose ARTICORA, 45; Julian PERANTE, 45; Federico PERANTE, 39; and two whose nicknames is all I know; ANOY, 40; and INCO, 55. Four of them, including my father, were beheaded; the other two were bayoneted to death. I saw this from a distance of about 5 meters.

Q How many Japanese soldiers were responsible for this atrocity and what were their names?

A There were five Japanese soldiers, but I do not know their names, neither can I describe them now.

Q Did you personally witness any other atrocity after the one you just mentioned?

A Yes. On this same day, and in the same barrio, I saw two other Filipino civilians killed by the same group of Japanese soldiers. They were Aurelio ARTACHO, 38 years old, and Lucas DOCTOLERO, 40. The former was chopped in the neck with a sword and thrown into a house which later on was set afire by the Japanese. The latter was crucified to the ground with three six-inch nails; one on each wrist, and the third driven thru the base of his skull. I was standing only two meters from where this occurred.

Q Did you witness any other atrocity?

A Yes. That same afternoon at about two P.M., just upon our arrival at Barrio Batoinsay, I personally witnessed the killing of two Filipino male civilians and one woman. Colonel WATANABE conducted a personal investigation of the woman regarding the whereabouts of her husband. She answered that her husband had died before the outbreak of the war. Not satisfied with the answer, Colonel WATANABE made her squat on the ground and ordered one of his men to behead her. The woman was instantly killed. The two Filipino men were bayoneted to death by other Japanese soldiers upon orders of Colonel WATANABE. I was an eye witness to all this.

Q Do you know the names of these three victims?

A The name of the woman was Nening NAVARRO, 38 years old. I do not know the names of the two men.

Q Do you know the names of the Japanese soldiers who killed these three people?

A No.

Q Do you remember what they looked like?

A No. I have forgotten their features.

Q What happened after this?

A At about 3 P.M. of the same afternoon, eight more male civilians were apprehended, and at 4 P.M. three women were captured. The next morning, September 19th, these victims were taken one by one into a nearby nipa shack which had no walls. I could see all that happened because I was right underneath this same house. Some of them were beheaded and some were bayoneted to death by the same group of Japanese responsible for the other atrocities I have mentioned. The victims of this atrocity, whose names I know were: Cresencio TUPAZ, 19; JUAN (KIKI), 55; Jose VILLAMOR, 22; Teodonico VILLAMOR 15; Felix ARIEGO, 35; Alberto NARTE, 25; Milagras TUPAS, 17; Magdalena CARRILLO, 20; Natividad MARITSADO, 27; and Bonifacio TUPAZ, 35.

Q What happened after that?

A From Barrio Batoinsay, we went to Ajuy, then proceeded to Barrio Gaun where I witnessed the killing of another Filipino civilian, Elias del COSTILLA, 55 years old. I saw this from a distance of 20 meters. He was beheaded by one of Colonel WATANABE's men. This happened on or about September 20, 1943.

Q Would you recognize the Japanese who perpetrated these atrocities?

A No. Neither do I know their names.

Q Do you have anything further to add to this statement?

A No.

/s/ Cayetano Narra
CAYETANO NARRA

COMMONWEALTH OF THE PHILIPPINES)
ILOILO PROVINCE,) SS
TOWN OF AJUY, PANAY, P.I.)

I, Cayetano NARRA, being duly sworn on oath, state that I had read to me and understood the translation of the foregoing transcription of my interrogation and all answers contained therein, consisting of three (3) pages, are true to the best of my knowledge and belief.

/s/ Cayetano Narra
CAYETANO NARRA

Subscribed and sworn to before me this 5th day of December 1945.

/s/ Mariano A. Yenko, Jr. 1st Lt.
Inf.
MARIANO A. YENKO JR. 1st Lt. Inf. (O-22509, Investigating Officer,
War Crimes Investigating Det.

COMMONWEALTH OF THE PHILIPPINES)
ILOILO PROVINCE,) SS
TOWN OF AJUY, PANAY, P.I.)

I, HUNFREDO L. GESTOSO, Capt. Inf. (PA), O-36093, 6th Repl. Bn. (PA), being duly sworn on oath, state that I truly translated the questions and answers given from English respectively, and that after being transcribed I truly translated the foregoing deposition containing three (3) pages to the witness, that the witness thereupon in my presence affixed his signature thereto.

/s/ Hunfredo L. Gestoso
HUNFREDO L. GESTOSO

C-E-R-T-I-F-I-C-A-T-E

We, MARIANO A. YENKO JR. 1st Lt. Inf. (PA), O-22509, and FRANCIS C. LUND, 2nd Lt. FA. O-1186157, Investigating Officers, War Crimes Investigating Det., certify that on 26 November 1945, personally appeared before us CAYETANO NARRA and according to HUNFREDO L. GESTOSO gave the foregoing answers to the several questions set forth therein; that after his testimony had been transcribed the said CAYETANO NARRA had read to him by the said interpreter the same and affixed his signature thereto in our presence.

ILOILO PROVINCE
TOWN OF AJUY
PANAY, P.I.

/s/ Mariano A. Yenke Jr. 1st Lt. Inf.
MARIANO A. YENKO JR. 1st Lt. Inf. (PA)
O-22509, Investigating Officer,
War Crimes Investigating Det.

5 December 1945

/s/ Francis C. Lund, 2nd Lt. F.A.
FRANCIS C. LUND, 2nd Lt. F.A.
O-1186157, Investigating Officer,
War Crimes Investigating Det.

C E R T I F I C A T E

I, Alva C. Carpenter, Chief, Legal Section,
General Headquarters, Supreme Commander for the
Allied Powers, do hereby certify that the attached
photostatic copy of the affidavit of CAYETANO NARRA
is a true and correct reproduction of the original
affidavit; and that a signed and sworn copy of said
affidavit is presently on file with this Section.

/s/ Alva C. Carpenter
Alva C. Carpenter,
Chief, Legal Section.

Witness: /s/ John R. Pritchard

Sworn to before me this 29th
day of October, 1946, Tokyo, Japan.

/s/ John R. Pritchard
Captain, Infantry
Summary Court

LORENZO POLITO, being duly sworn, testified at Inopacan, Leyte, P. I., on 10 January 1946, as follows:

Q State your full name, age, nationality, occupation and home address.

A LORENZO POLITO, 18 years old, Filipino, student, and a resident of Inopacan, Leyte, P. I.

Q Tell all that you saw when you were picked to accompany the Japanese patrol in the vicinity of Inopacan, Leyte.

A On or about 6 March 1944 at the compulsory morning exercises which civilians were forced to attend by the Japanese garrison at Inopacan, Anono Alporque Dedace, Gil Picon and myself were selected by the Japanese to carry their provisions on a mopping up patrol. The members of the patrol were from the Japanese garrison at Tacloban; therefore I do not know the names of the officers, non-commissioned officers or soldiers in the patrol. About eight o'clock in the morning, right after breakfast, the patrol left Inopacan and proceeded thru the surrounding barrios. About four o'clock in the afternoon of the same day, we came through the sitio of Ginabay, Barrio of Morao, Town of Inopacan. The sitio had been vacated by the people except for a woman, Anatalia Matinao, and her newly born child; a man, Santiago Humok about 70 years old, and two small children whose names I do not know, all of whom were found by the Japanese soldiers when they searched the houses in the sitio. They tied the hands of these five prisoners behind their backs and tied them to separate posts in a nipa house. Then the house was set afire by the Japanese and these prisoners were burned alive. After the house was set afire and was burning, the patrol left the area. It was now night and the patrol proceeded to Ginabay and from Ginabay they proceeded along the river to Daugdog. Between these two sitios, the patrol caught a boy about seventeen years old whose name I do not know, and bayoneted him. The second day of the patrol, we reached Canangay, at about two o'clock in the afternoon. A young woman, Eufresina Payot, about 24 years old, was caught hiding in the grass. The officer in charge of the entire patrol tore off her clothes, while two soldiers held her. He then had her taken to a small nipa hut, without walls, about fifteen feet away from where she was caught and there the officer in charge of the patrol used his sabre to cut her breasts and womb. Soldiers held her while the officer did this. At first, the girl was screaming. She finally lay still and silent. The Japanese then set fire to the nipa hut. When the girl was caught and her clothes were torn off by the officer, I was about a hundred meters away. The nipa hut they took her to was only about eighty or eighty-five meters away from where I stood. I had a clear unobstructed view of all this because there was nothing between myself and the place where she was caught and the hut in which she was mutilated and killed. These were the only killings I saw on the patrol, which lasted a week in all before we got back to Inopacan.

Q Can you describe or name any of the Japanese in the patrol?

A I do not recall their names, but the officer in charge of the patrol had a scar on his breast which was horse-shoe shaped. The scar ran from shoulder to shoulder and down below the collar bones. I could see this scar because the officer would take his shirt off when he was hot. He was about 35 years old; about 5'8" tall; slender build; erect; straight legged; head was shaved; no moustache, no glasses; a yellowish complexion, slanted eyes; no missing or gold teeth. I did not notice any scars or amputations on him. He wore a kakhi uniform with cloth leggings; a cloth cap with neck protectors; he was armed with a sword and a pistol.

Q Do you have anything further to add to this statement?
A No.

/s/ Lorenzo Polito
LORENZO POLITO

COMMONWEALTH OF THE PHILIPPINES)
PROVINCE OF LEYTE) SS
TOWN OF INOPACAN)

I, LORENZO POLITO, being duly sworn on oath, state that I have read and understood the foregoing transcription of my interrogation and all answers contained therein, consisting of two (2) pages, are true to the best of my knowledge and belief.

/s/ Lorenzo Polito
LORENZO POLITO

Subscribed and sworn to before me this 10th day of
January, 1946.

/s/ William M. Moorhead
WILLIAM M. MOORHEAD, 2d Lt, Or
Investigating Officer, War Crimes
Investigating Detachment.

C E R T I F I C A T E

We, WILLIAM M. MOORHEAD, 2d Lt, 01559953, Ord, and GUILLERMO J. REYES, 2d Lt, F-45814, Inf, certify that on 10th day of January, 1946, personally appeared before us LORENZO POLITO, and gave the foregoing answers to the several questions set forth; that after his testimony had been transcribed, the said LORENZO POLITO read the same affixed his signature thereto in our presence.

Inopacan, Leyte, P. I. /s/ William M. Moorhead
WILLIAM M. MOORHEAD, 2d Lt, Ord
Investigating Officer, War Crimes
Investigating Detachment.

10 January 1946 /s/ Guillermo J. Reyes
GUILLERMO J. REYES, 2nd Lt, In:
Investigating Officer, War
Crimes Investigating Detachmen

CERTIFIED TRUE COPY:

/s/ William M. Moorhead
WILLIAM M. MOORHEAD, 2d Lt, Ord.

C E R T I F I C A T E

I, Alva C. Carpenter, Chief, Legal Section,
General Headquarters, Supreme Commander for the
Allied Powers, do hereby certify that the attached
photostatic copy of the affidavit of LORENZO POLITO
is a true and correct reproduction of the original
affidavit which was taken at Inopacan, Leyte, P. I.
and subsequently accidentally destroyed. This
true copy was made from the shorthand notes by
the reporter.

/s/ Alva C. Carpenter
Alva C. Carpenter,
Chief, Legal Section.

Witness: /s/ John R. Pritchard

Sworn to before me this 29th

day of October 1946, Tokyo, Japan.

/s/ John R. Pritchard
Captain, Infantry
Summary Court

124.04

RADIAMODA, (Moro), after having been duly sworn, testified at the Municipal Building, Dansalan City, Lanao, Mindanao, Philippines, on 5 February 1946, as follows:

Q Please state your name, age, civil status, permanent address, religion, and nationality.

A RADIAMODA, 35 years old, married, resident of Barrio Rayah, Municipal District of WATO, Lanao Province, Mindanao, P. I., Mohammedan, and a Filipino.

Q Do you intend to change your address and if so, will you please give us the names and addresses of the persons who would likely know your future whereabouts?

A I do not intend to change my address as that is my home.

Q What was your occupation in 1942 and what is now your present occupation?

A In 1942 I was a farmer while presently I am a merchant.

Q Do you know of anything unusual that happened in the year 1942 in Barrio Rayah, Municipal District of WATO, Lanao Province, Mindanao, Philippines?

A Yes, sir.

Q Will you please state in your own words just what happened indicating as accurate as possible the details of the incident if any, the date when it occurred and the perpetrators if any, as well as the victims?

A It was one early dawn in August 1942 when some Japanese soldiers from the garrison stationed at Dansalan City, Lanao, about hundred of them and under the command of four Japanese officers, one of whom was Captain NAKAMURA (FNU) raided our barrio (Rayah). Our barrio had a population of about 2,500. We were taken by surprise. When the Japanese arrived they immediately began bayoneting the people including those whom they found fishing in the lake. After a while they burned the barrio, completely razing down to the ground about eight houses. It was only when the houses were set on fire that the population came to know just what was happening. In the commotion that ensued some four Japanese soldiers were killed. The Japanese kept on firing and bayoneting the people and they had completely gained control of the barrio, they took me and three others as prisoners. They brought us with them to their garrison at Dansalan, Lanao, where Col. TANAKA questioned us about the whereabouts of the alleged rifles and other arms supposedly being kept by us in our barrio. To this I answered that there are no rifles or arms in our barrio for if there were any either they should have been used by the people against the Japanese during the raid or that they should have been captured and taken by the Japanese after the raid. They, however, did not maltreat us, during our stay of one day in the garrison in the course of their questioning. We were finally released on the guarantee of our then Municipal Mayor appointed by the Japanese by the name of MORO SOMACOP. I understand that our release was also expedited by the quarrel that ensued between a certain Captain TAKEUCHI who initially opposed the staging of the raid in our barrio, and Captain NAKAMURA. I was present during the whole raid and all in all there were 24 Moros killed and about ten were wounded. Most of those killed died of bayonet wounds on the stomach with their intestines bulging towards the ground, while others died from gunshot wounds on the head and heart.

- Q Could you please give us the names and ages of the victims of this atrocity?
- A Yes, sir. After the incident we kept a record of the names and ages of those that were killed as far as they could then be identified. Those that were wounded we do not keep the record of their names. The following Moros were killed: MAKALANDONG, Male, over 60 years old, married; DANGKOGAN, Male, 35 years old, married; RATABAN, Male, 40 years old, married; SUMAGINA, Male, 45 years old, married; AKAR, Male, 28 years old, married; OLAAN, Female, over 60 years old, widow; DIGAYAN, Male, 50 years old, married; OMANTA, Female, wife of Digayan, 42 years old; DATU MANGODOH, Male, 55 years old, married; MACAONDAS, Male, 39 years old, widower; MOLIIN, Female, 25 years old, widow; BENSAKAN, Female, 28 years old, widow; PALAW, Male, 60 years old, married; BANTOC, Female, 48 years old, widow; PANDCOOPAN, Female, 30 years old, single; SALILANGAN, Female, 32 years old, single; her sister, NAPUYONG, Female, 30 years old, single; PANAW, female, 49 years old, widow; MAKAAANDAL, Male, 27 years old, single; and MAKAPUDI, Male, 46 years old, married. All of these victims are residents of barrio Rayah, Municipal District of Wato, Lanao Province, Mindanao, Philippines. The other four could not be identified then.
- Q Who were the three others you mentioned that were taken prisoners by the Japanese together with you?
- A They were RIMBANG, male, 39 years old, married; TOGAYA, male, 35 years old, married; and MANGONDATU, male, 36 years old, married; all Moros and residents of Rayah Wato, Lanao, Mindanao, Philippines.
- Q Could you please describe to us this Captain NAKAMURA you mentioned as the leader of the Japanese party that committed this atrocity?
- A Yes, sir. He was tall, stout and handsome. He had no mustache, had two gold teeth on his left and right incisors, well shaved head.
- Q Anything else you could tell us about this atrocity?
- A Nothing else.

/s/ Radiamoda
RADIAMODA

COMMONWEALTH OF THE PHILIPPINES)
PROVINCE OF LANAOS) SS
CITY OF DARSALAN)

I, RADIAMODA, being duly sworn on oath, state that I had read to me and understood the foregoing transcription of my interrogation and all answers contained therein, consisting of two (2) pages, are true to the best of my knowledge and belief

/s/ Radiamoda
RADIAMODA

Subscribed and sworn to before me this 5th day of February 1946.

/s/ JUAN F. ECHIVERRI
JUAN F. ECHIVERRI, 2d Lt., Inf. F
Investigating Officer, War Crime
Investigating Detachment

COMMONWEALTH OF THE PHILIPPINES)
PROVINCE OF LANAOS) SS
CITY OF DANSALAN)

I, ADOC BAGUMBARAN, residing at Dansalan City, Lanao, Mindanao, Philippines, being duly sworn on oath, state that I truly translated the questions and answers given from English to Maranaw and from Maranaw to English respectively, and that after being transcribed, I truly translated the foregoing deposition containing two (2) pages, to the witness; that the witness thereupon in my presence affixed his signature thereto.

/s/ ADOC BAGUMBARAN
ADOC BAGUMBARAN

Subscribed and sworn to before me this 5th day of February, 1946.

/s/ Juan F. Echiverri
JUAN F. ECHIVERRI, 2d Lt., Inf. (PA)
Investigating Officer, War Crimes
Investigating Detachment

C E R T I F I C A T E

WE, JUAN F. ECHIVERRI, 2d Lt., O-32720, Inf., (PA), and HERBERT L. MYERS, 2d Lt., O1334002, Inf., certify that on 5th day of February, 1946 personally appeared before us RADIAMOND and according to ADOC BAGUMBARAN, gave the foregoing answers to the several questions set forth therein; that after his testimony had been transcribed, the said RADIAMONDA had read to him by the said interpreter the same and affixed his signature thereto in our presence.

Dansalan City, Lanao
Mindanao, Philippines.

/s/ Juan F. Echiverri
JUAN F. ECHIVERRI, 2d Lt., Inf. (PA)
Investigating Officer, War Crimes
Investigating Detachment

5th February 1946

/s/ Herbert L. Myers
HERBERT L. MYERS, 2d Lt., Inf.,
Investigating Officer, War Crime
Investigating Detachment

C E R T I F I C A T E

I, Alva C. Carpenter, Chief, Legal Section,
General Headquarters, Supreme Commander for the
Allied Powers, do hereby certify that the attached
photostatic copy of the affidavit of RADIAMODA (Moro)
is a true and correct reproduction of the original
affidavit; and that a signed and sworn copy of
said affidavit is presently on file with this
Section.

/s/ Alva C. Carpenter
Alva C. Carpenter,
Chief, Legal Section.

Witness: /s/ John R. Pritchard

Sworn to before me this 29th

day of October 1946, Tokyo, Japan.

/s/ John R. Pritchard
Captain, Infantry
Summary Court

1405

GENERAL HEADQUARTERS
UNITED STATES ARMY FORCES, PACIFIC
WAR CRIMES BRANCH

7 March 1946

MEMORANDUM TO: Prosecution Section (Report No. 233)

THRU : Executive Officer, War Crimes Branch

SUBJECT : Davao Penal Colony and Davao City Civilian Internment Camp.

* * *

II. SUMMARY OF EVIDENCE:

a. The Davao Penal Colony, in Davao, Mindanao, P.I., was operated by the Commonwealth Government as an insular penitentiary. The evidence is conflicting as to when the Japanese took over the Colony, but it appears that it was first occupied by a unit of the Japanese Navy under the command of Captain YAMADA sometime in January 1942 (R 73, 79, 87), and then elements of the army under Major MAEDA, Kazuo, took it over sometime in February (R 87) or September (R 74) 1942. When the Japanese occupied the Colony, they took full control of the entire camp including about one thousand civilian evacuees (R 87), about five hundred insular prisoners, and an unknown number of guerrilla detainees in the area (R 88). There is no evidence as to when the Japanese began to operate the Colony as a prisoner of war camp, but in October 1942, a large group of Japanese soldiers arrived with American military prisoners (R 74). Most of the Americans came from prisoner of war camps in Malaybalay, Bukidnon, Mindanao, P. I., and Cabanatuan, Nueva Ecija, Luzon, P. I. Between October 1942 and June 1944, there were from two thousand to two thousand two hundred American prisoners of war in the camp (R 57, 64, 79, 151). This number gradually decreased due to deaths, escapes and transfers. On 14 March 1944, over five hundred guerrilla prisoners were also brought to the Davao Penal Colony (R 67). The Filipino civilian evacuees were housed in the Guards' and Employees' Quarters (R 73), the insular prisoners, in the warehouse (R 88), and the American prisoners, in the barracks and in the compound formerly occupied by the insular prisoners (R 78, 88, Ex 2, 3).

From the time the Japanese army took over the Davao Penal Colony until 10 April 1944, MAEDA, Kazuo, was the commanding officer of the camp (R 3, 21, 27, 31, 35, 40, 49, 55, 74, 87, 129, 133). He was succeeded by TAKASAKI, Iku, who remained commanding officer of the camp until June 1944 (R 133). Thereafter the camp was placed under the control of Captain KUNNO's, Jiro, unit (R 83), the HAYASHI Unit, the SAKAMOTO Unit, and the Field Depot Company under Captain UYEMURA until finally evacuated in September 1944 (R 84).

During the first three months, food in the camp was satisfactory (R 10, 31). However, throughout the entire period from March 1943 to September 1944, food furnished the prisoners of war was inadequate, consisting of from three hundred to

five hundred and fifty grams of rice per day, weed ("kangkong"), soup, and camotes, improperly prepared. For want of proper and adequate food, one-third of the more than two thousand prisoners were at all times suffering from beri-beri, scurvy, pellagra, and various other skin diseases. About seventy-five prisoners actually died of starvation or malnutrition (R 67). Inadequate feeding of the prisoners was not due to lack of food for there was plenty which was merely allowed to rot, some of which were raised by the prisoners themselves (R 10, 12, 31, 37, 38, 39, 50, 57, 64, 67, 71, 74, 75, 76, 105, 109).

No medical supplies were issued to the prisoners until some were received from the Red Cross. Little or no medical care was provided (R 2, 12, 75, 89, 90). No clothing was issued and most of the time the prisoners wore nothing but G-strings (R 68, 74, 75, 94, 100, 108). They were not even allowed to wear shoes received from the Red Cross (R 33), and many of the Red Cross packages were not distributed to the prisoners (R 89).

Housing accommodations were inadequate. One hundred fifty to two hundred prisoners being housed in quarters intended for only fifty to sixty men (R 39, 50, 64, 148). The buildings were infested with bedbugs, lice and rats (R 39).

There is no evidence concerning the sanitary facilities in the camp except the statement of the Japanese medical officer, YOSHIMURA, Osamu, to the effect that there were two latrines which could accommodate forty men each located fifty meters from the barracks (R 148).

Prisoners were forced, over their protests, to construct airfields (R 4, 45, 46, 105, 108, 149).

Collective punishment of prisoners was frequently resorted to for individual infraction of rules. For the escape of ten prisoners, all the prisoners were transferred to a detention compound, their food rations cut in half for several weeks and they were forced to perform hard labor (R 3, 39, 40, 50, 52, 55, 104); the entire camp went without food for three whole days because one prisoner escaped (R 12); six hundred fifty prisoners were forced to line up, nude, and the penis of each burned with lighted cigarettes because two tin shears were discovered in the barracks (R 32); fifteen men on a basket-making detail were punished, forced to sit upright at attention and beaten for the misdeed of one (R 57); and eight men were placed in the guardhouse for two weeks, tortured and beaten because seven prisoners escaped (R 62).

For flimsy reasons or none at all, prisoners were confined in the guardhouse for long periods or otherwise punished without trial (R 4, 23, 24, 27, 32, 38, 39, 50, 57, 59, 62, 64, 66, 67, 69, 75, 89, 91, 93, 94, 95, 104).

There were innumerable beatings (R 27) by fists (R 34, 66), rifles (R 21, 38, 66, 75, 89), bayonets (R 21), revolvers (R 24), sabers (R 34), bamboo poles (R 21, 66), sticks (R 38), clubs (R 88), rubber shoes (R 10), shovels (R 94), kicking (R 68), and slapping (R 89).

Aside from beatings, prisoners were tortured in several different inhuman ways: kept in a kneeling position for periods extending to three days (R 12, 62); forced to kneel

on cinders and rocks, with arms extended, and to carry boards and bricks with the body leaning backwards so that the entire weight would fall to the rear (R 27); compelled to stand or kneel in water or warm tea while live electric wires were applied to the body (R 57, 59, 104); tied to a barbed-wire fence with arms outstretched while burning boards or sticks were applied to his body or face (R 69). Prisoners were forced to hit each other until they bled (R 94).

American prisoners of war were used as targets in bayonet practice resulting in death or serious injury to many (R 71).

During bombing raids, prisoners were not allowed to seek shelter, thus exposing them to bombings and gunfire (R 69).

Prisoners were forced to work from ten to fourteen hours a day (R 10, 108).

Filipino civilians and insular prisoners were also subjected to these tortures. Personal belongings, food and utensils of the civilians were confiscated. They were slapped, kicked and beaten (R 74). Insular prisoners were clubbed, kicked, slapped, shot, bayoneted, tortured, exposed to bombings, starved, divested of money, clothes and other personal belongings, denied medical aid and forced to perform hard labor in quarries, airdromes and other military projects for long hours (R 68, 69, 70, 89, 93, 94, 96).

b. Also included in the record is evidence of atrocities committed by the Japanese at the American civilian internment camp in Davao City during the period from 20 December 1941 to 25 December 1943 (R 112-128). On 20 December 1941, the Japanese found the American residents of Davao City in the Davao Club Building where they had previously congregated in anticipation of the coming of the Japanese (R 113). Another American resident, who was apprehended on his way from a convent to his hotel and who was previously detained in prison in the Davao constabulary barracks after having been beaten and looted of his money, watch and other personal belongings, was brought to the Davao Club Building, bringing the total number of internees to thirteen (R 122, 123, 124, 126). These internees were moved from one building to another until finally, in August 1942, they were quartered in a dance hall at the outskirts of the city. The number of internees grew to two hundred and fifty-four (R 113). On 21 August 1942, two hundred and eighty other American civilians from Zamboanga arrived in Davao City and were interned in the same dance hall (R 119). This dance hall was a one-story building, about sixty feet long and thirty feet wide, which had only one room where the internees were placed without regard to sex or age. It had neither furniture nor beds and the internees slept on the wooden floor which was wet most of the time because the roof leaked, and it rained almost every day. There was only a few feet of yard space where the internees dug a trench for cooking their food and two latrines, one for women and the other for men. The internees had to buy their own food because no food was furnished by the Japanese. Their diet consisted only of a small amount of rice and grass soup, and four internees died of malnutrition. They were not given medical supplies nor medical treatment. The Japanese guards constantly beat and mistreated the internees (R 119). On 25 December 1943, the internees were shipped to Manila (R 113, 118, 122).

* * *

1406
GENERAL HEADQUARTERS
UNITED STATES ARMY FORCES, PACIFIC
WAR CRIMES BRANCH

18 January 1946

MEMORANDUM TO: Prosecution Section (Report No. 166)

THRU: Executive Officer, War Crimes Branch

SUBJECT: Murder of approximately eighty-nine Filipino citizens near Tugbok, Davao City, Mindanao, P.I., on 14 May 1945.

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II. SUMMARY OF EVIDENCE:

On 11 May 1945, Japanese soldiers rounded up approximately one hundred men, women, and children residents of Tugbok, and, under the guise of taking them to a place of safety, took them to Balingain. Additional people were added to the group until a total of approximately two hundred were at Balingain. On the morning of 14 May 1945, they were divided into two groups, forty in one and one hundred sixty in the other. Suddenly the Japanese who were guarding the smaller group began shooting them. Then the other group was fired upon by their guards. Some of the people were able to run away and escape (R 1, 5, 9). The following afternoon, three of those who escaped returned to the scene of the massacre and counted the bodies of eighty-nine people (R 2, 10). Twenty-two of them were recognized. They also found a fourteen year old girl, who was wounded by a bullet and bayonet thrusts, but she survived. (R 2, 5). It is not known why these people were killed. They were not given a trial (R 10).

On 2 January 1942, a group of fifty Filipinos were gathered together by Japanese soldiers in Barrio Lizada, Toril, Davao. One of the Filipinos named Felino MONTANTE was tied, bayoneted in the face, slapped and kicked until he could hardly stand. He was then led to a nearby bridge by three Japanese. A shot was heard and some other Japanese ran to the bridge and looked over into the water (R 12). In the afternoon, MONTANTE's body was seen in the river with a bullet hole in the back (R 14). MONTANTE was suspected of working against the Japanese (R 12).

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1407

MIGUEL ESTIMADA, after having been duly sworn, testified at the War Crimes Office, Davao City, Davao, P. I., on 17 November 1945, as follows:

1. Q. Please state your full name, age, address and nationality.
A Miguel ESTIMADA, 20 years old, Bahada, Davao City, Davao, and Filipino.

2. Q What is your occupation?
A I am helping at present my brother on his farm.

3. Q Explain everything in detail what happened to you and your family during the time of the Japanese occupation.
A When the American planes began to bomb Davao City in September 1944, the Japanese appeared to be very friendly. I often used to go to their camp which was near my house and exchange bananas and other fruits for Japanese cigarettes.

About May 2, 1945, ten Japanese officers with a group of Japanese soldiers came to our house in Bacaca, Davao City. I can only remember six of them. They are Captain SHIMAMURA, MASAO, OIDE, HIROSHI, MOSUKAWA and MORI.

These Japanese gathered the people from all the neighboring houses and said that due to the American bombings they will take them to Lapoy for protection. After all the people were gathered together the Japanese marched us to their camp and from there to an air raid shelter which was located about one-half kilometer west of my house.

I saw here thirty-four people in all which was made up of twenty-two men and twelve women. It was about 5:30 o'clock in the afternoon when the Japanese made us go into the air raid shelter. Ten Japanese soldiers guarded the shelter. I recognized four of them. They were MOSUKAWA, HIROSHI, OIDE and MORI.

I remember that MOSUKAWA came into the air raid shelter and dragged out Encarnacion LINES, about 17 years of age, and the Japanese soldiers held her outside on the front of the air raid shelter.

MOSUKAWA came back again and pulled out a girl named Pilar, I do not remember her last name. She was about 21 years of age. She was taken up the ladder of the air raid shelter and forced her to go somewhere from the air raid shelter with some Japanese soldiers. I do not know where they took her.

MOSUKAWA then came back to the platform in front of the air raid shelter and grabbed Encarnacion LINES from the soldiers who were holding her and tore off her dress and all the clothes that she wore until she was completely naked. Encarnacion was shouting and crying and tried to fight but the other three soldiers grabbed her and held her down on the ground. They placed her down on her back and two soldiers held her feet and another soldier held her arms. The names of those soldiers were Private MORI, Private HIROSHI and Private OIDE.

I then saw MOSUKAWA removed his pants and laid on top of Encarnacion LINES. He remained there about five minutes. I saw his body moving up and down and doing "pompom" (sexual intercourse) When he was finished he put on his pants and walked away.

Next, Private HIROSHI took off his pants and did the same thing while the other two soldiers held the feet of Encarnacion and

the other soldier, her arms. After that the Japanese soldiers, MORI and OIDE, did the same thing. People in the air raid shelter were crying because of how they saw these soldiers rape Encarnacion LINES.

MOSUKAWA later returned, a short time after the soldiers had raped Encarnacion LINES, and carried her completely naked into the air raid shelter. My brother, Donato had a towel around his neck which he gave to Encarnacion to cover her body. A few minutes later, Pilar was brought back into the shelter. I saw that her dress was also torn off. She was crying and told her mother that the three Japanese who took her away had abused her and raped her. MOSUKAWA then gave some water and biscuits to the two girls who were raped.

All the people and myself were very thirsty but the Japanese did not give us any water or food. It was very hot in the air raid shelter. MOSUKAWA then told the people in the air raid shelter, after the girls were brought in, that all will be killed by hand grenades and that nobody will be able to leave the air raid shelter. The Japanese soldiers surrounded the entrance with their rifles with fixed bayonets and will kill anybody who tried to leave the air raid shelter.

Around 10:00 o'clock in the night, I was able to see Capts. SHIMAMURA and MASAO standing on the platform leading to the entrance of the air raid shelter. Although it was dark I was able to see them because of the reflection from the electric light which we had inside the air raid shelter. SHIMAMURA and MASAO were talking in Japanese for a few minutes. Then MOSUKAWA came down the stairs to the entrance of the air raid shelter while SHIMAMURA and MASAO walked away.

MOSUKAWA took out a hand grenade from his side pocket, tapped it against his helmet and threw it into the air raid shelter. In quick succession he threw about six or seven hand grenades into the shelter. Suddenly, the hand grenades exploded among us and the people began to scream, shout, and cry. Shrapnels hit my two hands. Those few who were able to move could not go outside the shelter because the Japanese soldiers were still there with fixed bayonets. When the people inside the air raid shelter stopped shouting, screaming, crying and moaning, the Japanese soldiers placed pieces of wood and iron roofing to block the entrance of the air raid shelter. It became very dark inside but I could still hear a few voices of some people.

The next morning, when it was daylight MASAO and SHIMAMURA returned to the air raid shelter and removed the wood and iron roofing from the entrance and looked inside. When MASAO saw Catalina BUTAY still alive he chopped off her head with his saber. SHIMAMURA saw me still alive, so he took his pistol and shot me and the bullet hit my left leg. Then he struck me twice on my upper right leg with his saber.

I can only remember a few names of the victims, all of them were Filipinos from Bacaca. The names who I remember are:

NAME	AGE	SEX	RELATION
Donato ESTIMADA	24	M	My brother
Marcelino ESTIMADA	28	M	My brother
Catalina BUTAY	35	F	No relation
Numeriano DEL ROSARIO	29	M	No relation

NAME	AGE	SEX	RELATION
Pilar REGONA	21	F	No relation, neighbor
Encarnacion LINES	17	F	Sister-in-law of my brother, Donato
Jesusa LINES	18	F	My sister-in-law, wife of my brother, Donato
Domingo ESTIMADA	2	M	Son of my brother, Donato
Goria LINES	23	F	Sister-in-law of my brother, Donato
Pascual REGONA	24	M	Brother of Pilar

I am the only person who is alive. I stayed in the air raid shelter among the dead people for three days and three nights without any food. About one o'clock of the third night I crept out of the air raid shelter on my hands and knees and crossed the river which was nearby. After crossing the river I met Dr. ZAMORA and a group of people. He treated my wounds. I remained with Dr. ZAMORA hiding in the hills for seventeen days.

4. Q When MOSUKAWA threw the hand grenade into the air raid shelter did you see any officers nearby?

A Yes, sir. I saw Captain MASAO near the entrance about seven meters away.

5. Q Was Captain MASAO there when the soldiers raped Encarnacion LINES?

A Yes, sir. He was standing at the entrance of the air raid shelter and did nothing to stop the soldiers from attacking Encarnacion LINES.

6. Q Was Captain MASAO there when Private MOSUKAWA threw the hand grenade into the air raid shelter?

A Yes, sir, he was right near the entrance and he did not stop the soldiers from throwing it.

7. Q Did you^{hear}/Captain MASAO gave an order to MOSUKAWA to throw the hand grenade?

A I do not know whether he gave him the order. While the three soldiers were talking together, Captain MASAO went over to Private MOSUKAWA and talked Japanese which seemed to say that he should kill the people in the air raid shelter because immediately after he stopped talking, MOSUKAWA took out the hand grenades and began to throw them into the air raid shelter.

8. Q Have you ever seen any of these Japanese since that time?

A I recognized these Japanese when I was at the prisoners of war stockade at Davao, Davao City with two War Crimes Investigators, Captain KLASE and Lt. ZWERGEL. I was able to pick out from around 800 Japanese officers in the stockade, Warrant Officer, Morisada MASAO of the Navy; Yutaka MASHIRO, Ensign of the Navy; and Capt. Katsuji SHIMAMURA, Navy. That was the first time I learned all their full names.

9. Q Do you have anything else that you would like to add to this statement?

A No, sir.

/s/ Miguel Estimada
MIGUEL ESTIMADA

COMMONWEALTH OF THE PHILIPPINES)
) SS
 CITY OF DAVAO)

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

/s/ Miguel Estimada
 MIGUEL ESTIMADA

Subscribed and sworn to before me this 29 day of Nov. 1945

/s/ Samuel Rowe
 SAMUEL ROWE, Captain, QMC
 Investigating Officer, War
 Crimes Investigating Detach-
 ment.

COMMONWEALTH OF THE PHILIPPINES)
) SS
 CITY OF DAVAO)

I, RICARDO DE CASTRO, residing at 72 Valenzuela Street, Sant Mesa, Manila, P. I., being duly sworn on oath, state that I truly translated the questions and answers given from English to Tagalog and from Tagalog to English respectively, and that after being transcribed, I truly translated the foregoing deposition containing three pages, to the witness; that the witness thereupon in my presence affixed his signature thereto.

/s/ Ricardo de Castro
 RICARDO DE CASTRO

Subscribed and sworn to before me this 29 day of Nov. 1945

/s/ Samuel Rowe
 SAMUEL ROWE, Captain, QMC
 Investigating Officer, War
 Crimes Investigating Detach-
 ment

C E R T I F I C A T E

We, SAMUEL ROWE, Captain, O-382543, QMC, and VERNON V. HARRIS JR., 2nd Lt., O-1185976, FA, Investigating Officers, War Crimes Investigating Detachment, certify that on 17th day of November, 1945, personally appeared before us MIGUEL ESTIMADA, and according to RICARDO DE CASTRO, gave the foregoing answers to the several questions set forth therein, that after his testimony had been transcribed, the said MIGUEL ESTIMADA had read to him by the said interpreter the same and affixed his signature thereto in our presence.

Davao City, Davao

/s/ Samuel Rowe
 SAMUEL ROWE, Captain, QMC
 Investigating Officer, War
 Crimes Investigating Detach-
 ment

29 Nov. 1945

/s/ Vernon V. Harris, Jr.
 VERNON V. HARRIS, JR., 2nd Lt.
 Investigating Officer, War
 Crimes Investigating Detachmen

C E R T I F I C A T E

I, Alva C. Carpenter, Chief, Legal Section,
General Headquarters, Supreme Commander for the
Allied Powers, do hereby certify that the attached
photostatic copy of the affidavit of MIGUEL ESTIMADA
is a true and correct reproduction of the original
affidavit; and that a signed and sworn copy of said
affidavit is presently on file with this Section.

/s/ Alva C. Carpenter
Alva C. Carpenter,
Chief, Legal Section.

Witness: /s/ John R. Pritchard

Sworn to before me this 29th day
of October 1946, Tokyo, Japan.

/s/ John R. Pritchard
Captain, Infantry
Summary Court

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
LEGAL SECTION, MANILA

DSG

APD 500
15 April 1946

MEMORANDUM TO: Prosecution Section (Report No. 282)
THRU : Executive Officer, Legal Section, Manila
SUBJECT : Atrocities at Barrio San Roque and Sitio Bitute,
Zamboanga City, Mindanao, P. I., March 1945.

* * * *

II. SUMMARY OF EVIDENCE:

For the purpose of review two separate reports have been combined and considered together inasmuch as the atrocities were apparently committed by the same military unit within two weeks of each other and at approximately the same locality. In order to avoid confusion, the pages of the record of the atrocity occurring last will be preceded by "I".

On or about 8 March 1945, some forty prisoners from San Ramon Penal Colony, Zamboanga City, who had been working under Japanese military supervision, were being escorted back by Japanese guards (R 8). When they reached Barrio San Roque, members of the Japanese naval forces tied them and placed them in three air-raid shelters of the Japanese navy camp near the San Roque River (R 2, Ex A). One by one the prisoners were taken from the shelters and apparently were killed as their cries of pain could be heard by those remaining under guard in the shelters (R 9). About ten prisoners succeeded in escaping and one of this group declares that he witnessed the execution of the other group from the top of a coconut tree where he remained for some two hours (R 19, 20).

On or about 23 March 1945, Japanese military personnel rounded up civilians at Sitio Bitute, Barrio Pasonanca, Zamboanga City, and confiscated all bolos. The prisoners were then tied and some of them taken individually to a nearby stream where Japanese slashed them on the head and back with sabers, bolos, and picks (R I-2, 16). Another victim who attempted to escape was bayoneted (R I-7), while a Filipino woman states that she was raped by a Japanese (R I-26).

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1409

GENERAL HEADQUARTERS
UNITED STATES ARMY FORCES, PACIFIC
WAR CRIMES BRANCH

2 April 1946

MEMORANDUM TO: Prosecution Section (Report No. 265)

THRU: Executive Officer, War Crimes Branch

SUBJECT: Murder of five Filipinos, attempted murder of another and burning of Barrio Umagos and the hospital therein, at Mandampog, Balingasag, Oriental Misamis, Mindanao, P. I., on or about 1 October 1944.

* * *

II. SUMMARY OF EVIDENCE:

On or about 1 October 1944, a patrol of approximately fifty Japanese soldiers entered the hospital area at Barrio Umagos and bayoneted two Filipino guerrilla guards and one civilian. Another civilian was also bayoneted but survived. The Japanese then bayoneted to death two bedridden patients whom they had found in an evacuation place. After three days, the Japanese burned the hospital buildings and about thirty-two houses, then left the place (R 1). The bodies of the victims were found, identified and later buried (R 2).

* * *

1410

GENERAL HEADQUARTERS
UNITED STATES ARMY FORCES, PACIFIC
WAR CRIMES BRANCH

9 April 1946

MEMORANDUM TO: Prosecution Section (Report No. 272)
THRU: Executive Officer, War Crimes Branch
SUBJECT: Murder of three Filipino civilians at Calut, Butua
Agusan, Mindanao, P.I., during the early part of
March 1945.

* * *

II. SUMMARY OF EVIDENCE:

Sometime during the latter part of February 1945, an aged couple and their son were harvesting rice when they saw four Japanese soldiers coming towards them. The couple were tied and taken away by the Japanese while the son hid in a banana grove (R 3). After several days the bayoneted and beheaded bodies of these victims, and another Filipino civilian, were found nearby (R 1, 3, 6).

* * *

1411

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
LEGAL SECTION, MANILA

APO 500
15 April 1946

MEMORANDUM TO: Prosecution Section (Report No. 281)
THRU: Executive Officer, Legal Section, Manila
SUBJECT: Murder of twenty-nine civilians at Ranao-Pilayan,
Cotabato, Mindanao, P. I., on 7 June 1944.

* * *

II. SUMMARY OF EVIDENCE:

On 6 June 1944 about three hundred Japanese soldiers accompanied by Philippine Constabulary and Moro troops entered Ranao-Pilayan, gathered the civilians and placed them in a poultry house for the night (R 1). On 7 June 1944, twenty of the prisoners were placed in one house while the rest in another house. The Japanese then bayonetted the victims and set the houses on fire (R 1, 5, 8). Screams were heard from the victims (R 1, 5, 6). Later some Chinese civilians, who had been notified of the killing, went to the place of execution and buried the remains of the victims (R 11).

* * *

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
LEGAL SECTION, MANILA

EPF

APC 500
14 May 1946

MEMORANDUM TO: Prosecution Section (Report No. 302)

THRU : Executive Officer, Legal Section, Manila

SUBJECT : Atrocities in and around Vigan, Ilocos Sur, P. I., 10
December 1941 to 3 April 1945.

* * * *

II. SUMMARY OF EVIDENCE:

During the period from 10 December 1941 to 3 April 1945, Japanese soldiers stationed at and around Vigan, Ilocos Sur, P. I., following their usual pattern of operation against innocent civilians, raided and looted private homes, killed and mistreated a number of persons.

On 10 December 1941, upon entering the town of Vigan, the Japanese fired upon a couple killing the wife (R 58).

On 13 September 1942, thirteen persons were arrested and tortured and later two of the prisoners were killed by shooting (R 22, 25).

On 10 April 1944, six Japanese dragged a woman into a house in San Vicente. The woman tried to get away from the Japanese by jumping out of the window, but she was overtaken and found dead with bayonet wounds a few moments afterwards (R 42).

On 27 August 1944, Japanese soldiers fired upon people then congregated in the cockpit in Santa Catalina, wounding one and probably killing several persons (R 9, 12). On 20 October 1944, thirty persons were arrested and brought to the Bantay garrison where the prisoners were tortured. One of the prisoners was never released (R 13). On 15 November 1944, three prisoners were beheaded in Vigan (R 20). On 27 December 1944, several persons were rounded up in Barrios San Julian and Capangpangan, Vigan, after their houses were looted. The prisoners were tortured, and on 7 January 1945, nine of the prisoners were beheaded (R 1-9, 15, 19).

In March 1945, eight persons were bayoneted to death and three others were probably killed in Bantay and Vigan (R 45, 48, 52).

On 2 April 1945, four men were beheaded in Vigan (R 27), and on 3 April 1945, the Japanese looted the houses in Barrio Lansuangao, Caoayan, and then killed at least six persons (R 34).

* * * *

1413

GENERAL HEADQUARTERS
UNITED STATES ARMY FORCES, PACIFIC
OFFICE OF THE THEATER JUDGE ADVOCATE
WAR CRIMES BRANCH

APO 500
27 November 1945

MEMORANDUM TO: Prosecution Section (Report No. 109)

THRU: Executive Officer, War Crimes Branch

SUBJECT: Atrocities committed at Fort Santiago, Intramuros
Manila, P. I.

* * *

II. SUMMARY OF EVIDENCE:

List of Torture

The record in this case, consisting of four hundred and sixty-one pages, contains innumerable instances of the brutal and barbaric treatment of many persons taken to Fort Santiago for questioning. The practice of inhuman treatment prevailed from the time of the Japanese occupation in January 1942 to February 1945. When the Japanese realized that Manila was lost they engaged in a final orgy of mass murder by shooting, bayonetting and burning alive of all prisoners remaining inside the fort. It is impractical to detail the treatment received by each individual, but in general the forms of torture summarized below were imposed in whole or in part upon the prisoners. Some of the victims were American prisoners of war and American nationals. The treatment given specific individuals may be learned by referring to the record citation opposite their names in the list of victims herein.

Upon arrival at Fort Santiago for "investigation", a person was placed in a cell approximately sixteen feet long and thirteen and one half feet wide in which had been placed many other people so that there was not sufficient room for all of them to lie down (R 13, 19, 39, 239). Talking was prohibited (R 14, 20, 32, 65). The diet was entirely inadequate and consisted of a small amount of rice, and occasionally some native vegetables or greens (R 9, 14, 38). Practically all of the witnesses suffered a loss of weight ranging from twenty-five to seventy-five pounds during the time they were held (R 15, 45, 197, 301). One person was incarcerated for thirty-three days and lost thirty-two pounds (R 266). Sanitary conditions were almost unbearable, the only toilet facility being an opening in the floor at one end of the cell (R 75, 92, 324, 340) which was never cleaned more than once a day, and the receptacles were entirely inadequate (R 14, 251). There was not sufficient water provided, though apparently in each cell was a faucet from which a few drops of water was obtainable (R 14, 32, 154). The prisoners were not issued soap (R 32, 65, 240, 251). Generally, bathing was infrequent and sometimes less than once a week (R 14, 21, 92). Usually all in a cell, sometimes numbering eighteen or twenty, were allowed five or ten minutes for the entire group to bathe (R 14, 33, 261). Men were forced to bathe in view of women prisoners (R 351). The only ventilation in the cells were small windows high at one end, and the stench of human waste and dirty bodies was over-powering. The cells were infested with lice and vermin (R 21, 240, 286). Persons who had been tortured were returned to the cell in a wounded condition, some were helpless (R 20, 53, 98, 106, 122, 146, 241), and some died in the cell (R 126, 146, 300, 312, 350). There is only one instance of rape (R 334).

Of the various forms of torture administered by the personnel at Fort Santiago the following are typical:

Some prisoners were kicked and slapped across the face, beaten with the flat of a sheathed sword across the back, shoulders and kidneys (R 13, 74, 135). Others were beaten with iron rods (R 30, 84), or with baseball bats, clubs, poles, ropes, and telephone wires (R 2, 66, 92, 104, 132, 250, 306, 316, and some were thrown by Jiu Jitsu methods (R 45, 74, 104, 134, 316). The water cure was frequently employed. This consisted of tying the victim to a bench, putting a cloth over the face and inserting a water hose in the mouth or nostrils. Water was forced into his stomach until he became unconscious, and then the Japanese pressed and jumped on his stomach to force the water out (R 45, 104, 132, 139, 163, 175, 249, 279). Prisoners had their arms tied behind their backs, a pole inserted through the arms at the elbows, and then were raised and suspended from the floor. Others were hung for hours by the arms (R 92, 134, 149, 163, 175, 250, 279). Some had sticks inserted in the opening of the penis or vagina (R 127, 133, 175), and others were burned about the body with lighted cigarettes or cigars (R 133, 162, 252, 307). Ammunition would be placed between the fingers and then the fingers were squeezed until the bones would break (R 175). Small bamboo slits, or other instruments were placed under toe nails and finger nails (R 81, 133) and finger and toe nails were pulled out with pliers (R 195, 307). Electricity was used to shock or burn the victims (R 81, 175, 229, 329). A piece of skin was sliced from the back of one man's hand and he was forced to eat it. The skin on his face and arm was twisted with a pair of wooden pliers (R 81), and he was hit in the testicles (R 81, 170). The Japanese guards ground the prisoner's toes under their hob-nailed boots (R 81). Three American pilots who had been shot down during the bombing of Manila received a sword thrust through the shoulder or were burned by lighted cigarette. Holes were made in their fingers, wire inserted through them, and the prisoners were then suspended by the wires. One pilot's whole body was burned, another was paralyzed and they were taken to a hospital (R 197). American soldiers were shot (R 2, 111). Many prisoners from Fort Santiago were executed at the Chinese Cemetery (R 203, 212, 217) or buried there (R 212, 219, 222). As a form of intimidation prisoners were shown headless men and men whose faces were so swollen and bloody as a result of beatings they could not be recognized. Intestines of some men were removed while they were still alive in the presence of other prisoners (R 280). One Filipino prisoner was forced to behead two other Filipinos (R 281). Dead bodies with their hands tied behind their backs were thrown into the Pasig River which flows at the rear of Fort Santiago (R 312, 347). Torture as described above was administered not only to men but to women (R 31, 66, 67, 114, 115, 133, 146, 198, 255, 267, 288). Some of the women were nuns (R 178, 271, 297). Some of the men were priests (R 107, 135, 170, 192). Some victims died after being released as a result of their treatment at Fort Santiago (R 343, 345 to 347, 361). In February of 1945 the cells in Fort Santiago were packed with people who resided within the Walled City. Doors were barricaded, gasoline was poured around, set afire and hundreds were burned to death (R 369, 378, 380, 396). Others were executed (R 373, 395). Hundreds of bodies were discovered by American troops when Fort Santiago was taken (R 406 to 435, 441, 447). Many of the civilians were able to escape the burning buildings only to be shot by Japanese guards as they escaped or when attempting to swim across the Pasig River (R 369, 379, 387, 388, 396). Some however, survived and lived to relate the horror to which they had been subjected.

* * *

JUSTINA MANLISIK

called as a witness on behalf of the Prosecution, being first duly sworn, was examined and testified as follows through Interpreter Dionisio, with Interpreter Rodas acting as "check" Interpreter:

DIRECT EXAMINATION

Q (By Captain Pace) State your name.

A Justina Manlisik.

GENERAL REYNOLDS: Is this still Item No. 93?

CAPTAIN PACE: 54, sir, and 1.

Q (By Captain Pace) Give your name, please.

A Justine Manlisik.

Q Where do you live?

A I live in Tanauan, Batangas.

Q Were you living in Tanauan, Batangas, on February 10, 1945?

A Yes, sir.

Q On that morning at about 5 o'clock did the Japanese come to your house?

A Yes, the Japanese come to our house about 5 o'clock in the morning.

Q Tell the Commission what happened.

A They bring with them a piece of rope to tie the hands of my parents; tie the hands of all of us. When I see that the Japanese are going upstairs I went down and I hid inside the toilet. Well, I am already hidden in the toilet and I saw my parents were already tied, especially the small children, too.

Q How many people were tied by the Japanese?

A 34.

Q Are they all in your family?

A Yes, all our family.

Q What did they do with the 34 members of your family?

A They strike with their bayonets in their chest.

Q Did they take them out of the house?

A Yes.

Q When did you next see the members of your family?

A At about 4 o'clock I went out and I saw that my parents are already dead; all of them are dead.

Q All of them dead?

A Yes.

X ✓
p2
2 year old
Bayonetta

Q What happened? How had they been killed?

A They strike with their bayonets.

Q All of your family had been bayoneted?

A Yes.

Q When you say all of your family, do you mean that all 34 of them died?

A Yes, 19 children and 15 older people.

Q 19 children?

A Yes.

Q What were their ages?

A Their ages, the youngest is 2 years, and the eldest is 10 years old.

Q What else did you see?

A One of my sisters is pregnant and they slashed her stomach open and when the baby come out they cut its head off (Weeping).

CAPTAIN PACE: You may cross-examine.

CROSS-EXAMINATION

Q (By Captain Sandberg) Do I understand —

GENERAL REYNOLDS: Is Cross-examination of this witness considered essential?

CAPTAIN SANDBERG: We will waive the cross-examination.

CAPTAIN PACE: Thank you very much.

(Witness excused).

C E R T I F I C A T E

I, T. R. C. King, Major, Inf. (TD), Executive Officer, Legal Section, General Headquarters, Supreme Commander for the Allied Powers, do hereby certify that Document 2877 is a true and correct copy of the transcript of the testimony offered by JUSTINA MANLISIK in the trial of the case against Tomoyuki YAMASHITA, General, Imperial Japanese Army, before a Military Commission in Manila; and that the whole record of the case, including the transcript of all testimonies taken, as well as the affidavits admitted in evidence, are now on file with this Section.

/s/ T. R. C. King

T. R. C. King,
Major, Inf. (TD)

Witness: /s/ John R. Pritchard

Sworn to before me this 20th day
of November, 1946, Tokyo, Japan.

John R. Pritchard
Capt., Inf.
Summary Court.

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GENERAL HEADQUARTERS
UNITED STATES ARMY FORCES, PACIFIC
WAR CRIMES BRANCH

28 March 1946

MEMORANDUM TO: Prosecution Section (Report No. 262)
THRU: Executive Officer, War Crimes Branch
SUBJECT: Mistreatment and torture of civilian prisoners
by Japanese Kempei-Tai at Dumaguete, Negros
Oriental, P.I., during the period June 1944 to
March 1945.

* * *

II. SUMMARY OF EVIDENCE:

During the period June 1944 to March 1945, several persons were apprehended by the Japanese military police of Dumaguete and were tortured and mistreated during their confinement in jail. While being "investigated" by the Japanese, these prisoners were subjected to several forms of torture such as beating, kicking, burning with cigarette butts, "water cure", choking, judo holds, and hanging by the wrists (R 1, 2, 4, 7, 10, 11, 13, 17, 18, 21, 24, 26, 29, 33, 36). Food was inadequate, sanitary facilities were hardly provided, and the prisoners were often deprived of drinking water, for which salty water was substituted. During air raids, the prisoners were not allowed to take shelter (R 10, 14, 20, 21, 36).

* * *

1416

GENERAL HEADQUARTERS
UNITED STATES ARMY FORCES, PACIFIC
WAR CRIMES BRANCH

15 January 1946

MEMORANDUM TO: Prosecution Section (Report No. 161)

THRU: Executive Officer, War Crimes Branch

SUBJECT: Additional torture and murder by Kempei-Tai stationed at Bacolod, Occidental Province, Negros, P.I., in February and March 1945.

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II. SUMMARY OF EVIDENCE

Approximately 21 May 1942, the Japanese invaded Negros island. Many of the citizens had fled to the hills. After a month or two, some of the citizens of Bacolod returned voluntarily or upon threats by the Japanese that their refusal to do so would be considered a hostile act. In December 1942, some of the prominent male citizens of Bacolod and Talisay organized an espionage group of intelligence operators for the purpose of furnishing guerrillas information concerning the Japanese strength, troop movements, warehouses, depots, garrisons and food supply in the Bacolod-Murcia and Talisay area. From time to time their leaders and messengers were apprehended or had to flee and be replaced (R 20, 21). It is doubtful if any one person knew who all of the operators were. Even their families were ignorant of their under cover operations (R 2, 6, 8, 18). In September 1944, Atty. Ramon DUMLAO became chief of the district and used the code name "Poison" (R 2, 21). Simon RAMIREZ became the contact man with the guerrillas (R 17, 21). In January or February 1945, after American bombings (presumably very effective), the Japanese brought in a strong counter-intelligence force. A trap was set for RAMIREZ and around 10 February 1945 he was caught (R 21). He was taken to the Kempei-Tai headquarters in Bacolod and other places where he was questioned and tortured. He was seen by other prisoners hardly able to walk, his clothes were clotted with blood, his face was swollen and unshaven, and scars were visible from being whipped with a wire (R 2, 18, 21). During the torture, it is believed that RAMIREZ disclosed the identity of other operators, as thereafter over a period of two or three weeks one by one a total of twelve known members of the intelligence group were arrested (R 2, 17, 21, 22). When RAMIREZ was arrested, the Japanese

found on his person two reports in DUMLAO's handwriting and signed "Poison". These reports gave the location of Japanese military establishments, companies, names of commanding officers and their approximate strength. DUMLAO had been the attorney for the Japanese Taiwan Branch Bank in Bacolod and by comparison his handwriting was recognized (R 23). He was arrested and placed in prison by the Japanese (R 7). One of the first men arrested after DUMLAO was Agustin SEGOVIA, Secretary to the Provincial Governor, who was released of espionage charges when in fact he was one of the members of the ring. He warned the others, but they were afraid to flee, fearing the Japanese would retaliate against their families (R 21). Five of the twelve arrested were released after being interrogated. They and others were tortured. One could hardly stand or lie down as his entire body was swollen. Another was mangled and black and blue. Still another was beaten severely with a police club and thrown by Ju-jitsu. One man was beaten with a club, thrown across the floor and the next night was forced to jump from a window eighteen or twenty feet above asphalt pavement, which dislocated his hip causing him to lose his power of locomotion for about four months. Another man was thrown from a staircase about twelve feet high (R 13, 14, 17). Some of the men were released through the influence of the Provincial Governor (R 17), and one was released because a friendly interpreter substituted answers that were satisfactory to the Japanese (R 2, 22). Seven of the twelve men arrested have never been seen since. At least one was in the jail on 9 March 1945. All prisoners in the jail were released by American forces on 30 March 1945. The seven men were not among those liberated (R 2, 5, 8, 17). One of the perpetrators admits that two of the victims were executed by his order. He stated that he was carrying out the order of General KONO (R 3, 6, 8, 10, Ex A). No trial was given these men (R 3).

While confined by the Japanese, the following method of torture was observed, though it is not known who these victims were. It is possible they were other members of the espionage ring. One man was beaten until he was a mass of blood. Another man was strapped to a table and his wrists burned with an alcohol flame until the odor of burning flesh filled the room. A third man had a bayonet thrust through his arm at the wrist, and as he was being questioned, the bayonet was gradually forced down his arm (R 14).

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DOCUMENT 2723

LEONORA PALACIO VILLAS, after having been duly sworn, testified at the Town of Palo, Province of Leyte, P. I., on 18 October, 1945, as follows:

Q State your name, age, nationality and address.

A Leonora Palacio Villas, 21 years old, Filipino, residing at 24 Luntad Street, Palo, Leyte, P. I.

Q In February 1942 did you or your brothers suffer any indignities or mistreatment at the hands of the Japanese stationed in Palo?

A On Sunday afternoon in the middle of February 1942, myself and my two brothers, Fidel and Florentino and some other members of the family were taken to the Municipal building in Palo. That afternoon my brother's child had been baptized and at the house there were a number of guerrillas and friends of the family. One of the guerrillas was discovered and the Japanese, believing that there were others there, took myself, my brothers and other members of the family to Palo municipal jail and concentrated us. We were kept overnight in the municipal jail and during this period we were never questioned by the Japanese soldiers. My brother Fidel was taken out, his hands were tied behind his back and another rope was tied to his hands and thrown over a tree. He hung there stark naked. As he hung there a Japanese soldier beat him unmercifully, drawing blood from his eyes and his nose and other parts of his body. He was also whipped with a thorn branch on various parts of his body. He was continually beaten for a period of three hours. While he was hanging there the Japanese poured gasoline under his arms and around his private parts and they set it afire. As he hung there he shouted for help due to the intensity of the burns and beating. He was very weak and almost unconscious when he was cut down and taken into the prison. As soon as Fidel was cut down my brother Florentino was tied in a similar fashion and beaten for a period of about three and a half hours, drawing blood from his eyes, ears, nose and various parts of his body. He was also beaten with a switch. Gasoline was poured on the hair underneath his arms, on the hair around his private parts and set afire. Both my brothers were cut down but at no time were they given any medical treatment for their wounds and burns they had suffered at the hands of the Japanese. Florentino was twenty three years old, Fidel about thirty three. Both of them have scars around and underneath their arms and around their private parts. After Fidel had been cut down he was brought by a patrol to identify places where guerrillas might possibly be located. My younger brother, Florentino was left in jail and nothing further was done about him. Two days after they were tortured, both my brothers were taken to Tacloban. They were kept in the Japanese garrison at Tacloban for a period of about two months. My brothers were released from prison but were not allowed to return to Palo. My brothers told me that while they were in prison at Tacloban they suffered further indignities at the hands of the Japanese. Florentino was burned again about the arms and their scars are

Burned
Hair

X

X

still present. Fidel was hung again and beaten unmercifully by the Japanese and his eyes were swollen and shut, he spit blood and his body was covered with bruises. I had been released on Monday morning after the torture of my brothers. On Tuesday morning I was taken by the Japanese soldiers to the municipal building. The Japanese removed all my clothing and as I stood there naked the Japanese soldiers beat me with a switch. The Japanese soldiers took my clothes and dressed me and gave me a little water. I spent three days in jail without any medical treatment and could hardly move because my body was so stiff and sore from the treatment I had received. While I was in prison for this 3-day period the Japanese gave me some food and water but in no way molested me.

Q Did any other members of your family suffer beatings at the hands of the Japanese?

A No. They were released on Sunday and sent home.

Q Do you know who was responsible for the beating administered to your brothers and to yourself?

A Captain Humejara. He was about 5'9", 160 pounds, did not wear glasses, spoke no English or Visayan, no scars that were visible, no amputations, no gold teeth, light brown complexion, had a mustache, short hair, about 35 years old. Sgt. Estani, white complexion, 5 feet tall, about 110 pounds, wore glasses, no scars and marks on his face, no amputations, spoke English and little Visayan, no mustache, no gold teeth, about 26 years old, very close cropped hair. These are the only two Japanese that I remember.

Q Have you anything further to add to this statement?

A None.

/s/ Leonora Palacio Villas
LEONORA PALACIO VILLAS

COMMONWEALTH OF THE PHILIPPINES)
PROVINCE OF LEYTE) SS
TOWN OF PALO)

I, LEONORA PALACIO VILLAS, being duly sworn on oath, state that I have read and understood the foregoing transcription of my interrogation and all answers contained therein, consisting of two (2) pages, are true to the best of my knowledge and belief.

/s/ Leonora Palacio Villas
LEONORA PALACIO VILLAS

Subscribed and sworn to before me this 19th day of October, 1945.

/s/ John J. Mullahy
JOHN J. MULLAHY, 1st Lt., C.M.I
Investigating Officer, War
Crimes Investigating Detachment

C E R T I F I C A T E

We, ADDISON T. SHEPHERD, 2d Lt., 02052606, JAGD and JOHN J. MULLAHY, 1st Lt., 01798502, C.M.P., certify that on 18th day of October, 1945, personally appeared before us LEONORA PALACIO VILLAS, and gave the foregoing answers to the several questions set forth; that after her testimony had been transcribed, the said LEONORA PALACIO VILLAS read the same and affixed her signature thereto in our presence.

Town of Palo,
Leyte, P. I.

/s/ Addison T. Shepherd
ADDISON T. SHEPHERD, 2nd Lt. JAG

19th day of October,
1945

/s/ John J. Mullahy
JOHN J. MULLAHY, 1st Lt., C.M.P.
Investigating Officer, War
Crimes Investigating Detachment.

C E R T I F I C A T E

I, Alva C. Carpenter, Chief, Legal Section,
General Headquarters, Supreme Commander for the
Allied Powers, do hereby certify that the attached
photostatic copy of the affidavit of LEONORA PALACIO
VILLAS is a true and correct reproduction of the
original affidavit; and that a signed and sworn
copy of said affidavit is presently on file with
this Section.

/s/ Alva C. Carpenter
Alva C. Carpenter,
Chief, Legal Section.

Witness: /s/ John R. Pritchard

Sworn to before me this 29th

day of October, 1946, Tokyo, Japan.

/s/ John R. Pritchard
Captain, Infantry
Summary Court

Philippine
Advocates

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DOCUMENT 2726

C E R T I F I C A T E

I, Alva C. Carpenter, Chief, Legal Section,
General Headquarters, Supreme Commander for the
Allied Powers, do hereby certify that the attached
photostatic copy of the affidavit of TAYAMBONG CHAGSA
is a true and correct reproduction of the original
affidavit; and that a signed and sworn copy of
said affidavit is presently on file with this
Section.

/s/ Alva C. Carpenter
Alva C. Carpenter,
Chief, Legal Section.

Witness: /s/ John R. Pritchard

Sworn to before me this 29th
day of October, 1946, Tokyo, Japan.

/s/ John R. Pritchard
Captain, Infantry
Summary Court

DOCUMENT 2726

TAYAMBONG CHAGSA, after having been duly sworn, testified at La Trinidad, Benguet, Mountain Province, P. I., on 8 October, 1945, as follows:

Q What is your full name?

A Tayambong Chagsa.

Q How old are you?

A I am not sure, maybe about 60.

Q What is your nationality?

A Filipino-Igorot.

Q Where do you live?

A Kabayo, Atok, Mountain Province, P. I.

Q In case you should move who would always know where to locate you?

A My neighbor, Kitayong Escad, who also lives at the same address.

Q What is your wife's name and nationality?

A Yagyag. Igorot-Filipino.

Q How old is she?

A About 34 years old.

Q How long have you lived at your present address?

A Over five years.

Q While the Japanese were in the Mountain Province were you abused in any manner by the Japanese?

A Yes, I have been maltreated.

Q Will you tell us when that happened and all the circumstances surrounding it?

A On the morning of March 13, 1943, a little before noon the Japanese arrived in our sitio. They asked us where the Americans and the Filipino soldiers and Major Dangwa were. When I answered them that I have not seen any and I don't know the Japanese tied me up in my house. They tied my hands behind my back until about one o'clock in the afternoon. Then they untied me and asked me again where were the Americans and Major Dangwa. When I answered I don't know they made me lie on the floor and gave me much water. When I did not reveal any to the Japanese, they tied me and burned my buttocks and legs and hit my mouth and I lost two teeth. They hit my mouth with a piece of wood, about as long and about as big as a man's arm. I was hung up inside my house and my hands were tied behind my back with a rope and the rope was tied to the center of the house and I was raised from the floor about four feet. While I was hanging up the interpreter Kawasima got a match and lighted the candle and held the candle close to my G-string near my right hip. The G-string caught fire and kept burning until about only two feet of it was left. When the last two feet of my G-string was not burned, Kawasima took it and put it around my head and burned it with the candle until all of the piece of cloth was burned, together with my hair. The Japanese untied me at about one o'clock in the afternoon.

Q Then what did they do?

A They laid me down on the floor and made me drink a petroleum can of water. I don't know how much water the can held but they made me drink all I could. Then they asked the same questions over again and they beat me with their fists and hands and with the piece of wood. Four Japanese soldiers held me. One, who was near my head twisted my ears. He held my ears with his hands and twisted them around. One stepped up and down on my breast on top of me so the water that I drank would then come out of my mouth. One of the soldiers was sitting on my stomach, just sitting and holding me down. One held the rope which was tied around my legs. After a short while they all stood up and one of them started to hit me all over my body with a piece of wood asking the same questions over again and asking me to tell the truth about the American and Filipino soldiers. After that they untied my legs leaving the rope in my hands tied behind my back and brought me to the forest. They took me about one hundred meters away from my house to the forest, and when we got there one of the Japanese picked up a stone about the size of my fist and hit me and then they tied me there. After dark my neighbors went to look for me. They found me in the forest and untied me. After being untied I went home. The Japanese did not bother me again.

Q Did this all occur on March 13, 1943?

A Yes, it all happened on the same day.

Q Do you have any scars as a result of the burning and beating given you by the Japanese?

A Yes, I have a scar on my right hip. I have a very bad scar yet today.

Q How many Japanese came to your home on March 13, 1943?

A About seventy, including two officers.

Q Where did these Japanese come from?

A They came from Baguio.

Q What were the names of the officers?

A I don't know the names of the officers but I have heard that they were Lt. Teramoto and Captain Ono.

Q Were there any interpreters with them?

A Yes, there was one and his name was Kawasima, also called Yamesita.

Q Did these Japanese maltreated anyone else in your barrio at the same time they maltreated and abused you?

A Yes, they got all the men in the barrio.

Q Did you see them take these men?

A Yes.

Q Did you see them being maltreated by the Japanese?

A I heard them crying when they were maltreated and after they were loosened I saw them that day and the next day with bruises showing that they have been beaten.

Q Do you know the names of any of the Japanese soldiers that were with these officers and the interpreter?

A No, I don't know any of them.

Q Will you describe these Japanese officers?

DOCUMENT 2726

A Because of their uniforms I could hardly identify any of them. Neither one of them wore glasses and neither one of them was slender. They were both heavy set Japanese but that is all I can tell you about them.

Q Will you describe the interpreter, Kawasima?

A I cannot describe him now, but one of my companions, Rufo Balao, maybe can describe him.

Q Can you give us the name of the other people in your community who were maltreated by the Japanese on the 13th of March, 1943?

A They were: Rufo Balao, age 36, who live at Buneng, Atok; Bendian Kictdod, age 56, who live at Kabayo, Atok; Takay Kintino, age 50, who live at Central, Atok; Kitayong Escad, age 34, Kabayo, Atok; Konoy Sudkal, age 38, who lives at Kabayo, Atok; Faustino Sagubat, age 40, who lives at Kabayo, Atok, and Bataheng, age 59, Busok, Atok, and some more I cannot now remember.

Q Were you a guerrilla?

A No.

Q Were you engaged in any anti-Japanese activities such as sabotage or spying?

A No, I have never been engaged in any of these acts.

Q Is there anything else you can tell us about your mistreatment and the others?

A No more.

/s/ X
X Mark of TAYAMBONG CHAGSA

We hereby certify that the above named witness, being unable to sign his name, did make the above "X" as his Mark in our presence.

/s/ David I. Day Jr.
DAVID I. DAY Jr., 1st Lt., JAGI

/s/ Thomas A. Cannon
THOMAS A. CANNON, 1st Lt., JAGI

COMMONWEALTH OF THE PHILIPPINES)
MUNICIPALITY OF LA TRINIDAD) SS
MOUNTAIN PROVINCE

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

/s/ X
X Mark of TAYAMBONG CHAGSA

Subscribed and sworn to before me this 9th day of October, 1945.

/s/ David I. Day Jr.
DAVID I. DAY Jr., 1st Lt., JAG

DOCUMENT 2726

COMMONWEALTH OF THE PHILIPPINES)
MUNICIPALITY OF LA TRINIDAD) SS
MOUNTAIN PROVINCE

I, EVARISTO TIOTIOEN, Pfc. S-5, 66th Inf., PA, no serial number, residing at Pico, La Trinidad, Benguet, Mt. Province, P. I., being duly sworn on oath, state that I truly translated the questions and answers given from English to Igorot and from Igorot to English respectively, and that after being transcribed, I truly translated the foregoing deposition containing three pages, to the witness; that the witness thereupon in my presence affixed his mark thereto.

/s/ EVARISTO TIOTIOEN
EVARISTO TIOTIOEN

Subscribed and sworn to before me this 9th day of October, 1945.

/s/ David I. Day Jr.
DAVID I. DAY Jr. 1st Lt. JAGD

C E R T I F I C A T E

I, DAVID I. DAY Jr., 1st Lt., 02052525, JAGD, and I, THOMAS A. CANNON, 1st Lt., 02052522, JAGD, certify that on 9th day of October, 1945, personally appeared before us TAYAMBONG CHAGSA, and according to EVARISTO TIOTIOEN, gave the foregoing answers to the several questions set forth therein; that after his testimony had been transcribed, the said TAYAMBONG CHAGSA had read to him by the said interpreter the same and affixed his mark thereto in our presence.

Municipality of La Trinidad
Mountain Province, P. I.

/s/ David I. Day Jr.
DAVID I. DAY Jr., 1st Lt., JAG

9 October, 1945

/s/ Thomas A. Cannon
THOMAS A. CANNON, 1st Lt., JAG

GENERAL HEADQUARTERS
UNITED STATES ARMY FORCES, PACIFIC
OFFICE OF THE THEATER JUDGE ADVOCATE
WAR CRIMES BRANCH

AG 000.5 (3 Sep 45)JA

APO 500
3 September 1945

SUBJECT: Report of War Crimes Branch on Atrocities.

TO: The Judge Advocate General
Washington 25, D. C.

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II. SUMMARY OF EVIDENCE:

Briefly summarized, the evidence adduced by the Investigator-Examiners is to the effect that:

Dr. Gilbert Isham CULLEN, an American citizen, age 68 years, was District Health Inspector and Quarantine Officer in charge of the United States Public Health Service at Iloilo City, Iloilo Province, Panay, Philippine Islands, and resided in that city. He had lived in Iloilo Province for thirty years prior to the Japanese capture of Panay Island on 16 April 1942, and during that period, in addition to his official duties, conducted the private practice of medicine among the inhabitants, including the Japanese population (R 1, 2, 3). About two or three days after the Japanese army entered the city, Dr. CULLEN was taken with others to a small house where he was held a prisoner by the Japanese until 29 April 1942. Then he was removed by the Japanese to the Provincial Prison of Iloilo City, where he remained until about 1 January 1943 (R 3).

Until 16 May 1942 he was well treated and subjected to nothing more than routine questioning, probably due to the fact that the employees and guards at the Provincial Prison were local Japanese who had known him previously. On 16 May 1942, however, another Japanese officer assumed command of this prison and Dr. CULLEN was taken for questioning before an examiner, a reporter, an interpreter, and two soldiers, all of whom were unknown to Dr. CULLEN (R 4). The questioning took place in the warden's office where, for a period of several hours, Dr. CULLEN was struck in the abdomen with a club, kicked while lying on the floor, slapped repeatedly with the heel of the hands of his inquisitors. They then took a pair of pliers and slowly pulled the toe-nail from Dr. CULLEN's great toe on his left foot. He was clubbed about the body, head and face and then suspended from a cross beam by his thumbs with his feet off the floor, and again later was hung by his ankles until his legs were badly cut by the ropes. The fingers of his left hand were bent and twisted until some of them were broken and dislocated.

As a result of the treatment above described, Dr. CULLEN suffered a broken nose, several cracked ribs, a broken right leg, loss of his great toe-nail, broken and dislocated fingers and an injury to his jaw which impaired its function (R 5, 6, 17). The injuries were inflicted upon Dr. CULLEN in an effort to make him reveal the names of local citizens who were sending radio messages and to force him to reveal information concerning various military subjects such as location and number of American troops (R 5, 6, 15). The torture lasted from morning until late in the afternoon (R 7, 14) and Dr. CULLEN still bears the marks of his torture, more than three years after their infliction (Ex. A-I).

During the remainder of his stay in the Provincial Prison, Dr. CULLEN received for food only a handful of rice daily and an occasional "little chunk" of meat and he lost ninety-two pounds in a period of eight months (R 7). Another witness reported that Dr. CULLEN was not served a sufficient amount of drinking water and his food rations consisted of rice and a little soy sauce (R 19). Because of his poor physical condition resulting from the torture and malnutrition, Dr. CULLEN was finally moved to St. Paul's Hospital in Iloilo City in January 1943. He remained there five months and then was taken to Santa Catalina Hospital at Santo Tomas in Manila (R 20) where he remained until liberated by the Americans (R 8).

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