

INTERNATIONAL PROSECUTION SECTION

Doc. No. 3038

11 June 1947

ANALYSIS OF DOCUMENTARY EVIDENCE

DESCRIPTION OF ATTACHED DOCUMENT

Title and Nature: Loose, Handwritten Sheets, Corrected Decoration Data on Certain Defense Witnesses, and Additional Decoration Data on KOSHI, Saburo

Date: 6 May 1947 Original ( ) Copy (x) Language: Japanese, English

Has it been translated? Yes ( ) No (x)

Has it been photostated? Yes ( ) No (x)

LOCATION OF ORIGINAL )

SOURCE OF ORIGINAL: )

) Board of Decorations, Japanese Govt

PERSONS IMPLICATED: See below

CRIMES OR PHASE TO WHICH DOCUMENT APPLICABLE:

SUMMARY OF RELEVANT POINTS

Data on following personalities:

KOGA, Kiyoshi  
ARIYOSHI, Chuichi  
GODO, Takuo  
HANEDA, Toru  
IKAWA, Tadao  
ISHIMARU, Shitowa  
MURAKAWA, Kengo  
ONODERA, Naosuke  
BABA, Tsunego  
FURUMI, Tadayuki  
IKEZAKI, Tadatake  
HATTA, Shiroji  
IWAI, Takeo  
INAHARA, Hatsuji  
IWATA, Ainosuke  
KANAT, Shoji  
KANEKO, Kiyoto  
KAWABE, Masakaza

KOMURA, Sakahiko  
KOTANI, Etsuo  
KUSUMOTO, Masataka  
MANAKI, Yoshinobu  
MATSUDA, Reikichi  
MISHIMA, Yasuo  
MIZUNO, Shinko  
MURAMATSU, Tsuneko  
NAKAMURA, Benko  
NAKAYAMA, Hajime  
NAKAYAMA, Yasuro  
MISHIMURA, Susumu  
SAITO, Masatoshi  
SHIMOMURA, Nobusada  
SHIRAI, Seishin  
SHIZEKI, Ihei  
SHIRAI, Masatoki  
SUETAKE, Kamezo

Doc. No. 3038

Page 1



**NAKAYAMA, Yasuto**

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**Request by MUTO, Akira**

- a. This person is a Japanese, resident of Tokyo.**
- b. He was formerly a staff officer under General Matsui and can give relevant testimony as to Muto's lack of responsibility for the so-called Nanking Affair.**

NAKAYAMA, Yasuo

Request by MUTO, Akira

a. This person is a Japanese,  
resident of Tokyo.

b. He was formerly a staff officer  
under General Matsui and can give  
relevant testimony as to MUTO's  
lack of responsibility for the so-called  
Nanking Affair.

INTERNATIONAL PROSECUTION SECTION  
NETHERLANDS DIVISION

10 April 1947

*make copies  
& send to atty*

To : Mr. Pedro Lopez  
From : A. T. Laverge  
Subject : Witness NAKAYAMA, Yasuto

1. Reference your memorandum 4 April 1947.
2. Nakayama went to the Netherlands Indies in September 1940 as a member of the Japanese Economic Delegation which was sent there for economic and political negotiations. As regards his activities at that time, his name is mentioned in an official report of the Netherlands Indies Government on Japanese espionage activities. This report (Exhibit 1326 for identification) states on page 61, "Mamoru Ohta, who for studies of the Dutch language had been attached to the consulate was instructed by the middle of 1940 to look for suitable landing points on the coast of west Java. In the following October he studied once more the local situation from points which would be important for an eventual attack. On this occasion he was accompanied by Colonel Nakayama of the Japanese Economic Delegation."
3. In March 1942 Nakayama returned to the Netherlands Indies, where he became head of the General Affairs Department of the Java Military Administration. Exhibit 1351, p 15, states that this department was the guiding and policy making body of the Military Administration. As head of this department Nakayama would be closely connected with all measures taken by the Japanese in Java during his term of office (presumably until March 1943 when he got a new function). Exhibit 1351 gives a complete survey of the Military Administration of Java.
4. No further information concerning Nakayama is at present available here. Slow mail connections and lack of personnel in Batavia make it improbable that additional information will be received within the next three months. However, specific information which you may require can be requested by radiogram.

cc- Investigation Division

A. T. Laverge

16 April 1947

MEMORANDUM FOR : Mr. W. Glanville Brown:  
FROM : Edward P. Monaghan, Acting Chief,  
Investigative Division, IPS  
SUBJECT : NAKAYAMA, Yasuto

1. Please find hereto attached list of material available on the following witness offered by the Defense:

DEFENDANT - ARAKI, Sadao  
MUTO, Akira

WITNESS

NAKAYAMA, Yasuto

LIST OF MATERIAL AVAILABLE

1. Additional Information

2. Please acknowledge receipt of this memorandum by initialing and returning attached carbon copy to this office, Room 300.

EDWARD P. MONAGHAN, Acting Chief,  
Investigative Division, IPS

Incl.  
(described above)

INTERNATIONAL PROSECUTION SECTION  
NETHERLANDS DIVISION

10 April 1947

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A. T. Laverge

*see witness file*

INTERNATIONAL PROSECUTION SECTION  
NETHERLANDS DIVISION

6 March, 1947

To: Acting Chief of Counsel  
From: A. T. Laverge  
Subject: Witness, NAKAYAMA, Yasuto

1. NAKAYAMA has been requested as a witness for the defendant, Muto. In the request it is stated that the witness was formerly a staff officer under General Matsui and could give relevant testimony as to Muto's lack of responsibility for the "Rape of Nanking."

2. Although I have no information as to the activities of this witness during the time that the "Rape of Nanking" took place, he was later sent to the Netherlands Indies, first as a member of the Economic Delegation in 1940 and 1941, and after the occupation of the Netherlands Indies in 1942 he returned and became Head of the General Affairs Department of the Java Military Administration. I have some information as to his activities and more could undoubtedly be obtained from the Netherlands Indies authorities. In one report, for instance, it is asserted that NAKAYAMA was a member of the Economic Delegation, engaged in considerable military espionage and participated in an investigation as to the most appropriate landing beaches on the coast of Java.

3. It is not known to me if the Defense intends to, or will be allowed to, use this witness to testify on Japanese-Netherlands relations. However, I will, in any case, gladly undertake to gather further information about his activities between 1940 and 1943 if this is considered useful.

*A. T. Laverge*  
A. T. LAVERGE

cc-Mr. Pedro Lopez  
Investigation Division



CURRICULUM VITAE

Personal history of NAKAYAMA, Yasuto

Name: NAKAYAMA Yasuto

Date of Birth:-6, September, 1900

Permanent Domicile: No. 1095, Matsubashi-machi, Shimomashikigun,  
Kumamoto Prefecture.

Present Address: No. 537, Sekito, Tama-mura, Minami Tama-gun,  
Tokyo.

Schools from which Graduated:

The Military Academy, graduated on 26 July, 1921.  
The Military Staff College, graduated on 24 December,  
1929.

Rank Held:

26, Oct. 1921 Commissioned sub-lieutenant (Infantry).  
30, Oct. 1924 Promoted to lieutenant (Infantry).  
1, Aug. 1930 Promoted to captain (Infantry).  
1, Aug. 1936 Commissioned air major.  
15, Sep. 1938 Promoted to air lt-colonel.  
1, Mar. 1941 Promoted to colonel.  
20, Feb. 1944 Promoted to Maj-general.

Service Records:

26 Oct. 1921 Assigned to the 79th Infantry Regiment.  
1 Apr. 1926 Assigned to the Guide Unit of the Infantry School.  
1 Aug. 1930 Appointed company-commander under the 79th  
Infantry Regiment.  
1 Mar. 1932 Appointed regular staff member of the General  
Staff Office.  
1 Mar. 1934 Ordered to be stationed in United States of  
America and China.  
1 Mar. 1935: Appointed assistant of the military attache to the

Japanese Embassy at Washington.

- 25 Oct. 1946 Appointed junior secretary of the Bureau of National Resources under the Cabinet.
- 28 Aug. 1937 Appointed staff officer of the Central China District Army.
- 1 Nov. 1938 Appointed staff member of the Military Aviation Headquarters.
- 1 Aug. 1940 Appointed chief of the Third Section, the General Affairs Division, the Military Aviation Headquarters.
- 1 Sep. 1940 Appointed member of the suite of the military representative to the Japan-Dutch conversation.
- 1 Mar. 1942 Appointed Director of the General Affairs Department, the Java Military Administration Supervision Headquarters.
- 16 Mar. 1943 Appointed sectional chief of the General Staff Office.
- 1 Mar. 1944 Appointed Chief of the General Affairs Section, the Army Fuel Depot.
- 15 Feb. 1945 Appointed Director of the General Affairs Department, the Army Fuel Depot.
- 5 Sep. 1945 Appointed Vice-Chief of Staff of the 1st General Army.
- 6 Oct. 1945 Appointed Vice-Chief of Staff of the North-Eastern Army Area Headquarters.
- 25 Nov. 1945 Appointed Director of the General Affairs Division, the Office under the First Demobilization Ministry for Widening up Business of the Army Fuel Depot.

Reward and Punishment:

Reward: 26 July, 1921, gifted with a silver watch by His Majesty when graduated from the Military Academy.  
24 December, 1929, gifted with a service-sword by His Majesty when graduated from the Military Staff College.

Punishment: Nil.

**NAKAYAMA, Yasuto**

**Request by: MUTO, Akira**

**Address: Resident of Tokyo**

**Was formerly a staff officer under General Matsui.**

(1st item)

NAKAYAMA, Yasuo

Request by: MUTO, Akiq

address: Resident of Tokyo

was formerly a staff officer under General  
Matsui

REPORT BY: RICHARD LARSH  
27 Dec 46

MEMORANDUM FOR THE FILE

SUBJECT: NAKAYAMA, Yasuto

Address: A resident of Tokyo

Was formerly a staff officer under General MATSUI.

A check of IPS files reveals no mention of Subject.

COPIES: 3 File \_\_\_\_\_  
1 Mr. Prout

Personal History of Yasuto NAKAYAMA

Yasuto NAKAYAMA (Born 6 September,  
1900)

Permanent Domicile: No. 1095, Matsunashi-machi, Shimomashiki-gun, Kumamoto Prefecture.

Present Address: No. 537, Sekito, Tama-mura, Minami Tama-gun, Tokyo.

Schools from Which Graduated:

The Military Academy, graduated on 26 July, 1921.

The Military Staff College, graduated on 24 December, 1929.

Rank Held:

26 October, 1921: Commissioned sub-lieutenant (infantry).  
30 October, 1924: Promoted to lieutenant (infantry).  
1 August, 1930: Promoted to captain (infantry).  
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15 September, 1938: Promoted to air lt-colonel.  
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20 February, 1944: Promoted to Maj-general. *See*

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Majesty when graduated from the Military Staff College.

Punishment:

Nil.



16 April 1947

MEMORANDUM FOR : Mr. William E. Edwards  
FROM : Edward P. Monaghan, Acting Chief,  
Investigative Division, IPS  
SUBJECT : NAKAYAMA, Yasuto

1. Please find attached hereto list of material available on the following witness offered by the Defense:

DEFENDANT - ARAKI, Sadao  
MUTO, Akira

WITNESS:

NAKAYAMA, Yasuto

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2. Please acknowledge receipt of this memorandum by initialing and returning attached copy to this office, Room 300.

EDWARD P. MONAGHAN, Acting Chief,  
Investigative Division, IPS

Incl.  
(described above)

16 April 1947

MEMORANDUM FOR : Capt. James J. Robinson  
FROM : Edward P. Monaghan, Acting Chief,  
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FROM : Edward P. Monaghan, Acting Chief,  
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375

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MEMORANDUM FOR : Mr. William E. Edwards  
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A. T. Laverge

MEMORANDUM

29 May 1947

TO : Files  
FROM : D. N. Sutton  
SUBJECT: NAKAYAMA, Yasuto - Cross-Examination  
Def. Doc. 1345, Exhibit 2577  
12-13 May 1947, R. 21,885, 21,948

Record page

- 21,918 When Nanking fell on December 13, all armed resistance ceased.
- 21,919 General Matsui's headquarters, Capitol Restaurant, were about one and one-half kilometers from the nearest refuge zone. He recalls only one refuge zone in Nanking.
- 21,920 He inspected all over the city, both within and without the walls.
- 21,921 Twice inspected the grounds of the Ginling College.
- 21,922 Saw dead bodies at only two places around Nanking. The two places at which he saw dead bodies were outside the walls of Nanking and they were bodies of soldiers. He saw no dead bodies of civilians within or without the walls of Nanking.
- 21,924 General Matsui received reports immediately after he entered Nanking that the troops under the command had committed crimes in Nanking. These reports were received from the Kempei, the military police authorities.
- 21,925 General Matsui received additional reports that his troops had committed crimes in Nanking from commanders and provisional commanders under his command, as well as from diplomatic organs. Reports from the diplomatic sources were from the Consular offices in Nanking.

- 21,927 The witness learned later of the reports made by the International Committee for the Nanking Safety Zone - Dr. Bates, Rabe, Magee and others.
- 21,928 These reports were made to the Shanghai Expeditionary Forces.
- 21,929 It was the duty of the Staff Department of the Shanghai Expeditionary Forces to transmit those reports to the Central China Area Army.
- Denies that General Matsui received reports direct from Jap diplomatic service in Nanking.
- 21,930 Saw fires at only one place in Nanking.
- Received only two complaints of violation of foreign interests in Nanking.
- 21,934 Reported these complaints to Muto.
- 21,935 Muto was in Nanking six days. (Muto's interrogation put to witness shows ten days.)
- 21,938 The authorities in Tokyo did not inquire of the Central China Expeditionary Forces concerning the reports received on wrongful acts of Japanese soldiers in Nanking.
- General Homma was sent one month after the fall of Nanking and complained to the chief of staff concerning lax military discipline.
- Captured Chinese soldiers were treated as prisoners of war.
- Prisoner of war camps were established later.
- 21,939 Hedges at Muto's statement that captured Chinese would not be regarded as prisoners of war.
- Two or three prisoner of war camps established on the outskirts of Shanghai in 1937 and 1938.
- 21,942 Does not remember how many captured Chinese soldiers were court martialed before they were shot.



21,943

Faintly recalls protests made by Ambassador Grew to Foreign Minister Hirota and considered it a form of propaganda.

21,947

General Matsui was not replaced by Hata as punishment for the rape of Nanking.

Page

DIRECT EXAMINATION OF NAKAYAMA, YASUTO,  
by Mr. ITO.

21885

\* The witness stated that he lived in Tokyo. He identified exhibit No. 2577 as his affidavit, and after making a single correction verified it. Exhibit No. 2578, a certificate accounting for certain documents, was also offered and received in evidence.

21888

\* The affidavit stated that the witness, as a major, was a staff member of the Central China Area Army from November 1937 to March 1938, engaged in intelligence business. This army was organized about November 5, 1937.

21889

In Shanghai and Central China, the Shanghai Expeditionary Army was fighting the Chinese troops to protect Japanese residents around Shanghai. The Japanese showed no progress because of the great strength of the Chinese, and for topographical reasons. For this reason the 10th Army was newly organized and \* landed on the north coast of Hangchow Bay to facilitate the duty of the force. The Central China Area Army was organized by placing the Shanghai Expeditionary Force and the 10th Army under unified control.

21890

MATSUI became commander and held the additional post as commander of the Shanghai Expeditionary Forces. The Chief of Staff was TSUKADA, Vice Chief of Staff MUTO. There were four other staff members, in addition to a staff officer of the Army Air Force. There were three adjutants. The whole staff was only seven. The \* only personnel of the Central China Area Army Headquarters were the personnel mentioned.

21891

The Commander was ordered to place the Shanghai Expeditionary Army and the 10th Army under his unified control and to regiment all supply works. His chief duty was to adjust the concerted actions of the two armies. For practical use and command of the troops, the commanders of the two armies were to assume charge. Each headquarters therefore had a complete set-up. The Central China Area Army did not have the usual Ordnance, Finance, Medical and Legal sections. The reason for this was \* that the duty of the Shanghai Army was to procure the important lines of Shanghai and its northern districts and to protect the people.

Page

21891

The duty of the 10th Army was to land north of Hangchow Bay and to facilitate the work of the Shanghai Army. Imperial General Headquarters also decided the field of operations for the Central Army on the delta of the Yangtze east of the line connecting Fushan, Suchow and Chiahsing. It was organized only to place the two armies under unified control, and was deemed unnecessary for the army to get headquarters perfectly organized. The army was established only for a short time, and its fighting area was narrow.

21892

They received information that after retreating from Shanghai the Chinese had concentrated large forces around Nanking \* and could make a counter-attack. On December 1, 1937, Imperial GHQ issued an order that the Central China Army would capture Nanking in cooperation with the navy. The Central China Army continued to command operations as before. The day after receiving this order MATSUI issued to both armies orders that the Shanghai Expeditionary Army was to attack Nanking with its main strength along the Wu Shih-Tanyang-Chujing Road, while the 10th Army was to attack from the area along the Wuhu Road. The 101st Regiment was to prepare to attack Hangchow near Sungchiang. The 11th Division and 1st Infantry Brigade of the 3rd Division was to assume charge of maintaining public peace in Shanghai.

21893

Until December 15, 1937, headquarters was located \* ten kilometers north of Shanghai, but advanced to Suchow. MATSUI was then sick, but himself disposed of all matters.

On December 7, Prince ASAKA took command of the Shanghai Expeditionary Army, and MATSUI's sole job thereafter was to command the Central China Army. After arriving at Suchow, MATSUI told his Chief of Staff that since Nanking was China's capital, the capture of it was an international event. Careful studies were to be made so as to dazzle China even more greatly with Japan's military glory and to have the Chinese people place a greater confidence in Japan. This was then conveyed to the staff officers, and a study was made immediately with MATSUI's principle in mind. With respect to international law and practices, they consulted Dr. SAITO.

Page

21894

They made up an order that the \* Central China Area Army intended to capture Nanking. The two armies would capture the city in accordance with "The Way of Capturing the Walled City of Nanking". Originally the phrase "The Capital of the Enemy Nation" was contained, but MATSUI changed it to "The Capital of China", based on his opinion that China as a whole was not an enemy, but only some of her countrymen were.

21895

Both armies were to stop and prepare for capturing Nanking when they had advanced to a line three or four kilometers from the city. On December 9, written advice of surrender was to be scattered from airplanes inside the city. In case the Chinese surrendered, two or three battalions selected from each division and M.P. units were to be sent into the \* city to guard the zone shown on the map. Foreign rights and interests and all cultural institutions as shown in a separate paper were to be perfectly protected. If the Chinese did not surrender, an offensive was to begin on the afternoon of December 10. The Japanese units will enter the city, acting as prescribed above. Military discipline and morale was to be strictly maintained, and public order restored promptly. At the same time the instruction entitled "All the Orders and Words of Advice Concerning the Capture of and Entry into the Walled City of Nanking" was written. This was drafted by the staff to enable all armies to realize MATSUI's intentions.

21896

It stated the entire world was paying sharp attention to realizing that the capture \* and entry into a foreign capital by the Japanese Army is an unprecedented event. All troops must absolutely refrain from forcing their way violently into the city, from fighting among themselves, and from doing illegal acts. Military discipline and morale was to be strictly maintained, so that the Chinese soldiers and civilians may respect the dignity of the Japanese and pledge allegiance to them. Any such acts as would dishonor the Japanese Army should not be taken. The soldiers were never to be permitted to approach any place belonging to foreigners, particularly diplomatic organs shown in a sketch map. They were not to enter any neutral zones where the diplomatic corps were unless it was absolutely necessary. Sentries were to be posted at all necessary points.

May 12, 1947

DEFENSE - Division III - China

NAKAYAMA - Direct

Page

- 21896 They were prohibited to enter the tomb of Sun Yat Sen and the mausoleum of Emperor Hsiao and other tombs of patriotic revolutionists outside the city.
- 21897 \* The units to enter were to be specially selected by division commanders. The troops were to be thoroughly instructed beforehand so that no mistakes might be made for any reasons whatsoever. Severe punishment was to be given to those who plundered or caused a fire to break out.
- A large number of military police were to enter with the troops to prevent unlawful acts. All findings about foreign rights were based on the answers the witness received from consuls in Shanghai when he inquired through the Japanese Consul-General. He drew all of them in on a map in red ink.
- 21898 With respect to cultural institutions, the \* locations of which were clearly known, they were investigated and instructions given to the witness by Japanese diplomatic organs, and he drew all such matter in on maps to enable all the Japanese to understand them fully.
- 21899 \* All orders, instructions, and maps were delivered on December 8 to the Shanghai Expeditionary Army by the Chief of Staff and others, including the witness. Another Staff Officer was at the same time sent to the 10th Army to enable it to know about the matter. Notes of advice to surrender to the Chinese inside the city were scattered by the Air Corps on December 9. At that time MATSUI was ill in Suchow, and MUTO, Vice Chief of Staff, was with him. After delivering these orders, the Chief of Staff and the remainder lived in Tang-shui-chen.
- 21900 Until December 10 at 1 p. m., the Chief of Staff and the witness waited outside the CHUNGSHAN Gate for a flag of truce to be brought from the Chinese Army, but this did not come. From about 2 p. m. a general attack was begun. Although the Chinese offered stubborn resistance \* the Japanese Army succeeded in capturing the Wall about midnight of December 12. Fearing that the armies might be thrown into confusion, the Chief of Staff had both armies informed of strict obedience to the orders. Despite this, the majority of first-line troops had entered the Wall before they were aware of it.

Page

21900

He heard later that they were drawn into the wall under the natural influench which came after the enemy's resistance had broken. It was also due to the fact that the Japanese troops could not be quartered because all barracks and schools outside the Wall had been destroyed or burned by the Chinese. There was also very little water outside the Wall, and such as there was was undrinkable.

21901

On December 13, to ascertain the facts concerning the capture, the witness entered the city through the Chungshan Gate. On the 14th and 16th he visited Nanking again to prepare for MATSUI's formal entry. \* He went first to the National Government Office and then to the Capital Restaurant. The road he took was that to be taken by MATSUI at the time of entry into Nanking. He saw no dead bodies, but he saw some sand bags which were scattered near the Chungshan Gate. Near the airdrome inside the Wall, he saw some smoke which was rising, but in the northern part of Nanking no great damage was inflicted. The National Government had had no damage at all. The Capital Restaurant, although it appeared undamaged, was completely devastated inside, as Chinese troops seemed to have been staying there. On the morning of the 16th the restaurant was being cleaned and preparations made in the room for MATSUI. All members under the Chief of Staff were ready for bivouac.

21902

MATSUI received, on December 14, the information about the capture. \* Though he had not completely recovered, he flew from Suchow on the 15th with MUTO, arriving at the airdrome of Chujung, and then went by motorcar as far as Tangshuichen.

On December 17 the ceremony for triumphant entry was held, and MATSUI and Vice Admiral HASEGAWA entered. The Capital Restaurant was his lodging. After the ceremony MATSUI ordered all officers to be more strict in maintaining discipline and morale. He commanded troops inside to adjust, and ordered unnecessary troops outside. This order was issued because he had received a report from MPs regarding military discipline and crimes committed by his troops.

Page

21903

The Chief of Staff immediately ordered his staff officers to inspect the outside of the City to find quarters. \* It was found that the area was absolutely unfit for military quartering. On December 19 it was therefore decided that the 10th Army would be sent back to Wuhu, the Shanghai Expeditionary Army sent to the north coast of the Yangtse, leaving the 16th Division for protecting Nanking. This was gradually put into practice.

21904

On December 18 a memorial service for the dead was held. MATSUI strongly emphasized that not only the souls of the Japanese dead, but also those of the Chinese should be worshipped. This alone was the foundation for establishing peace and harmony and was the real spirit of the Greater Asia Doctrine he emphasized. He ordered the Chief of Staff to make preparations. There was not enough time to do this. It was therefore decided that the memorial service for the Chinese would be held on another occasion. \* MATSUI regretted this, and after going back to Japan he had a temple built for the Goddess of Mercy at various places, where he worshipped the souls of the dead of both.

The so-called poor people's quarters administered by the Nanking Safe Area Committee was not officially acknowledged as a neutral zone, but these quarters were considered so that there would be no trouble. It was decided that even after the capture this area would be protected and the quarters would be guarded. Soldiers would not be permitted to enter without special permission.

21905

Later they heard that the committee had protested against the atrocities committed by the soldiers within these quarters. Their protests did not reach headquarters of the Central China Area Army. Even if there were such illegal acts, protests had to be given to the Japanese Consulate, which established \* communication with Special Service and the Shanghai Expeditionary Army Headquarters which had direct responsibility for guarding Nanking. There was no information from the Shanghai Expeditionary Army to the Central China Army, and neither MATSUI nor his Staff Department knew of the protests.

Page

21905

Unlawful acts by Japanese soldiers had to be investigated and court-martialed and only the results were reported to the Central China Area Army Hq. However, the rumor of unlawful acts in Nanking came to MATSUI's knowledge after he returned to Shanghai with all his staff officers. MATSUI began to feel uneasy and had the witness transmit his instructions, that it was rumored that illegal acts are being committed in Nanking by Japanese troops. He gave instructions on the occasion of the entry that no such acts should be taken. \* Any one who would misconduct himself must be severely punished, and measures taken for compensation for damage.

21906

On December 26 or 27 the witness left Shanghai for Nanking, and conveyed this order to the Chief of Staff of the Shanghai Expeditionary Forces. It was reported that the Chief of Staff and all his staff were inspecting day and night all the streets so as to realize perfect military discipline.

21907

\* Before and after the ceremony for the entry into the Walled City of Nanking, the witness carried out inspections there. He saw no dead or massacred bodies of Chinese civilians except about one hundred dead bodies near Ksiakuan, \* and about thirty near Asia Park, which looked like Chinese soldiers. He heard that there were about 5,000 POW in Nanking, but they were never massacred and had been released to the other side of the Yangtze, according to information received.

21908

MATSUI was always anxious to avoid friction with foreign nations, and gave orders to protect foreign rights and interests. This was transmitted by the Chief of Staff on all possible occasions. Some violences of foreign rights and interests came to his knowledge from information from both armies. Since those had to be settled by international negotiations, it could not be treated by either of the two army headquarters, and the information came to the Central China Area Army. They were always practically embarrassed on the battlefield in China by the fact that the Chinese soldiers and civilians made false use of flags of other countries and hampered Japanese operations.



Page

21909

\* While it was evident that at Yangchou there were no foreign rights and interests, as the result of previous investigations foreign flags were being put up. This occasioned doubts, and it became clear that the Chinese were using foreign flags falsely. Many such instances in the China battlefield were reported to the witness. They therefore had the experience that the Japanese were unable to believe that where there were foreign flags there were foreign rights and interests. They believed that the case of violating foreign rights and interests in Nanking must have been treated and settled by the Damage Investigating Committee in Shanghai, consisting of members of the army, navy, and diplomatic organs.

21910

With respect to the "Lady Bird", the witness received information that a British gunboat had been fired on near Wuhu by the artillery attached to the 10th Army. About December 14, the Chief of Staff ordered the witness to investigate. \* He immediately went, and discovered that on December 11 the 10th Army was advancing near Wuhu. Severe battles were being fought near Nanking, and the Chinese were retreating on various vessels. General YANAGAWA sent to HASHIMOTO, commander of the 13th Artillery Regiment, an order to carry out bombardment regardless of nationality. He understood that the ships were retiring with retreating Chinese soldiers on board and with foreign flags.

21911

HASHIMOTO was advancing in the direction of Nanking, but returned on the 11th to Wuhu and occupied positions there. On the following morning he saw several vessels on the YANGTZE through the thick mists carrying Chinese soldiers, and instantly fired upon them. The "Lady Bird" was among the fired vessels, \* and he had made an error due to the thick mist.

This report was made to the Chief of Staff and then to MATSUI. MATSUI ordered the Chief of Staff to transmit to the commander of the 10th Army that an apology be made to the Chief of the British Navy, and the witness heard about this from MATSUI. He also heard that MATSUI had met, on his return to Shanghai, Admiral Little, to whom he expressed great regret. The Admiral promised to convey MATSUI's apology to the British Government.

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21911

The shelling of the "Panay" was investigated by the Navy. The witness got only the outline of the case and never went into details. He had heard that MATSUI, after returning to Shanghai, expressed feelings of regret to Admiral Yarnell.

21912

MATSUI entered Nanking \* on December 17, and on the 20th left for Shanghai by destroyer with the Chief of Staff. All other members, including MUTO, reached Shanghai on the 21st or 22nd. MATSUI hurried back to Shanghai because he had been ordered by Imperial GHQ to commence the attack against the Hangchow area at the end of December, and he had to command operations.

Until the capture of Nanking, there was no judicial department attached to the Central China Area Army, and therefore no court-martial. On December 20 the Shanghai Expeditionary Forces Headquarters was placed in Nanking, the 10th Army in Hangchow, and Central Army HQ in Shnghai. Therefore, at the end of December a judicial department was established in the Central China Area Army by order of Imperial GHQ.

21913

The judicial department attached to each army is an independent law organ. It was under each commander and not under the command of the judicial department of the Central China Area Army. \* However, the results of the court-martial had to be reported.

The Chief of Staff had no right to command the Chief of the Judicial Department, but is able to administer the business affairs of the Judicial Department. The Vice Chief of the Staff of each army has no authority whatsoever on this. As a result, all staffs below are ignorant of the results of the court-martial or the business of the Judicial Department unless given special information. The so-called Nanking Incident was rumored about long after he had received his post in the staff of the Central Army. While he had visited Nanking several times, he had never heard about such events as were rumored, nor seen anything concerning such events.

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DIRECT EXAMINATION BY MR. SAEKI,  
Counsel for MUTO.

21914

\* The witness stated that the duties of the Vice-Chief of Staff was assistant to the Chief of Staff, and his main duties related to supplying men and ammunition in accordance with the chief's orders.

21915

\* He has no power of decision. MUTO was engaged from December 17 to the 21 or 22nd in an inspection of the situation and disposition of troops outside the Walls and in the efforts not to let Japanese soldiers within the city to get out. He also inspected billeting capacity outside. He had also given the witness directions with respect to protecting foreign interests and other matters relating to foreign relations.

21916

The witness was appointed to the staff of the Central Army \* because MUTO considered his background as most fitting in handling foreign relations because he had studied in America and China.

CROSS-EXAMINATION by Mr. Sutton.

The witness stated that the 10th Army landed in China on November 5, 1937. MATSUI was placed in command of the Middle China Expeditionary Force on October 30, 1937, and was concurrently commander of the Shanghai Expeditionary Forces.

21917

\* MATSUI was not in command of all the forces of Japan in China which engaged in the campaign in the capture of Nanking. At the time of occupation of Nanking, MATSUI was Commander-in-Chief of the Central China Area Army only, and was succeeded by General HATA.

21918

\* When asked whether the Chinese offered resistance after the Japanese entered on December 13, the witness stated that in the early morning of December 13 the Japanese forces captured the wall of Nanking. There was fighting until the morning of the 13th, since the momentum with which the Japanese attacked the walls caused them to pursue the fleeing Chinese forces. The armed resistance ceased on the morning of the 13th.

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21918  
21919

The Capital Restaurant was about two kilometers \* north of the university, and about one and a half kilometers to the nearest refugee zone. His recollection was that there was only one refugee zone in Nanking. 200,000 refugees were in one large area, but they were not crowded. Chinling College was within the refugee zone.

21920

MATSUI remained in Nanking about one week after the capture. His statement from the 17th to the 20th was true. \* He had no positive recollection as to how many days MATSUI stayed in Nanking, but his recollection is that he stayed as stated in his affidavit. The witness was in the suburbs of Nanking before and after its capture. He first entered the city on the 13th, but was there on the 14th and 15th. He carried out inspections on all days. He could not positively recall the names of streets or districts, but he inspected all three days, both within and without the walls.

21921

\* He had inspected the grounds of Chinling University, but had never seen the University of Nanking. He had inspected the grounds of Chinling College twice. He did not know how many women and girls were taking refuge there, but he had seen women and girls there. He saw dead bodies in two places in the city. He inspected both by day and night, but \* only twice by night. The only places he saw bodies were at Hsiakwan in the suburbs, and at Asia Park. He would say that he didn't see any within the walls of Nanking. They were dead bodies of soldiers, and he never saw dead bodies of civilians there, within or without the city.

21922

21923

\* He did not mean in his affidavit that dead bodies were in the sand bags scattered within the gate. In his inspections he went along the side streets and along the Bund, and along the banks of the Yangtze outside the walls. He absolutely did not learn that there were thousands of dead civilians on the banks of the Yangtze. He did not see Chinese civilians tied together being marched along the streets of Nanking by Japanese soldiers. \* He had never heard that groups of civilians of more than a thousand were taken from the safety zones and marched to the banks of the river and mowed down by machine guns.

21924

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- 21925 The first report MATSUI received of the crimes having been committed in Nanking were received after entry into Nanking. The reports were received from the military police. \* He had no recollection of the nature of the crimes reported. He also received other reports from people other than the military police, from the commanders and division commanders and the diplomatic organs. He had no recollection of how many reports he received from commanders relative to crimes on the day he entered Nanking. They were not together when the reports were received. He did not know whether MUTO was with him when he received these reports.
- 21926 When speaking of diplomatic sources, \* he meant Japanese personnel with the consulate in Nanking. He did not know whether FUKUDA was one of those who remained behind in the consulate. He could not recall whether FUKUI, Acting Consul General in Nanking, was one of those from whom MATSUI received reports. He stated he knew consul general HIDAKA, \* and believed he was in Nanking on December 17 and for some days thereafter.
- 21927
- 21928 Matters reported by the Consul General were reported to the Special Service Department of the Shanghai Expeditionary Forces. He learned much later that the International Committee made daily reports, and sometimes several reports on the same day to the consular authorities, relative to atrocities. Later he learned that Doctor Bates, Raabe, and Magee, had made reports concerning atrocities. He did not know \* on December 16, 1937, a report of a list of atrocities was sent to FUKUDA by the secretary of the Committee.
- 21929 He thought that reports were made to the Shanghai Expeditionary Forces and the Special Service Department, \* but they were not made to the Central China Area Army. The duty of transmitting these reports to the Central China Area Army was on the staff department of the Shanghai Expeditionary Forces.

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The reports were not made direct by the diplomatic service to MATSUI himself when he was in Nanking. When it was pointed out that MATSUI had stated that he had received reports from diplomatic sources as soon as he entered Nanking, the witness stated he was unfamiliar with the details, since he was not always with MATSUI. So far as he knew, the Central China Area Army had not received reports from diplomatic sources.

21930

He had seen fires burning in the city. \* At one place west of the airfield south of Nanking he saw fires burning within the city. This was the only place.

He received two complaints with respect to violations of foreign interests in Nanking. Neither of them had any connection with the burning of the Russian Embassy on January 1, 1938.

21931

He had never heard that the YMCA building, or churches and schools had been burned. \* He had heard of the burning of the Russian Embassy.

The complaint filed by 22 foreign residents with the consular office on December 21, 1937, in which they asked that burning be stopped, was not referred to the witness.

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21,934

The witness stated that he reported to MUTO complaints received of violation of foreign interests in Nanking. MUTO, however, never informed him of any reports which he himself received directly. What he was saying concerned only what happened immediately after entry into Nanking during 1937. MUTO never \* accompanied him on his inspection tours and the witness did not know whether he made inspections. MUTO, he believed, was in Nanking from December 15th to 20th, about six days. By Nanking he meant both the outskirts and the walled city. When it was called to his attention that MUTO had stated that he had been there for ten days, leaving about December 24th or 25th, the witness stated immediately before the capture of Nanking, MUTO arrived at the airfield with MATSUI on the 15th, and he believed it was on the 21st or 22nd that he left by train with \* the witness.

21,935

21,936

When it was pointed out that MUTO had said that the Chief of Staff had told him about atrocities in Nanking and the witness was asked whether he had learned of these incidents, he said he never heard of any murder incident. He did not know whether theft was an appropriate word; there were a few cases of looting. With respect to the assaults on women, there may have been a few cases on some days to a limited extent.

21,937

The poor people's quarters referred to in his affidavit he believed was the same as the International Committee for the Nanking Safety Zone. He did not believe it was true \* that soldiers repeatedly entered the safety zones by day and night and carried off women and girls. The safety zone was protected by Japanese troops and sentries were posted at entrances and exits and soldiers were not permitted to enter without permission from superior commanders. If soldiers entered, it was because they were on guard duty. He heard that the Committee had protested against atrocities in these quarters after the conclusion of the war.

21,938

When asked whether the authorities in Tokyo inquired of the Central China Army concerning reports sent to them from the Consul General, the witness stated that according to his recollection no such thing happened. One month after the fall of Nanking, HOLMA was sent to the Central China Expeditionary Forces and he complained to the Chief of Staff on whether military discipline had not been somewhat lax. This,

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however, was merely a question of military discipline and had nothing to do with massacre or looting.

21,939

Captured Chinese soldiers were treated as POW's. Later POW camps were established. When MUTO's interrogation was referred to him to the effect \* that the Chinese were not regarded as POW's because the incident was not a war, the witness said that the conflict was very complicated, and although they were officially unable to give POW treatment under international law at the front line, he believed prisoners were accorded such treatment in accordance with the provisions of international law. What MUTO has stated confirms the aspects of the problem as it relates to international law. The actual situation was that in Central China prisoners were accorded fair treatment as POW's. Some even grasped a true understanding of the conflict and were recruited for the regular troops of the army under Wang Ching-wei.

He was not aware of the details about POW camps in Central China in 1937 and 1938, but he did know that there were two or three such camps on the outskirts of Shanghai.

21,940

He stated that the Central China forces never adopted any policy of seeking out disarmed Chinese soldiers and shooting them. MATSUI was sincerely convinced that the Japanese and Chinese must unite in peace. The witness was much impressed by his efforts on this point. He had never heard that the International Committee had arranged for the burial of more than 30,000 Chinese soldiers who had been shot after surrender. However, the situation may have been misunderstood, misconstrued and conveyed to the world abroad. Several soldiers of the defeated Chinese went into the safety zone still carrying weapons. They were forced out and some were court-martialed and executed. This was probably exaggerated greatly \* and conveyed abroad in a very exaggerated form. He did not remember how many were court-martialed before they were shot. He denied that the only prisoners released were dead ones, after they had been shot.

21,941

The Japanese troops at the time numbered several tens of thousands and there was a shortage of provisions and the Japanese were unable to supply the Chinese POW's.



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The policy of Imperial General Headquarters was one of non-expansion and orders had come to the Central China Expeditionary Forces to concentrate the forces in the area which they already held as soon as Nanking was captured. It was in line with this policy that all POW's were released to the north side of the Yangtze River.

21,942

Since the Central China Area Army was officially disbanded in March 1938, the witness left his post as staff officer, but continued in the newly formed China Expeditionary Forces until March 1939.

21,943

With respect to the facts of the Nanking incident being rumored in the world long after he resigned, he stated he believed they were published abroad while he was with the Central China Forces, but he himself did not hear of it until after the conclusion of the war. He had a faint recollection that in January 1938 Grew was filing with HIROTA strong protests about Nanking, based on detailed reports received from the American Embassy in China. In view of the international situation prevailing at the time, he considered it propaganda and did not think about it. When asked whether these protests by Grew were the rumors referred to in his affidavit, he said it would be impolite for him to call these protests rumors, but from his point of view the Nanking incident can be divided into four parts.

21,944

He believed that the massacre of civilians was without foundation. He also believed that the so-called massacre of POW's was also untrue, except for that which was mistakenly conveyed abroad. There may have been a few cases of violation of foreign rights, but it was impossible to say whether they were committed by Japanese or Chinese. There were several cases of rape and assault against women and girls.

21,945

The witness stated he did not know that there was a report made by the German Ambassador in China to the German Foreign Office, giving a detailed account of the happenings in Nanking from December 8, 1937 to January 13, 1938. \* When asked whether this report did not, in fact, state that Nanking clearly showed the lack of discipline, atrocities and criminal acts, not of an individual, but of an entire army, the Japanese, the witness stated headquarters did everything in its power to prevent the occurrences of such incidents and only history

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can give a fair appraisal of to what extent military discipline had been relaxed.

21,946

The witness stated that toward the end of 1937 incidents occurred in which either Japanese or Chinese soldiers entered foreign buildings, especially Consulate-Generals, legations and embassies and looted them.

21,947

With respect to the hidden Chinese soldiers in the safety zone who were executed, he stated he did not know the details of the case, but if soldiers should hide in a safety zone without surrendering and retaining their weapons, they would have no defense even if charged with conspiring for some future purpose. He recollected that the Shanghai Expeditionary Forces had issued a proclamation urging Chinese soldiers who had fled to the safety zone to surrender. \* When MATSUI heard of the looting of foreign buildings, he immediately sent the witness from Shanghai to Nanking to investigate. When it was heard that vehicles of the foreign diplomats had been stolen, Army Headquarters immediately purchased a dozen new cars and sent them to make up for the loss.

The court-martial records were held by the Shanghai headquarters of the Shanghai Expeditionary Forces. MATSUI was not replaced by HATA as punishment for the rape of Nanking. Since MATSUI had become commander from the reserve list and had established his fame, it was thought proper that he should be replaced by an active general. He was also getting old.

REDIRECT EXAMINATION by Mr. Ito

21,948

The witness stated he investigated the cause of the Russian Embassy fire, but the cause still remained uncertain. He did not know whether it was because of a genuine mistake, or whether the caretaker intentionally set the fire. There was a caretaker at the time. He remembered nothing about the Russian Government ever protesting to Japan concerning the incident.

refer to Mac Donalds Report  
Hullett about 7 N.Y. Times  
who were there in Shanghai

Def. Doc. 1345

Translated by Defense  
Language Section

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

United States of America, et al

- vs -

ARAKI, Sadao, et al

Σ 2377  
working

PKM + him the  
ev. of Hirohito reports given  
# 1165/47  
to the army

AFFIDAVIT OF

NAKAYAMA, Yasuto

Verified  
5/12/47  
5/13/47

1. I live at Sekido, Tama-mura, Minami-tama-gun, Tokyo, to now.

2. My career is summarized as follows:

Graduated from the Military Staff College in November 1929.

Became a member of the General Staff in ?

Studied in U.S.A. in ?

Studied in China in ?

Became a staff member of the Central China Area Army in November 1937. major

Became Chief of a section of the Air Service Headquarters in ?

Became Chief of a section of the General Staff in ?

Became Chief of the General Affairs Section of the Fuel Headquarters  
in ?

3. My rank at the time when I became a staff member of the Central China Area Army was major. I remained in that post from November 1937 to March 1938, and during that period of time I was engaged in intelligence business.

4. The Central China Area Army was organized about November 5, 1937.

In the neighbourhood of Shanghai <sup>and</sup> Central China, the Shanghai Expeditionary Army which had been organized in the middle of August 1937 was fighting the Chinese troops in order to protect the Japanese residents in and around Shanghai. However, the battles showed no advantageous progress on the Japanese side because of the great strength of the enemy and also for topographical reasons. For this reason, the 10th Army (YANAGAWA Army Corps) was newly organized and was landed <sup>when</sup> on the north coast of Hangchow Bay in order to facilitate the performance of the duty of the Expeditionary Forces. The Central China Area Army was organized with the duty of placing these two armies, namely the Shanghai Expeditionary Forces and the 10th Army under unified control.

objection  
written order of Dec 37. should be produced on its absence  
1-4-5 the way of capturing the walled city of Hankow - not properly given  
1-5-6 "order" words & advice - as it was not  
- 1 -

*what is the cent china  
expeditionary forces & who  
organized*

5. General MATSUI, Iwane was appointed Commander of the Central China Area Army and also held an additional post of the Commander of the Shanghai Expeditionary Forces.

The staff members of the Central China Area Army were:

Chief of the Staff -- Osamu TSUKUDA, Major General

Vice Chief of the Staff -- Akira MUTO, Colonel

Other Staff Members -- Masatake KIMIHARA, Lt. Colonel

-- Yasuto NAKAYAMA, Major

-- Yoshikiyo NINOMIYA, Major

-- Takeshi YOSHIKAWA, Captain

*the witness*

In addition to these mentioned above, there was one staff officer of the Army Air Force. Besides, there were three adjutants. The total number of the members of the Staff Department was only seven. The names of these above, however, I have completely forgotten. The Central China Area Army Headquarters consisted of only such personnel as were mentioned above. There were no other organs and personnel.

6. The Central China Area Army Commander was ordered to carry out the duty as follows:

"The Central China Area Army Commander will place the Shanghai Expeditionary Army and the 10th Army under his unified control and will regiment all supply works."

The chief duty was to adjust the concerted actions of the two Armies. As for the practical use and command of the troops, the Commander of the Shanghai Expeditionary Army and the 10th Army was considered to assume charge of them. Consequently, in the Headquarters of the Shanghai Expeditionary Army and that of the 10th Army, there were the perfect establishment of the Ordnance, Finance, Medical and Legal Affairs Departments in addition to Staff and Adjutant Departments. In the Central China Area Army Headquarters, however, such organs were not in existence.

*Matsui*

10th army to self Shanghai army

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7. In order to explain why the Central China Area Army Headquarters were so imperfectly organized, it is necessary to clarify the duties allotted to each of the Shanghai Expeditionary Army and the 10th Army.

The duty of the Shanghai Expeditionary Army was "to procure the important lines of Shanghai and its northern districts, and to protect the people of the Empire".

The duty of the 10th Army was "to land on the north coast of Hangchow Bay and to facilitate the work of the Shanghai Expeditionary Army".

font of

Besides, the Imperial General Headquarters decided the field of operations for the Central China Area Army on the delta of the Yangtse in the east of the line connecting Fushan, Suchow and Chiahsing.

The Central China Area Army was organized only for the purpose of placing the two armies of the above duties under unified control. It was regarded, for this reason, quite unnecessary for this Army to get its headquarters perfectly organized. It is because this Army was established only for a short time and its fighting area was quite narrow.

did it not capture Hankow in Oct. 38?

We received such information that, after retreated from Shanghai, Chinese troops concentrated large forces around the Nanking district and they were in a position to make a counter-attack.

Chen Tomi testimony

On December 1, 1937 the following order was issued from the Imperial General Headquarters:

"The Central China Area Army will capture Nanking in cooperation with the Navy."

Even after this order was issued, the organization of the Central China Area Army Headquarters remained quite mechanized and it was engaged solely in commanding operations as before.

What is that?

9. One day after he received the above order, General MATSUI issued to both armies the orders which were almost like the following:

1. The Shanghai Expeditionary Army will attack Nanking with its main strength from the area along Wu Shih-Tanyang-Chujing Road.

2. The 10th Army will attack Nanking from the area along Huchou-Kuangte-Wuhu Road.

3. The 101 Regiment Division will make preparations for attacking Hangchow in the neighbourhood of Sungchiang.

4. The 11th Division and the 1st Infantry Brigade of the 3rd Division will assume charge of maintaining the public peace in and around Shanghai.

10. Until December 15, 1937, the Central China Area Army Headquarters was located at the point about ten kilometers north of Shanghai, but advanced to Suchow on the same day. At that time, General MITSUI was sick in bed, but he disposed of all important matters in his sick-bed.

*W.C. he entered Nanking Dec. 17*

On December 7th, Prince ASAKA arrived at the actual field as the Commander of the Shanghai Expeditionary Army. General MITSUI was relieved of the additional post he had held and, as a result, he came to command the Central China Area Army solely.

11. After arriving at Suchow, General MITSUI told General TSUKADA, Chief of the Staff, "As Nanking is the capital of China, our capture of it is an international event. Careful studies must be made in this regard so as to dazzle China even more greatly with Japan's military glory and to have the Chinese people in general place a greater confidence in Japan." This instruction was conveyed from the Chief of Staff to us staff officers. We began to make our study quite immediately with General MITSUI's principle in mind. As regards the International Law and International Practices, we consulted Dr. SAITO, Yoshio. Finally we made up such an order of the following gist:

1. The Central China Area Army intends to capture the Walled City of Nanking, the capital of China.

2. The Shanghai Expeditionary Army and the 10th Army will capture the Walled City of Nanking in accordance with "The Way of Capturing the Walled City of Nanking", written in another sheet of paper.

In Clause I of the draft order, there was originally found the phrase "The Capital of the Enemy Nation". However, Commander MITSUI corrected it as "The Capital of China", based upon his own opinion that China as a whole was not our enemy, but only some section of her countrymen were enemies.

*was the half - hearted enemy.*

*what is this*

*did with her this*

*object from here to end 2/11*

*A*

"The Way of Capturing Nanking" referred in Clause II meant the following matters:

1. Both armies will stop and make preparations for the capture of the Walled City of Nanking when they <sup>have</sup> advanced to the line three or four kilometers off that city.

2. On December 9th, written advice for surrender will be scattered from airplanes among the Chinese soldiers inside the Walled City of Nanking.

3. In case the Chinese Army surrenders, two or three battalions selected from each division and M. P. units alone will be sent into the Walled City of Nanking. There, they will be engaged in guarding the zone which is shown on the map. Especially foreign rights and interests and all cultural institutions such as those which are particularly shown in a separate paper are to be perfectly protected.

4. In case the Chinese Army does not agree with our advice for surrender, an offensive will be commenced in the afternoon of December 10th. On this occasion, too, the Japanese units that will enter the Walled City of Nanking must act in the same way as above. Especially military discipline and morale must be strictly maintained and public order must be restored promptly. At the same time as the above order was drawn up, the instruction entitled "All the Orders and Words of Advice Concerning the Capture of and Entry into the Walled City of Nanking" was composed. This was drafted in the Staff Officers' Department so as to enable all the armies to realize completely what General MATSUI had intended.

The gist of the above instruction was as follows:

1. The entire world has been paying its sharp attention with the realization that the capture and entry into a foreign capital by the Imperial Army is the event which is quite unprecedented in the history of our country and will remain permanently in books. In view of the above fact, all troops should absolutely refrain from forcing their way violently into the city, from fighting among themselves, and from making any illegal acts.

B  
not

attention  
was called  
on Nanking

2. Military discipline and morale of each unit should be most strictly maintained so that both the Chinese soldiers and civilians may respect the dignified manner of the Japanese troops and may also plead allegiance to them. Thus, any such acts as would dishonour the Japanese Army should never be taken under any circumstances.

3. You are never permitted to approach any places for foreign rights and interests particularly diplomatic organs which are illustrated in an annexed sketched map. You should never enter any neutral zones where diplomatic corps have been established unless it is absolutely necessary to do so. Sentries should be posted in all necessary points.

Moreover, you are prohibited to enter the tomb of SUN YAT SEN and the mausoleum of the Emperor HSLAO of the Ming Chao Era and other resting places of patriotic revolutionists which are situated outside of the Walled City of Nanking.

4. Units to enter the Walled City should be especially selected by the divisional commanders. The words of advice for the capture of the Walled City of Nanking, especially all the places of foreign rights and interests inside the Wall, should be thoroughly given beforehand to all of them, in order that no mistakes may be made for any reason whatsoever. If necessary, sentries should be posted.

5. Severe punishment is to be given to those who would plunder or who would cause a fire to break out even because of their carelessness.

A great number of military policemen as well as assistant military policemen should be made to enter the Walled City at the same time as troops in order to prevent all unlawful acts.

*and maps*  
12. All findings about foreign rights and interests are based upon the answers I received from Consul Generals or consuls of various countries in Shanghai whom I had inquired about them through the hands of the Japanese Consul General there. Thus, I draw all of them on a map in red ink for clarifying matters.

*no objection*



As for cultural institutions, those, except the tomb of SUN YAT-SEN and the mausoleum of the Emperor HSLAO of the Ming Era -- the locations of which were clearly known, were investigated and instructed to me by Japanese diplomatic organs. In this way, I drew all such matters in maps quite clearly so as to enable all Japanese to understand them to the fullest extent. e could

13. All those orders, instructions and maps referred above concerning the capture of Nanking were carried and delivered on December 8 to the Shanghai Expeditionary Army Headquarters by General TSUKADA, Chief of the Staff, together with Lt. Colonel KIHARA, a member of the Staff and myself. Another staff officer was at the same time dispatched to the 10th Army to enable the whole army to learn perfectly the above matters. Notes of advice for surrender to the Chinese Army inside the Wall were scattered on December 9th by the air corps of Chujung. c "

At that time, General MATSUI was sick in bed in Suchow, and Colonel MUTO, Vice Chief of the Staff, was with him.

After delivering the above-mentioned orders, the Chief of Staff and all of us resided in TAI-shui-chen.

14. Until about 1 p.m., December 10th, General TSUKADA, Chief of the Staff, and I had been waiting outside the CHUNGSHAN Gate for the bearer of the flag of truce from the Chinese Army. However, he did not come at last. For that reason, from about 2 p.m., a general attack was commenced against Nanking. Although the Chinese offered stubborn resistance behind the Wall, the Japanese Armies succeeded in capturing the Wall of Nanking at about 12 p.m. of December 12th. Fearing the armies might be thrown into confusion, General TSUKADA, Chief of the Staff, had his subordinate staff officers inform both armies of their strict obedience to the above orders. Despite this, the majority of the first line troops had already entered the Wall before we could be aware of it. I heard later that they were drawn into the Wall under the natural influence which came after the enemy's strong resistance was broken down. It was also due to the fact that the Japanese troops could not be quartered because all barracks and schools outside the Wall had been destructed or burnt by the Chinese Army or the Chinese people. There was still another reason that there was very little water outside the Wall, and even if there

was some, it was not drinkable at all, I was informed some time later.

15. On December 13th, in order to ascertain the fact concerning the capture of Nanking, I entered Nanking City through Chungshan Gate. On the 14th and 16th, I paid a visit to Nanking again for making preparations for the formal entry of General MATSUI. I proceeded along the main road through Chungshan Gate to the National Government Office first and then to the Capital Restaurant.

*Send to [unclear]*

The road I took was expected to be taken by General MATSUI at the time of his entry into Nanking. I witnessed on that road no dead bodies except some sand bags which were scattered about near Chungshan Gate. Near the airdrome inside the Wall, that is to say, in the southern part of Nanking, I caught a glimpse of some smoke which was rising up there, but on the area in and around the Capital Restaurant, namely on the northern part of Nanking, no great damage was inflicted. The National Government had had no damage at all. The Capital Restaurant, though it appeared undamaged, got its inside desperately devastated, because the Chinese troops seemed to have been staying there. Under the leadership of the Adjutant of the Department of the Headquarters, the Capital Restaurant was being cleaned on the morning of the 16th, and in the room for General MATSUI, necessary preparations were made with some difficulty. All members under the Chief of Staff, however, were ready for bivouac, it was told.

16. General MATSUI received, on December 14th, the information concerning the capture of Nanking. Though he had not yet completely recovered from his illness, he flew in a small-sized airplane from Suchow on the 15th together with Colonel MUTO, Vice Chief of the Staff, and arrived at the airdrome of Chüjung where he advanced by motorcar as far as Tangshuichen.

On December 17th, the ceremony for the triumphant entry into the Walled City of Nanking was held, and General MATSUI entered together with Vice Admiral HASEGAWA, Kiyoshi, Commander of the Navy. The Capital Restaurant was his lodging. After the ceremony, General MATSUI gathered all participating officers and ordered them to be more strict in maintaining military discipline and morale. He also commanded the troops inside the Wall to adjust, and ordered unnecessary troops to go outside. This order of his which was demanding more strict execution of his

*3 orders were they executed?*

*Why the order to be more strict*

*who*

*13 corrected by [unclear]*

Police Crimes

W.C.  
Matsui says  
diplomatic  
corp?

earlier orders was issued because he had received a report from the Military Police there regarding some crimes connected with military discipline and morale which were committed by some troops under his command.

General TSUKADA immediately ordered the staff officers under him to inspect the outside of the Walled City of Nanking for the investigation of the quartering power there. As the result, the area came to be found out that it was absolutely unfit for military quartering. For that reason, on December 19th, it was decided that the 10th Army would be sent back to the Wuhu district, and that the Shanghai Expeditionary Army, leaving only the 16th Division for the protection of Nanking, would be made to retire gradually to the north coast of the Yangtse and to the Shanghai district. This was gradually put into practice.

17. On December 18, a memorial service for the dead officers and men was held. In celebrating this memorial service, General MATSUI strongly emphasized that "not only the souls of the Japanese dead, but also those of the Chinese dead should be worshipped and appeased -- such alone is the foundation for the establishment of peace and harmony between China and Japan and is also the real spirit of the Greater Asia Doctrine I always emphasize". He gave an order to the Chief of the Staff to make preparations for the memorial address, etc.

However, there was not enough time left for us to do so. It was therefore decided that the memorial service for the departed spirits of the Chinese would be held on another occasion. General MATSUI regretted it quite immensely. After repatriating to Japan, he had a temple built for the Goddess of Mercy at IZUYAMA, ATAMI City and Kanagawa Prefecture, and here he worshipped the souls of the dead of both the Japanese and Chinese troops. The temple still exists now.

Point a  
copy

18. The so-called poor people's quarters which were administered by the Nanking Safe Area Committee were not officially acknowledged as a neutral zone according to the international laws, but these quarters came to be considered that there would be no trouble. Therefore, it was decided that, even after the capture of Nanking, these quarters would be protected and that these quarters would be clearly partitioned and guarded by military troops. It was considered that even soldiers would not be permitted to enter these quarters without special permission.

London  
Cully

*Matsui was Comdr. who established the claim of responsibility - what about the patents to Jobs How*

Later, we heard that the committee had protested against the atrocities committed by the Japanese soldiers within these quarters. However, their protest did not reach the Central China Area Army Headquarters. Even granting that there were such illegal acts there, protests had to be offered to the Japanese Consulate which was to establish communication with the Special Service Organs, and the Shanghai Expeditionary Army Headquarters which had had direct responsibility for guarding Nanking. Despite this, there were no informations from the Shanghai Expeditionary Army to the Central China Area Army and therefore, neither Commander MATSUI nor the Staff Department knew the ab - mentioned protests.

*Control*

Unlawful acts by the Japanese soldiers, if any, had to be investigated and court-martialed and only the results were to be reported to the Central China Area Army Headquarters.

*was the gov not interested in the reports filed with the consuls. i.e. the rights / crimes by the soldiers*

However, the rumor that there were unlawful acts of the Japanese troops in Nanking came to the knowledge of General MATSUI after his return to Shanghai with all his staff officers. General MATSUI came to feel quite uneasy and had me transmit the following instructions:

"It is rumored that illegal acts are being committed in Nanking by Japanese troops. As I gave instructions on the occasion of the entry ceremony into Nanking, no such acts should be taken under any circumstances for the honour of the Japanese Army. Especially, because Prince ASAKI is our Commander, military discipline and morals must be even more strictly maintained. Any one who would misconduct himself must severely be punished. As for damages done, measures should be taken that they may be compensated or returned."

Therefore, on or about the 26th or the 27th of December, I left Shanghai for Nanking and conveyed the above order to the Chief of the Staff of the Shanghai Expeditionary Forces. It was reported that the Chief of the Staff and all the staff of the Shanghai Expeditionary Forces were inspecting day and night all the streets there so as to realize the perfect maintenance of the military discipline and morals there.

*How long in Nanking - did you get in touch with consular officials - visit Safety zone "Ghiblin" callse to whom*

did you inquire about these  
massacred civilians

Def. Doc. 1345

19. Before and after the ceremony for the entry into the Walled City of Nanking was held, I went to Nanking and carried out inspections in the city. On those occasions I saw no dead or massacred bodies of the Chinese civilians except about one hundred dead bodies near Hsiakuan, and about thirty near Asia Park which looked like Chinese soldiers.

Dead bodies

I hear that there were about five thousand prisoners of war in Nanking. But they have never been massacred, but they have gradually been released on the other side of the Yangtze, according to the information received from both armies

Part  
of  
w.

20. General MATSUI was always anxious to avoid friction with foreign nations, and gave orders to protect foreign rights and interests. The Staff Department, too, transmitted them to both armies on all possible occasions.

Foreign  
Rights

However, some violences of foreign rights and interests came to my knowledge by the information which came from both armies. Since violation of the foreign rights and interests was to be settled by international negotiations, it could not be treated by either of the two army headquarters. For that reason, the information came to the Central China Area Army. Concerning the protection of foreign rights and interests, one thing we were practically embarrassed with on the battle-field of China was that the Chinese soldiers and civilians made false use of the American, British, German and other country flags. It was quite frequent that they hampered Japanese operations in this way. For instance, although it was quite evident that at Yangchou, there existed no foreign rights and interests, as the result of previous investigations, British, American and German national flags were being put up. Consequently, this occasioned our doubts and on examination it became clear that the Chinese had been using the foreign national flags falsely.

EF

did the  
hostile  
by all  
foreign  
at  
Nanking  
4.3.23  
w. 20

Zone  
of  
operation

The above is only one instance among many. Such instances on the battle-field of China, both on sea or on land have often been reported to me. In consequence, we had to experience such inconvenience that the Japanese soldiers were unable to believe that where there were foreign national flags, there were foreign rights and interests. We believe that the case of violating foreign rights and interests which broke out in Nanking must have been treated and settled by the hands of the Damage Investigating Committee in Shanghai consisting

- 11 -  
w.c. Damage to Amer schools  
+ Mission Ambassy

*Lady Bird*

of members of both Army and Navy and of diplomatic organs there.

21. I know about the affair concerning the sinking of the "Lady Bird". I received the information that a British gunboat had been fired upon near Wuhu by the artillery troops attached to the 10th Army. About the 14th of December, therefore, the Chief of the Staff ordered me to go and investigate the real situation.

I immediately went to the 10th Army Headquarters and conducted investigations. The following facts have been discovered as a result:

On December 11th, the 10th Army Headquarters were advancing near Wuhu. Severe battles were being fought near Nanking, and the Chinese troops were in the midst of retreating on the Yangtse aboard various kinds of vessels, big and small, which they had mobilized. Lt. General YANAGAWA being aware of the situation, conveyed to Colonel HASHIMOTO, Commander of the 13th Artillery Regiment, an order by telegram: "Regardless of nationality, carry out bombardment!"

The reason why he issued this order was that he understood that the ships were retiring with retreating Chinese soldiers on board and with foreign national flags. Col. HASHIMOTO who received this order was advancing in the direction of Nanking at that time, but on the 11th returned to Wuhu all of a sudden, and thus occupied positions there. On the morning of the following day, he witnessed in the thick mist on the Yangtse several vessels carrying the retreating soldiers, and instantly he fired upon them. It became clear that the "Lady Bird" had been among the fired vessels, and that entirely due to the thick mist, he had made an error.

*w.c. order was to hit all vessels*

I reported the results of my investigations as above to General TSUKADA, the Chief of the Staff, and then to General MATSUI.

General MATSUI ordered General TSUKADA, the Chief of Staff, to transmit his message to the Commander of the 10th Army that apology should be immediately made to the Chief of the British Navy, and I heard about this matter beside him. Then I heard that General MATSUI, immediately after returning to Shanghai from Nanking, met Admiral Little of Britain to whom he expressed feelings of his great regret, and that the Admiral came to understand this matter and promised

him to convey General MATSUI's apology to the British Government.

22. The shelling of the "Panay" was chiefly investigated by the Navy. I obtained the outline of the case only and never went into details. As regards this matter, too, I have received the information that General MATSUI, after returning to Shanghai from Nanking, expressed feelings of regret to Admiral Yarnel, Commander-in-Chief of the American Navy.

23. General MATSUI entered the Walled City of Nanking on December 17th, and on the 20th left for Shanghai by destroyer with the Chief of Staff. All other members including Colonel MUTO, Vice Chief of the Staff, reached Shanghai on the 21st or 22nd by temporarily mended train. The reason why General MATSUI hurried back to Shanghai like this was because he had been ordered by the Imperial General Headquarters to commence the attack against the Hangchow area at the end of December, and he, for this reason, had to command operations.

24. Until the capture of Nanking, there had been no judicial department attached to the Central China Area Army and naturally no court-martial. However, the Japanese Army on or about December 20th was like this: The Shanghai Expeditionary Forces' Headquarters was placed in Nanking, the 10th Army Headquarters in the Hangchow area and Central China Area Army Headquarters in Shanghai therefore, at the end of December, the Judicial Department was established also in the Central China Area Army by the order of the Imperial General Headquarters, and the court-martial came to establish itself.

The Judicial Department attached to each army is an independent law organ. It was under each commander and was never commanded by the Chief of the Judicial Department of the Central China Area Army, though the results of the court-martial had to be reported to him.

The chief of the staff of each army has no right to command the Chief of the Judicial Department, but he is able to administer the business affairs of the Judicial Department. However, the Vice Chief of the Staff of each army has no authority whatsoever concerning this.

Such being the case, all the staffs below the vice-chiefs are quite ignorant of the results of the court-martial or the business of the Judicial Department

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unless they are given some special information from the Chief of the Judicial Department.

25. The so-called Nanking Incident came to be rumored in the world long after I had resigned the post of a staff of the Central China Area Army. As I have stated above, I paid my visit to Nanking several times, but I have never heard about such great events as have been rumored so far, nor have I seen anything concerning such events. ✓

How often when

Then just to him our evidence of  
Rumors in the form of official complaints  
w.c. Am. Consular reports -  
German " -



Def Doc No. 1345

On this 27th day of Jan., 1947

At Tokyo.

DEPONENT NAKAYAMA, Yasuto (seal)

I, KAMISHIRO, Takuzen hereby certify that the above statement was sworn by the Deponent, who affixed his signature and seal thereto in the prese<sup>n</sup>ce of this witness.

On the same date

At Tokyo

Witness: (signed) KAMISHIRO, Takuzen (seal)

OATH

In accordance with my conscience I swear to tell the whole truth withholding nothing and adding nothing.

NAKAYAMA, Yasuto (seal)

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ERRATA SHEET

Page 2, Line 12 should be amended to read "Army Air Force  
whose name I have forgotten. In Line 13 and 14 the sentence  
reading "The names of these above, however, I have completely  
forgotten", should be deleted.

(A)

Cross Examination of NAKAYAMA.

re: Mito

(R 21915)

1. On yesterday you testified that the defendant Mito gave you directions with respect to the protection of foreign interests ~~in Hankow~~. Did you refer to him the complaints received of violation of foreign interests in Hankow?
2. Did Mito mention to you the complaints received concerning violations of foreign interests in Hankow?
3. Did Mito accompany you on your inspection tours in and around Hankow?  
(did Mito make inspections?)
4. How long was Mito at Hankow in Dec. 1937.  
[if shorter than 10 days]
5. Was he not there for 10 days following the fall of the city?
6. In his interrogation Exhibit 255 he stated that he remained in Hankow for 10 days leaving there on Dec 24 or 25. Does that refresh your memory?
7. Mito further stated (Ex 255) that Chief of Staff TSUKADA

Aunt

told him of incidents of stealing, killing, assault  
and rape by Japanese soldiers in Nanjing  
~~did you~~ did you learn of these  
incidents?

B.

Poor Peoples Quarters.

(p. 9)

1. In section 18 of your affidavit you mention the "so-called poor peoples quarters," administered by the NANKING SAFE AREA Committee, ~~are these the same as the safety zones~~ is this the same as the Int. Com. for the Nanking Safety Zone.

if yes  
Was not John H D Robe chairman & Louis E.C. Smythe  
secretary of this com.

2. you stated that soldiers were not permitted to enter these quarters without special permits, did not soldiers repeatedly enter the safety zones in day time and night time and carry off women and girls to be debauched?

[Based on Mr. BEN, Director  
Postmaster, GINKING College  
R 4465-4466]

3. you further state in section 18 of your affidavit (top p. 10) "Later we heard that the committee had protested against the atrocities committed by the Japanese soldiers within these quarters," when did you hear that?

4. When you say "we heard" do you include Gen Matsui and the members of his staff?

Did you submit these reports to Gen Matsui?

[What action <sup>did he take</sup> was taken } with regard to them]

C.

Consul General Hidaka testified (Ex 2,537) R 21,433 -  
21465

that the reports from the foreign residents in Hankow on  
the wrongful acts of Japanese soldiers were sent by the

Consul General to the Foreign office in Tokyo and to

the Army in Hankow and that the Foreign office in Tokyo

gave notice of these reports to the War Ministry, ~~there~~

did the authorities in Tokyo inquire of the  
~~any instructions sent from the~~

Central China Expeditionary Forces concerning these reports?

Did the War Minister or any official in Tokyo bring these  
reports to the attention of the <sup>Central China Expeditionary Forces</sup> ~~Commanding~~ <sup>General</sup> ~~Officers~~ of the Army  
in China?

if yes.

What action was taken

(D)

To whom delivered?

W.C. Muto Ex 255  
Turned over to world. China  
govt. used as soldiers

Ex 255  
Ex 3431

banks / banks / animals or

how been

more than 30,000, who

## II Prisoners of War - ~~I~~

In section 19 (p. 11 of the Eng Copy) 7 years  
of affidavit you state that there were no mention  
Prisoners of War at Nanking. Were captured  
Chinese soldiers treated as Prisoners of War.  
if ~~yes~~ - were there any P/W Camps established  
Muto's statement Ex 255 R 3436

Muto stated Ex 255 R p. 3433 that  
it was <sup>finally</sup> decided in 1938 that because the Chinese  
conflict was officially known as an "incident"  
that Japanese captives would not be regarded  
as P/W. do you agree with that?



Was it not the policy of the 1st China Expeditionary Force  
to search out disarmed soldiers and shoot them?  
did not 2nd Com for Kwantung Sopley Force arrange for the burial of  
killed <sup>Chinese</sup> soldiers after their capture carried  
5th bank of the Yangtze River - killed by machine gun  
operated by Japanese soldiers in cases of Japanese officers?  
you stated (p. 19) that some 5000 prisoners were gradually  
released on the other side of the Yangtze  
and were not the only prisoners who were  
released the other side of the Yangtze the ~~others~~



the dead bodies of <sup>them</sup> Chinese soldiers  
~~of dead Chinese soldiers which floated~~  
~~to that side, & which drifted~~

there after they had been [lined up  
and] shot by Japanese soldiers on  
the southern bank of the river -

R

F Great event. "Removal abroad"

when did you resign from the staff of the Central China Area Army <sup>open</sup> March 1938

\*  
Q25

In the last paragraph of your affidavit you state that the so-called "Koukiung Incident" was removed in the wires long after you resigned - is it not a fact that these reports spread abroad before you resigned.

Did you know that in January 1938 the American Government through Ambassador Grew was filing with the Minister Hirota of Japan strong protests against the ~~action~~ <sup>actions</sup> of the Japanese troops in Koukiung based on detailed reports received by the ~~the~~ American Embassy in China.

Ex 328

Was there some of the rumors to which you referred in the last part of your affidavit.


And did you include as a rumor abroad in the world the report made by the German Ambassador in China to the German Foreign Office giving detailed accounts of the

Happenings in Hankow from 8 Dec 1937 to  
13 Jan 1938

Ex 329

And did you know that report  
of the German Foreign Office  
stated that the fateful <sup>of</sup> days of  
Hankow clearly show the lack of  
discipline, atrocities + criminal  
acts not of an individual but of  
an entire Army, namely the Japanese?"

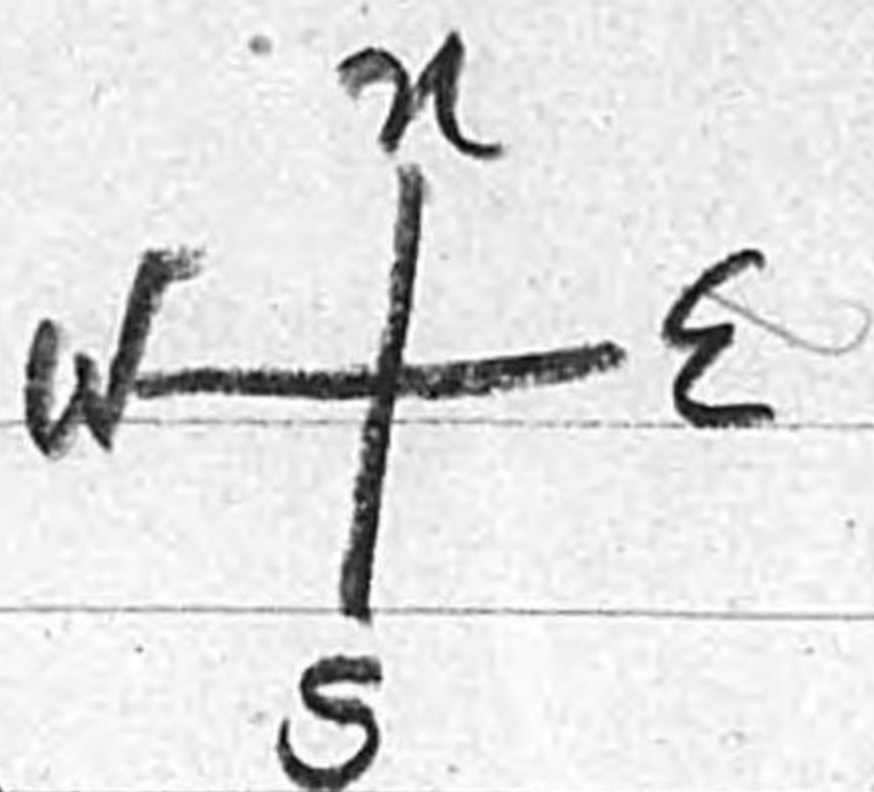
(Ex 329)



Re-Direct

Causes Bung Russian Embassy - uncertain

To Hsiakwan



Hotel



also about 1 mile

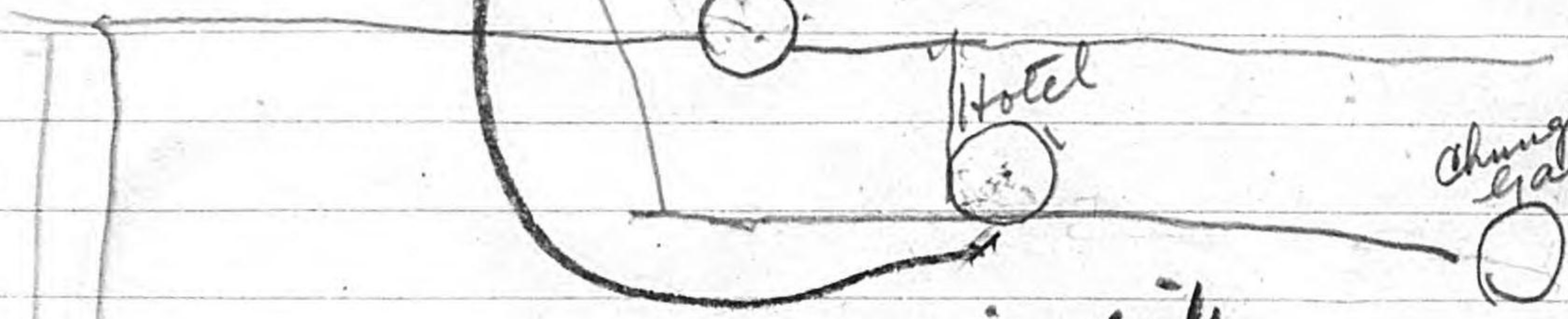
Refugees' Quarrels

National Govt

Hotel

Chungshan Gate

Approximality 1 mile



Reports to Malacca

Did you know the Consul-General HIDAHA, Shirokuro

Was he not in Nanjing Dec 17 + for some days  
thereafter?

His affidavit R 21443-  
21465

Reports on anything wrong allegedly done by Japanese  
soldiers were submitted to the Consulate-General by Foreign

Residents: -- The reports were sent to the Foreign  
Ministry in Tokyo + to the Army in Nanjing.  
[The For. Ministry in Tokyo gave notice of these  
reports to the Wa Ministry] R 21453

"It was due to this fact that the Army Central  
Hdq. sometimes gave directives about this  
to the Army officials on the scene" R 21453

# NAKAYAMA

I

1. Central China Area Army

section 4-8

f.1

with date organized about 5 Nov. 37

When was the 10th Army (Yonagawa Army Corps) organized?

When did it land in China? 11/5/37

Who was the commander of the 10th Army?

Was not Gen Matsui placed in command of the middle China Expeditionary Force 30 Oct. 1937?

[W.C. 54.114 R. 737]

Was Gen Matsui not concurrently Commander of the Shanghai Expeditionary Force?

[Same]

How long did Gen Matsui remain in command of the <sup>middle</sup> central China Expeditionary Force?

[until Feb 1938]

Hata says to Kusunoki 17 Feb 38  
Lt 25.6 R 3445

3. What do you mean by the "Hq was reorganized"?

Was not Gen Matsui in command, all of the military forces of Japan which were engaged in the campaign resulting in the capture of Hankow.

Did he not continue in command of the troops which defended Hankow until he was succeeded by Gen Hata in Feb 1938.

no troops.

was Matsui in command of all the troops in central China <sup>how many under his command?</sup>

How many troops in the Shanghai Expeditionary Army,

" " " " 10th Army

How many troops were there under command of Central China Area Army in the campaign resulting in the capture of Hankow?

did not  
at 1  
see 11  
in street

Did not the notice to surrender (Def. Doc. 1075) state that "Japanese forces, <sup>about</sup> 1,000,000 strong, have already trampled down the southern ones of CHANGSU?"



Development of the fact that -  
When Hankow fell all resistance ceased.

Did the Chinese army defending Hankow continue to offer resistance after the Japanese troops entered the city on 13 Dec. 1937

Did the Japanese troops surrender or flee.

Were they pursued? if so to what point & by what means.

Did the Chinese counter attack after the city was captured.

Is it not a fact that when Hankow fell all armed resistance within the city ceased ~~and~~

Was not the city entirely under the control of the Japanese forces commanded by Gen Matsui?

[if he agrees leave this point]

if he denies that resistance ceased. or b.

{ if there was armed resistance  
{ if there were threats } counter attack } would a

[.8 million] Triumphant Entry by Gen Matsui seen March or Dec 17  
4 days after the fall.

Would a memorial service have been held Dec 18 if  
a counter attack was imminent.

Notes

1.9

If resistance were fierce why was it decided with 19th and sent  
back to the Wuhu District. and that the

~~Shanghai~~

and why was it decided on that date that  
the Shanghai Expeditionary Army (except the  
16th Div) would retire to the north  
coast of the Yangtze + to the Shanghai Dist.

your route in routing:

(18)

~~where is the Chung Shan gate~~

2K n " " Capital Restaurant

How far from the National Court office.

How far from the Univ of Kentucky 2K

" " " Yinling college

How far from nearest <sup>Refuge zone</sup> Safety zone?

Nearest Refuge zone

only one

Yinling College

How long was Watson in  
Wash.

Jan 17  
left 20

f 13  
# 23

W.C.

His Ev & 257

(7-4)

Marin Kirby on 17th & for  
1 week thereafter

### III DEAD BODIES IN HONGKING.

f-8 What days were you in Hongking? Dec 13, 14, 16  
suburbs - before & after 13, 14, 15

[You stated Dec 19 of '41 you affirmed that you carried out inspections both before & after the ceremony for the Entry] Dec 17

On what days did you carry out inspections?

Where did you inspect?  
Refugee zones - <sup>mainly</sup> ~~mainly~~ <sup>working</sup> ~~working~~ <sup>college</sup> ~~college~~?

suburbs

At how many places did you see dead bodies?

None in  
Hongking

- (1) 100 near HSIANGKUAN.
- (2) 30 in Asia Park \*

f-11  
f-12

Were they Civilians or Soldiers?

f-15

(a) at f-8 you state in the 7th P of sec 15.

"I witnessed on that road no dead bodies except some sand bags which were scattered about near the Chungshan Gate."

Did the sand bags contain bodies of the dead?

Were there all the dead bodies you saw in Hongking?

Did you go on any side streets in Hongking?

Did you go along the Bund.

Did you go along the Banks of the  
Yongtze River outside the Walls of the  
City.

Did you learn that there were bodies of  
thousands of dead Chinese civilians  
on the bank of the Yontze when they had  
been shot by Japanese soldiers.

Maple R. 3898

Did you see Chinese civilians tied together  
being marched along the streets by Japanese  
soldiers?

Did you not learn that groups of civilians  
of more than 1000 each were taken  
from the Safety zones marched to  
the bank of the Yontze & murdered  
down by machine gun fire by Japanese  
troop.

Maple R. 3898

or Han R. 2563-64

IV

Notice to Matsui of Atrocities (crimes by soldiers  
under his command)

Dec 16 p. 8-9

When did you Matsui first receive reports that  
the troops under his command had committed  
crimes in Nanking?

p. 8  
that page

I received orders from Mao that  
reports from M. Palika enforcement of his <sup>orders</sup> ~~instructions~~  
on Dec. 17]

What were the types of ~~numbers~~ the  
crimes of which he received report,

From whom did he receive the report  
(Military Police)

Q. 9. (1/7)

Did he receive any other report than that  
from the Military Police?

Commander. Did Wanda -  
were you with him when he ~~received~~ <sup>performed</sup> the  
reports.

was the Defendant Imoto with him?

~~was the Japanese Consulate in Nanking~~

was the Japanese Consulate in Nanjing ~~operating~~ ~~at that time~~?

~~Had representatives of the Consular Office~~  
~~been sent by~~

Hidaka  
1-5-6

was not representatives of the Consular General  
of Japan sent to Nanjing with the  
Army -

who was <sup>in charge</sup> at the Japanese Consulate in  
Nanjing -

Was not FUKUDA TOKUYASU attached to the  
Embassy

Was not FUKUI the acting Consul Gen  
in Nanjing -

Was not Hidaka Shinroku Couniller  
to the Embassy -



did not the get con of Nanking safety you  
report daily, several times a day + to  
consular authorities.

in addition did not Dr. Dale on behalf of  
the Univ of Nanking. Mr. John H. D. Pabe

John Y. Magee + others make reports + the

Consular auth. of the atrocities.

Committed by soldiers in Nanking -  
when did you hear the Committee had protested

Go to the witnesses these letters - Ex. 323

Content the statement top of 10

Mataui interrogator Ex. 257, R 3453-4

He heard almost as soon as he entered  
Nanking that his troops had committed many  
outrages in Nanking.

Source: Japanese Diplomats -

The Consul at Nanking

R 3454

IV

978  
10

Foreign  
Protection, Rights & Interests

If content  
is not  
entirely

you stated see 20 on p. 117 your affidavit  
that Gen Matsui gave order & protect for [Rt. - 2nd ?]  
(the information of  
violations) foreign rights & interests come to  
the Central Area Army. How many complaints  
did you receive of violations in working.

Two

ask specifically:

Robber / the German Embassy -  
Russian Embassy on 1-1-38

Y.M.C.A. Bldg.  
Disciples Mission Bldg & church  
Episcopal Church missions

Letter to Japanese Embassy -  
the complaint of 22 foreign residents filed with  
- the Consul ante - 21 Dec.  
requesting that the business throughout the city  
be stopped. R. 4531-4532  
41-323

Begin Here

~~Poor Quarters Committee~~

Rabe: letter to  
Jap Embassy 200,000  
R 4516  
4-323-

Dec 18

The so-called Poor Peoples Quarters  
by Banking Safe Area Committee -

to the the Int. Com. for the Banking Safety Zone -

was John H.D. Rabe, chairman  
Dr. Snythe, Secy,

7.18

Who decided that these quarters would be protected?  
Were guards stationed on these places -

When were guards stationed on the  
Safety Zones -

How many people in these zones -

W.C. Rabe  
200,000  
R 4516

Was Kinkaid College one of these so-called  
Poor Peoples quarters?

Were there not more than 20,000 women & children  
in these quarters.

Were the grounds of the Missions, Banking one of these

enter

did not Japanese troops ~~enter~~ Safety zones &  
carry off women & girls, to be debauched

ms. Chen

Prisoners of War.

due to fact Japan called this an incident where they captured ~~some~~ <sup>captured</sup> ~~troops~~ <sup>troops</sup> treated as POW.  
we = muts - not regarded as POW.  
L 255-R 2436

~~was the China incident~~ Was the (capture) Nanjing

(1.11)

part of a war between Japan & China?

If he denies it was a war -

turned over to the puppet govt who put them in their camps.

Stato. R 3451 " although it actually was a war all they ever considered it was as a China incident. Actually it was a war "

Muto: when asked if the China incident was a war. replied " actually, yes but the Japanese govt looked upon it as being an incident " R 3437

1.11

How many POW were taken at Nanjing <sup>(to 4000)</sup> 5000  
were they ~~interred~~ <sup>interred</sup> under the provisions of the Geneva Convention applied to them?

Did not the Int. Com arrange for the burial of more than 3,000 Chinese soldiers whose bodies were killed after the had surrendered along the banks of the Yangtze River - Rules. R 2630-31

Over and over ~~the~~ soldiers who surrendered shot & their bodies thrown into the Yangtze -

was your cognizant of the fact that the supply guns were repeatedly searched - that all men who had a mark on his forehead were wearing a hat - collar on his neck was

charged with having her a soldier - taken out  
in groups ranging from 100 to 1000 + shot

Date 2632

P. 11  
P. 19

So whom were the prisoners released.

turned over to Puffit Gant. Units 4 255 -

arranged for burial of

~~Did you learn~~

Did you learn that, more than 30,000

arranged for burial

soldiers whose bodies were found  
after their surrender were  
along the banks of the Yangtze where  
they had been killed by machine gun  
fire after their surrender?

Date 2630-31

were not those gradually released + the  
were they not carried to the bank

P. 11

the Yangtze + what? other side of the  
"Yangtze" the bodies of those who had been shot



21

F. 12

m. folia

Lady Bird

you state <sup>that</sup> ~~the~~ jewelry on the

Lady Bird was an error.

Was it not the result of a  
direct order from Yanggawo  
(not on account) a mist?

Sept 4

~~For~~ Noticing Incident  
Rumored in the World.

~~Do you know~~ Had you heard that Ambassador  
Grew protected to the far off in Tokyo  
of the action of Japanese soldiers in Hankow.

4-328

Were these the rumors spread in the  
the world

Did you know that the German  
reps in China reported to  
~~diploma~~  
Berlin that: { 2 vols, 1 section }

4-329

Was this one of the rumors  
spread throughout the world.

5-6-47  
Mr  
Comp can

X X N of Nakayama

para 16 (p 8 bottom & 9 top) says Matsui  
got a report from M P Whille in Nanking.

para 18 (p 9 bottom and 10 top) says that  
committee's reports never reached  
Matsui's H. Q.

Matsui says (En. 257 p 1 top)  
that he was told in Nanking by  
Jap Consul there <sup>almost</sup> as soon as he  
entered that many outrages had  
been committed already.

Hidaka says (En. 2537 p 4 top) that  
Matsui heard of these outrages for  
the first time after his return to  
Shanghai.

But he says (p 6 bottom and 7 top)  
that reports were received from the  
committee by the consul in Nanking  
and passed on to the army there as  
well as to the Foreign Ministry and



through them to the War Minister,  
were not the reports or copies of  
them brought to Matsui by the  
consul at Nanking?  
What was his name? Where is he?

Witness says ~~that~~ (p. 10 top)  
that these reports came to the Special  
Service Organs and the Shanghai  
Army but never reached the  
Central China Army.

Wasn't it the duty of these  
people to pass them on?

Does he suggest that they  
deliberately suppressed them?

Who was head of the Special  
Service in Nanking?

Who was C/S of Shanghai Army?

Witness says (p. 13 para 23)  
that Matsui entered Nanking on  
Dec 17 and left for Shanghai on 20th.  
Matsui says (en 257 p. 4 near bottom)  
that he was there a week from the 17th.

in 323 shows that ~~the~~ numerous cases of murder, rape, and pillage were reported by the committee to the Jap consulate on Dec. 16, 18 / bad cases involving officers, and the ~~murder of~~ carrying off and threatened shooting of 136 policemen, 19, 20, 20 (2nd report), 21, 21 (2nd report) ~~that~~ these are stated to be only a ~~few~~ <sup>there is</sup> few of the reports and ~~each~~ ~~mentioned~~ frequent mention of the fact that there is only time to report a few of the cases.

Where is the Capital Restaurant where he says Matsui stayed? (See map and sketch-map) (para 15 p. 8) How far from the Refugee quarters? When witness inspected did he go through the latter? By day or night or both? (para. 19, p. 11 top) Chinese say that whichever of the two hotels marked on sketch map he is

referring to, it is not more than a  
mile from the ~~refugee quarters~~  
university which was the centre  
of the refugee quarters.  
How large was the area?  
(An 323 p. 9 shows that 200,000  
people were crowded into it).

En 323 (M 8-9, report of Dec 18) and  
much other evidence shows that  
official Jap search-parties under  
officers were hunting out disarmed  
soldiers and anyone whom they  
guessed to be such (e.g. because  
their hands were calloused), and  
shooting them.

Does he claim that they were  
entitled to do this? If so, why?

Who does he say was responsible  
for the outrages?

Were they punished?

Who was the highest-ranking  
officer who was punished?

He refers to Prince Asaka and  
80 staff officers were recalled to  
Japan, Matsui (En 254 p. 3 top)  
denies that this was a punishment.

"Ladybird"

Witness says (p. 12, near bottom)  
that this was due to thick mist  
and was an error.

Hashimoto says (En 2188 p. 2  
bottom and 3 top) that he shelled  
her and took her into custody  
because of the order from  
Yanagawa.

308

16 April 1947

MEMORANDUM FOR : Mr. W. Glanville Brown:  
 FROM : Edward P. Monaghan, Acting Chief,  
 Investigative Division, IPS  
 SUBJECT : NAKAYAMA, Yasuto

1. Please find hereto attached list of material available on the following witness offered by the Defense:

DEFENDANT - ARAKI, Sadao  
 MUTO, Akira

WITNESS

NAKAYAMA, Yasuto

LIST OF MATERIAL AVAILABLE

1. Additional Information

2. Please acknowledge receipt of this memorandum by initialing and returning attached carbon copy to this office, Room 300.

EDWARD P. MONAGHAN, Acting Chief,  
 Investigative Division, IPS

Incl.  
 (described above)

INTERNATIONAL PROSECUTION SECTION  
NETHERLANDS DIVISION

10 April 1947

To : Mr. Pedro Lopez  
From : A. T. Laverge  
Subject : Witness NAKAYAMA, Yasuto

1. Reference your memorandum 4 April 1947.

2. Nakayama went to the Netherlands Indies in September 1940 as a member of the Japanese Economic Delegation which was sent there for economic and political negotiations. As regards his activities at that time, his name is mentioned in an official report of the Netherlands Indies Government on Japanese espionage activities. This report (Exhibit 1326 for identification) states on page 61, "Mamoru Ohta, who for studies of the Dutch language had been attached to the consulate was instructed by the middle of 1940 to look for suitable landing points on the coast of west Java. In the following October he studied once more the local situation from points which would be important for an eventual attack. On this occasion he was accompanied by Colonel Nakayama of the Japanese Economic Delegation."

3. In March 1942 Nakayama returned to the Netherlands Indies, where he became head of the General Affairs Department of the Java Military Administration. Exhibit 1351, p 15, states that this department was the guiding and policy making body of the Military Administration. As head of this department Nakayama would be closely connected with all measures taken by the Japanese in Java during his term of office (presumably until March 1943 when he got a new function). Exhibit 1351 gives a complete survey of the Military Administration of Java.

4. No further information concerning Nakayama is at present available here. Slow mail connections and lack of personnel in Batavia make it improbable that additional information will be received within the next three months. However, specific information which you may require can be requested by radiogram.

A. T. Laverge

REPORT BY: RICHARD LARSH  
27 Dec 46

MEMORANDUM FOR THE FILE

SUBJECT: NAKAYAMA, Yasuto

Address: A resident of Tokyo

Was formerly a staff officer under General MATSUI.

A check of IPS files reveals no mention of Subject.

COPIES: 3 File  
1 Mr. Prout

*See Exhibits 1318*

Personal History of Yasuto NAKAYAMA

Yasuto NAKAYAMA (Born 6 September 1900)

Permanent Domicile: No. 1095, Matsubashi-machi, Shim<sup>u</sup>onashiki-gun,  
Kumamoto Prefecture.

Present Address: No. 537, Sekito, Tama-mura, Minami Tama-gun, Tokyo.

Schools from Which Graduated:

The Military Academy, graduated on 26 July, 1921.

The Military Staff College, graduated on 24 December, 1929.

Rank Held:

26 October, 1921: Commissioned sub-lieutenant (infantry).  
30 October, 1924: Promoted to lieutenant (infantry).  
1 August, 1930: Promoted to captain (infantry).  
1 August, 1936: Commissioned air major.  
15 September, 1938: Promoted to air lt-colonel.  
1 March, 1941: Promoted to colonel.  
20 February, 1944: Promoted to Maj-general.

Service Records:

26 October, 1921: Assigned to the 79th Infantry Regiment.  
1 April, 1926: Assigned to the Guide Unit of the Infantry School.  
1 August, 1930: Appointed company-commander under the 79th  
Infantry Regiment.  
1 March, 1932: Appointed regular staff member of the General  
Staff Office.



Personal History of Yasuto NAKAYAMA - p. 2

- 1 March, 1934: Ordered to be stationed in United States of America and China.
- 1 March, 1935: Appointed assistant of the military attache to the Japanese Embassy at Washington.
- 25 October, 1946: Appointed junior secretary of the Bureau of National Resources under the Cabinet.
- 28 August, 1937: Appointed staff officer of the Central China District Army.
- 1 November, 1938: Appointed staff member of the Military Aviation Headquarters.
- 1 August, 1940: Appointed chief of the Third Section, the General Affairs Division, the Military Aviation Headquarters.
- 1 September, 1940: Appointed member of the suite of the military representative to the Japan-Dutch conversation.
- 1 March, 1942: Appointed Director of the General Affairs Department, the Java Military Administration Supervision Headquarters.
- 16 March, 1943: Appointed sectional chief of the General Staff Office.
- 1 March, 1944: Appointed Chief of the General Affairs Section, the Army Fuel Depot.
- 15 February, 1945: Appointed Director of the General Affairs Department, the Army Fuel Depot.
- 5 September, 1945: Appointed Vice-Chief of Staff of the 1st General Army.
- 6 October, 1945: Appointed Vice-Chief of Staff of the North-Eastern Army Area Headquarters.
- 25 November, 1945: Appointed Director of the General Affairs Division, the Office under the First Demobilization Ministry for Widing up Business of the Army Fuel Depot.
- Reward and Punishment: 26 July, 1921, gifted with a silver watch by His Majesty when graduated from the Military Academy.
- 24 December, 1929, gifted with a service-sword by His Majesty when graduated from the Military Staff College.
- Punishment: Nil.

NAKAYAMA, Yasuo

中山 裕人

- 1929 Graduate from Staff College, became a member of Sakurá-kai, or the Cherry ~~Blossom~~ Blossom Society.
- 1937 Staff, Japanese Expeditionary Forces in Central China.
- 1940 Member of the Japanese Delegation, under Kobayashi, to Dutch East ~~India~~ ~~India~~ for negotiation.
- 1942 Director of General Affairs Dept., Dutch East ~~India~~ ~~India~~ Military Government. Believed to be responsible for the maltreatment of oversea Chinese there.

NAKAYAMA, Yasuto

- 1900: Born
- 1921: Graduated from Military Academy and commissioned as second lieutenant.
- 1929: Graduated from Military Staff College.
- " Became member of Cherry Blossom Society.
- 1932: Regular Staff member of the General Staff Office.
- 1935: Assistant military attache in Washington.
- Aug. 1937: Staff Officer of the Central China District Army
- Sep. 1940: Member of suite of military representative to Japan-Dutch conversation.
- 1942: Director, General Affairs Dept., Java Military Administration  
Supervision Headquarters.

Exh. 1318: being a despatch from delegate YOSHIZAWA in Batavia to Foreign Minister MATSUOKA, dated January 27th 1941 refers to NAKAYAMA. The despatch deals with the increasing self-reliance of the Netherlands East Indies which is disregarding Japan's East Asia Co-Prosperity Sphere and ends "As to the details, Lt. Col. NAKAYAMA, who is returning to Japan shortly, shall make a report".

Attached is a memorandum by Mr. Laverge. This shows that Exhibits 1326 and 1351 are connected with NAKAYAMA.

MEMORANDUM

SUBJECT : NAKAYAMA, Yatsuo, Def. Doc. No. 1345, Objections to Affidavit and Motions to Strike Portions Thereof.

The prosecution objects to and moves to strike those portions of the affidavit which refer to documents and purports to give their substance on the ground that the document itself should be produced or the failure to produce it accounted for before the witness may testify as to its substance. This objections applies specifically to the following portions of the affidavit:

1. The whole of section 11, pages 4, 5 and 6 of the affidavit, except the first four sentences of this section. This section refers to two written memoranda one entitled "The Way of Capturing the Walled City of Nanking", mentioned near the bottom of page 4 of the affidavit and its contents summarized on page 5 of the affidavit, the other being instructions entitled "All the Orders and Words of Advice Concerning the Capture of and Entry into the Walled City of Nanking," mentioned in paragraph number 4 on page 5 the gist of which are given in the last paragraph of page 5 and all of page 6 except the last paragraph.
2. All of section 12 purporting to give the answers received from consuls of various countries in Shanghai and the maps prepared by the witness.
3. The first paragraph of section 13 relative to the disposition of the orders and instructions set out in section 11 and the maps prepared by the witness as set out in section 12. The same objections applies to the notes of advice for surrender described in this paragraph.
4. The next to the last paragraph on page 10 and the first sentence of the last paragraph on page 10 as to the instructions transmitted by the witness from General MATSUI.
5. The first two sentences of section 20 as to the orders given by General MATSUI to protect foreign rights and interests.

~~We move that~~ The prosecution moves to strike these several portions from the affidavit.