

MARIANO DEL ROSARIO

called as a witness on behalf of the Prosecution, having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

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

A Mariano del Rosario.

Q Your age?

A 38 years old.

Q Nationality?

A Filipino.

Q What is your occupation?

A I am the city undertaker for the City of Manila.

Q Were you so acting on the first part of February and during February of this year?

A Yes, sir, I was.

Q Did you have occasion to go to the home known as the Campos home, on Taft Avenue?

A Yes, sir.

Q When did you go there?

A After the fighting was diminished to a certain extent around that area, Major David Binkley, Division Sanitary Inspector, of the 37th Division, and myself went to the Campos residence to remove the dead bodies in that locality.

Q Do you recall the date, sir?

A I could not definitely say the date, sir.

Q Can you give the month?

A It was in February, sir.

Q How many dead bodies did you find within the Campos yard?

A Approximately about a hundred, sir.

Q Can you state the condition of those bodies?

A As we entered the driveway to the Campos residence, we found a stack of dead bodies sprawled on the concrete driveway. As we went farther on, we found in some sort of a garden inside the Campos residence, dead bodies all around the compound, sir.

Q Were those bodies civilians?

P.I. - Atrocity

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Q Were those bodies civilians?

A They were all civilians, because they were all dressed in civilian clothes, sir.

Q Can you state how many of them were women and children?

A There were many women and children, and I could not positively exactly say the number, sir, but there were about 100, sir.

Q Did you have occasion to observe the wounds, if any, on any of the dead bodies?

A Yes, sir. More particularly so in that crowd or in that pile that we found on the driveway. We noticed most particularly a lady whose breast had been completely chopped off, and also we found a lady whose genital organs had apparently been ripped off with a bayonet.

Q Did you observe any wounds on the bodies of any of the others?

A They were all bayonet wounds and shots, revolver shots, sir. They were all machine gunned, I presume, the way they were piled one on top of the other. Major Binkley and myself were inclined to believe they were just over there and they were just mowed down.

CAPTAIN REEL: If your Honor please, may that go out?

GENERAL REYNOLDS: That remark will be stricken from the record.

CAPTAIN WEBSTER: I hand you what has been marked for identification as Prosecution Exhibit 77, and ask you if you can identify that.

A Yes, sir.

Q What is it?

A This is a picture of a lady who was found in the Campos residence, and several bodies are sprawled on the ground, sir.

Q Is that the woman whom you referred to as having her genital organs injured with a bayonet?

A Yes, sir.

CAPTAIN WEBSTER: At this time I would like to offer in evidence Exhibit 77, sir.

GENERAL REYNOLDS: There being no objection, it is accepted in evidence.

(Prosecution Exhibit No.  
77 for identification  
was received in evidence.)

CAPTAIN WEBSTER: You may cross examine.

CROSS EXAMINATION

Q (By Captain Reel) Mr. del Rosario, did you keep records of the number of people that you saw dead at various places?

A Of various places? No, sir.

Q So you have no record, no written record, anywhere, of the number of dead that you saw in the Campos yard?

A Well, if I may say so, sir, the only record that we have in connection with our work was the number of bodies we removed for burial on a certain day.

Q I see. And I think you said you were engaged by officers of the 37th Division to remove dead bodies, is that right?

A Yes, sir.

Q And that covered the whole City of Manila, didn't it?

A Yes, sir.

Q And you did hire some persons and engage in burying dead bodies in the City of Manila, is that right?

A Yes, sir.

Q And over what dates did you bury these bodies? Over what period of time?

A I was engaged as city undertaker to remove enemy troops and civilian dead during the combat of Manila, from the 3rd of February until the 31st of March, 1945, sir.

Q And all in all, all told, how many bodies did you bury?

A Around in the neighborhood of 8000 dead bodies, sir.

Q And that was about evenly divided, was it, between Japanese soldiers and Filipino civilians?

A More so on the civilian side, sir.

Q How many more civilians than soldiers?

A About one-third more, sir.

Q And in the burial of these bodies, isn't it true that large pits were dug with army bulldozers and the bodies put into the pits?

A There were only three big pits that were dug with army bulldozers, sir.

Q And there were some smaller pits that were dug, is that right?

A They were not dug; they were just big shell holes that were produced from shell fire.

Q I see. So that they were either pits that were dug or shell holes into which the bodies were put, is that correct?

A Yes, sir.

Q Now, there was some understanding that you were going to be paid for this work, is that right?

MAJOR KERR: If the Commission please, if counsel for the Defense is going to be technical I, too, can be technical, and I object to this question as being wholly incompetent, irrelevant and immaterial.

GENERAL REYNOLDS: The objection is not sustained. The Defense may proceed.

CAPTAIN REEL: Will you read the question?

(Question read.)

A Shall I answer, sir? Yes, sir.

Q (By Captain Reel) And you were to be paid by the body, so that the more bodies you could show you buried, the more money you would get from the Government, is that right?

A I should like to reply, sir, that before any bodies were removed for burial Major David Binkley, who was representing the United States Army made a personal account of each and every dead body removed by our burial squad, sir.

CAPTAIN REEL: Will you just answer my question, please?

Will you please read the question, and see if we can get an answer that is responsive?

(Question read.)

A I suppose so, sir. I was only paid by the number of dead bodies.

Q (Captain Reel) That is right; you know that is correct. It isn't a question of "supposing"; it is correct, isn't it?

A Yes, sir.

Q And you have made a claim against the United States Government, is that correct?

A Yes, sir.

Q In the amount of how much?

A Over 120,000 pesos, sir, -- which I have not yet been paid, sir.

CAPTAIN REEL: That is all, Mr. del Rosario.

CAPTAIN WEBSTER: That is all. Thank you.

(Witness excused)

C E R T I F I C A T E

I, T. R. C. KING, Major, Inf. (TD) Executive Officer, Legal Section, General Headquarters, Supreme Commander for the Allied Powers, do hereby certify that Document 2876 is a true and correct copy of the transcript of the testimony offered by MARIANO DEL ROSARIO in the trial of the case against Tomoyuki YAMASHITA, General, Imperial Japanese Army, before a Military Commission in Manila; and that the whole record of the case, including the transcript of all testimonies taken, as well as the affidavits admitted in evidence, are now on file with this Section.

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

Witness: \_\_\_\_\_

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