

EX 2056-A

EIGHTEENTH DAY

United States Pacific Fleet,
Commander Marianas,
Guam, Marianas Islands.
Friday, September 6, 1946.

The commission met at 9:30 a.m.

Present:

- Rear Admiral Arthur G. Robinson, U.S. Navy.
- Captain Eric P. Hoag, Dental Corps, U. S. Navy
- Colonel James V. Ware, Infantry, Army of the United States
- Colonel Pierre B. Denson, Coast Artillery Corps, Army of the United States
- Lieutenant Colonel Adolph Zuber, U.S. Marine Corps,
- Commander Orville O. Dean, U. S. Navy,
- Major Donald B. Cooley, junior, U.S. Marine Corps, members and
- Lieutenant Edward L. Field, U.S. Naval Reserve, and
- Lieutenant Frederic T. Suss, U.S. Naval Reserve, judge advocates.
- Vivian Kilner, civilian, reporter.

Each of the accused and his counsel and the interpreters.

No witnesses not otherwise connected with the trial were present.

With the consent of all parties to the trial the reading of the record for the seventeenth day of the trial was waived at this time.

Lieutenant Frederic T. Suss, U.S. Naval Reserve, the witness under examination when the commission adjourned, resumed his seat as a witness. He was warned that the oath previously taken was still binding and continued his testimony.

(Examination continued.)

The proceedings of the Board of Investigation were submitted to the accused and to the commission, and by the judge advocate so much thereof as contains the testimony on March 6, 1946, of the before mentioned witness, Major Matoba, Sueo, IJA, was offered in evidence.

The accused objected to the admission of this evidence on the following grounds:

All the accused and particularly Major Matoba, object to this document, the interrogation before the Board of Investigation, being introduced into evidence in this case.

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The prosecution persists in putting into evidence the proceedings of the Board of Investigation convened by the Commanding Officer, Occupation Forces, Bonin Islands. We respectfully object.

The prosecution states that as a result of the untiring efforts of the investigators these fourteen accused are now on trial before this commission. The accused are fortunate to be tried before this judicial commission instead of the Board which investigated them. They now ask, and particularly Major Matoba asks, that the proceedings of the Board be not admitted into evidence before this Commission.

We object for the same reasons as we have objected before during this trial when the proceedings of this Board were offered in evidence. We ask the Commission to again consider all the objections which have heretofore been made.

In addition we further object and wish to emphasize that the proceedings of the board should not be admitted as evidence before this Commission because of the rule previously cited by the prosecution, found in Wharton's Criminal Evidence, Section 722: "The confessions or admissions made by a co-conspirator or co-defendant after the termination of the conspiracy and in the absence of the defendant, are not admissible against the defendant as substantive evidence to prove his guilt. His confession, therefore, subsequently made, even though by the plea of guilty, is not admissible in evidence, as such, against any but himself."

The prosecution would have this commission believe that the Supreme Commander Allied Powers abrogated this fundamental rule when he stated under paragraph 5 (d), section (1): "The commission shall admit such evidence as in its opinion would be of assistance in proving or disproving the charge, or such as in the commission's opinion would have probative value in the mind of a reasonable man."

The prosecution can cite no authority for this interpretation of these SCAP rules, except their own opinion. We of the defense maintain that these SCAP rules do not permit putting into evidence the proceedings of the board in question. The prosecution has cited the Horra case as approving the SCAP rules. We respectfully call the Commission's attention to this case: Application of Masaharu Horra as reported in Supreme Court Reporter, March 1, 1946, Volume 66, No. 9, Pages 515 to 517 decided February 11, 1946: On motion for leave to file petition for writs of habeas corpus and prohibition and on petition for a writ of certiorari to the Supreme Court of the Commonwealth of the Philippines. The motion for leave to file petition for writ of habeas corpus and writ of prohibition is denied, and the petition for writ of certiorari is also denied on authority of Application of Yamas'ita, and

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Yamashita vs Styer 326. US - 66 S Ct 340. Mr. Justice Murphy has filed a dissenting memorandum in which Mr. Justice Rutledge concurs. Mr. Justice Rutledge has filed a dissenting memorandum in which Mr. Justice Murphy concurs.

We do not admit that these accused were co-conspirators but quite to the contrary, insist that there was no conspiracy nor should they have been joined as co-defendants. They have, however, been joined as co-defendants and therefore such confessions or admissions as any of them made are not admissible against the defendant as substantive evidence to prove his guilty.

In our previous objections we stressed the violation of the rights of the individual by this board. We again call the Commission's attention to the Fifth Amendment of the Constitution of U.S. which states that, "no person shall be compelled to be a witness against himself" and of the Sixth Amendment which guarantees that in all criminal prosecutions the accused shall have the assistance of counsel for his defense. Naval Courts and Boards, section 235 states our point very clearly. "The constitution provides that no person shall be compelled to give any evidence against himself."

The Board of Investigation was well aware of the provisions of section 734, Naval Courts and Boards, particularly paragraphs (b) and (c) because under the signature of the Senior Member of the Board appears the following: "Throughout the duration of the investigation, the members of the board were fully cognizant of the provisions of section 734 (b) and (c), Naval Courts and Boards; but since the evidence concerning the subject matter of the investigation was so involved and the number of Japanese officers and men implicated so large, it was impossible to name defendants and interested parties properly until all evidence had been received, and to accord them fully their rights and privileges before the board. By deviating from the procedure set forth in section 734 (b) and (c), Naval Courts and Boards, the members of the board believe that the investigation was conducted in the most expeditious manner to ascertain the facts properly, and do not believe that the status of any of the Japanese officers or men concerned was materially jeopardized in any way".

That, gentlemen of the Commission, was what the members of the Board of Investigation said, but what are the facts?

The Commission have before them fourteen of the many Japanese officers and men whom the board said were not materially jeopardized. The fourteen are now accused of crimes the penalty which may well be death if they are found guilty. Can anyone say that the status of these fourteen Japanese officers and men have not been materially jeopardized?

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We say that the rights of these fourteen accused have been most unjustly violated and their very lives put in jeopardy.

We also say that appendix D-14, Naval Courts and Boards, does in no way permit or authorize the abrogation of the fundamental rights guaranteed by the constitution.

We hold that for this Commission to admit the interrogatories of the Board of Investigation is a violation of an act of Congress which directs that such evidence be excluded.

The judge advocate replied.

The commission was cleared.

The commission was opened. All parties to the trial entered.

No witnesses not otherwise connected with the trial were present.

The commission announced that the objection was not sustained and the document in question will be admitted into evidence.

The interrogation of Major Matoba, Sueo, IJA, before the Board of Investigation was so received.

4. Q. I ask the witness to refer to the record of the Board of Investigation and read such portions thereof as contains the testimony on March 6, 1946 of Major Matoba, Sueo, IJA.

The witness read from the Board of Investigation this testimony of Major Matoba, Sueo, IJA, question and answer at a time, and then an interpreter read each question and answer in Japanese as follows:

Major Sueo Matoba, a witness recalled by the recorder, entered. He was warned that the oath previously taken was still binding, and declared as follows:

Examined by the recorder:

1 Q Relate the circumstances of the first case of cannibalism on the island.

A The first case of cannibalism occurred between the 23rd of February, and the 25th of February, 1945. On that day I went to the Divisional Headquarters, and I personally reported to General Tachibana that the flyer would be executed at the Suyeyoshi Tai. At the general's headquarters, sake was served and the conversation turned to the Japanese forces stationed on Bougainville and on New Guinea, and it was mentioned that the troops that

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lacked provisions and supplies had to eat human flesh. While I was still at the Divisional Headquarters, a telephone call came through from the 307th Battalion Headquarters, and it was said that we should come to a party which Colonel Kato prepared for General Tachibana and myself. We walked to Colonel Kato's quarters, and when we arrived, we found that Colonel Kato did not have enough drinks and things to go with the drinks. On account of this fact, the general was not satisfied and the question came up where to get something to eat in line of meat and more sake. The general asked me about the execution and about getting some meat. Therefore, I telephoned personally to my headquarters that meat and ten (10) sho of sugar cane rum be delivered to the 307th Battalion Headquarters. I do not recall now if the sugar cane rum was delivered or not, but I know that the meat was. The meat was cooked in Colonel Kato's room, and everyone present had a taste of it. Of course, nobody relished the taste.

2 Q They all knew that it was human flesh?

A Yes.

The accused objected to this answer on the ground that the question called for the opinion of the witness.

The judge advocate replied.

The commission announced that the objection of the accused to the answer of question number two was not sustained.

The judge advocate requested that the commission rule on whether the accused had the right to object to individual and specific questions and answers from an interrogation after this interrogation had been previously submitted to the accused and the entire document objected to by the accused but admitted into evidence over this objection by the commission.

The accused replied.

The commission was cleared.

The commission was opened. All parties to the trial entered.

No witnesses not otherwise connected with the trial were present.

The commission announced as follows:

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On the point raised by the judge advocate the commission rules that either party may interpose objections to any question or answer in any document introduced in evidence in addition to any objection that may have been made to the entire document. The commission will rule in each instance on the objection raised.

3 Q Who actually ate some of the flesh? Who did you actually see eat this flesh?

A Captain Ikawa, General Tachibana, Colonel Kato, Captain Kosuga, and naturally myself. These five (5), including myself, partook of the flesh. I saw each of them eating the flesh. There were three (3) other company commanders of the 307th Battalion and I do not remember who they were, and I do not know if they ate the flesh or not. They were Captain Enjo, Captain Kobayashi, and one (1) from the machine gun company of the 307th Battalion.

4 Q Then your previous testimony regarding this matter is not true?

A Yes, and I apologize for it. It was not true.

5 Q Approximately how much human flesh was delivered to the headquarters of the 307th Battalion?

A About five (5) or six (6) pounds.

6 Q Who prepared and cooked this flesh?

A Colonel Kato's cook.

7 Q What was his name?

A I do not know.

8 Q Did Captain Ikawa cook the flesh at the table?

A Yes, the cook prepared the flesh and Captain Ikawa actually cooked it at the table.

9 Q Did either Captain Ikawa or the cook detest carrying out these orders?

A No, they did not detest it, but I could see on their faces that they did not relish the job.

10 Q Was all the flesh consumed at this meal?

A No, each man only ate a few pieces or just a single piece, and I believe that most of the flesh was left over. What happened to the flesh, I do not know.

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11 Q Returning to the persons who actually ate the flesh, are you sure that Captain Kosuga ate some?

A Yes, I am positive. Before I was interned in the stockade, I heard that Captain Kosuga said that he did not eat the flesh, but I know that he did.

12 Q Isn't it true that the remainder of the flesh was sent to the Ryodan Shireibu on your orders to General Tachibana's galley?

A That is not true. I do not know what happened to the left over flesh.

13 Q Who ordered it delivered there?

A I do not know. I slept at the 307th Battalion headquarters that night, and I returned to the divisional headquarters the following day.

14 Q Is the cause of your not remembering, because you have forgotten or because you were too drunk to know what orders you had given?

A It might be that I was too drunk to remember giving such orders.

15 Q Before the end of the war, did you ever hear Captain Ikawa boast of the eating of human flesh and say that eating a piece of human flesh gave a man the fighting spirit of ten (10) men?

A No, I did not hear that. I seldom saw Captain Ikawa after the party. I do not know.

16 Q When this flesh was cut from the body of the flyer at the Suyeyoshi Tai, was any delivered to and consumed by the Suyeyoshi Tai?

A I do not know. After we ate human flesh at the 307th Battalion headquarters, various rumors went around the island. I heard of the eating of flesh in other places on the island, and even if it was goat meat, some men would say that it was human flesh, and rumors came on so fast that I do not know.

17 Q Did you ever talk to Lieutenant Suyeyoshi about the execution at the Suyeyoshi Tai, or the eating of flesh at the 307th Battalion, or the eating of flesh by the Suyeyoshi Tai, or about anything else in that regard?

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- A Yes.
- 18 Q What did Lieutenant Suyeyoshi have to say about this?
- A I do not remember.
- 19 Q Did Lieutenant Suyeyoshi ever say, that he or anyone of his command had eaten human flesh?
- A No, I do not remember.
- 20 Q Did General Tachibana say that this should happen to all of the prisoners of war, following their executions?
- A Yes, at a conference at the division headquarters in February, 1945, General Tachibana said that supplies would diminish and ammunition would run short, and in the end men would have to fight even with rocks, and they would be forced even to eat their own comrades killed in combat, and the flesh of the enemy should be eaten.
- 21 Q You personally heard this?
- A Yes.
- 22 Q Who do you remember was present, who also heard this?
- A Every battalion commander. Not only once or twice, but several times the general said this.
- 23 Q Was this General Tachibana's idea, or Major Horie's?
- A I do not know, but I believe it was General Tachibana's.
- 24 Q Was Major Horie present at the conference?
- A Yes, he was present.
- 25 Q Are you sure about this?
- A Yes.
- 26 Q Did General Tachibana, at this conference, mention the fact that all prisoners of war would be executed?
- A Yes, and that the flesh would be eaten.
- 27 Q Did he mention that these executions would take place on orders from the Imperial Headquarters?

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- A I believe that the Imperial headquarters were of the same policy or had the same policy, and also the higher command of this island had this idea.
- 28 Q Did you ever see any orders from the Imperial headquarters on the treatment of prisoners of war?
- A I did not hear of any and I did not see any. After the fall of Iwo Jima, this island was completely isolated and the Imperial headquarters forgot about us.
- 29 Q Did General Tachibana say that it was the policy, or that he received orders from the Imperial headquarters to execute and eat all flyers captured?
- A I do not know if the general received direct orders from the Imperial headquarters or not, but the general ordered the execution of all flyers, and he said it was necessary to eat them.
- 30 Q Did you hear General Tachibana say, that it was the policy or the order from the Imperial headquarters?
- A I do not recall that.
- 31 Q At that time, was General Tachibana or Admiral Mori in supreme command of the island?
- A Admiral Mori was in command.
- 32 Q Could General Tachibana issue such an order without Admiral Mori's approval?
- A I think that it was impossible to issue such orders without the approval of Admiral Mori.
- 33 Q When Admiral Mori was in charge of the island, was he forceful and did he give strict orders, or was he in charge of his department only?
- A He was a pretty forceful commander and he wanted to know all that went on, and he represented the Navy in any conference which was held on the island. At least he cooperated with the Army in any matter concerning the defense of the island and anything that went on.
- 34 Q When you said, that to execute the flyers was the policy of the higher command on the island, whom did you include in the higher command?

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- A That means all of the men in the Army and the Navy headquarters including the Haken Shireibu. Admiral Mori of the Navy and General Tachibana of the Ryodan Shireibu, approved of the policy. When Major Horie handed over all of the prisoners after examination, they were to die.
- 35 Q When was this agreed upon?
- A I believe the question came up of the disposal of flyers around the time of the invasion of Iwo Jima, around February 17th, 1945. We expected the American forces to come a few days after Iwo Jima, and the question of prisoners was settled at that time.
- 36 Q If this policy was not formulated until February, 1945, why was it that prisoners were executed in August, 1944?
- A I do not know. The executions in August took place before my arrival on the island. I arrived on August 16th, 1944, and I heard that the executions in August were ordered by the Ryodan Shirebu.
- 37 Q When was it, that the general ordered that all flyers were to be executed, as close to the exact date as you can recall?
- A It was several days or a week after February 11th, 1945. It was about the 17th or the 18th of February, 1945. The general stated this policy at a conference of all commanding officers, which I attended.
- 38 Q Was Admiral Mori or any other naval representative present?
- A Yes, Admiral Mori was present.
- 39 Q Who also from the Navy was present?
- A Lieutenant Commander Kamiura or Lieutenant Commander Shinoda.
- 40 Q Was Commander Yoshii there?
- A I do not remember. Commander Yoshii commanded the wireless station, so that did not put him on the same basis regarding the defense plans of the island.
- 41 Q Insofar as you remember, what were the general's exact words?

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- A I do not remember the exact words, but the outline of the general's policy, which he told everybody at the conference, is what I previously told you. The general said the invasion of this island is imminent and probably that this would be the last battle prior to the invasion of Japan, and we must fight even though we had no supplies and no food, and that we should fight and live on the flesh of our comrades and that of the enemy. He said "kichiku", meaning beastly, and that was used in regard to the Americans. It was also said that the enemy is a beast. In all orders and all decrees from the Imperial headquarters this word was always used, and all of the military heads in Japan used the word in speeches, and so General Tachibana used it.
- 42 Q Did you see it in any orders from the Imperial headquarters, or hear it in any speeches made?
- A Yes, Prime Minister Suzuki used it in his speeches over the radio. It was a byword in any orders or any speeches. This came from the higher command and for all of the personnel it was sort of a byword, and was used in speeches by anyone and everyone. This includes Prime Ministers Suzuki and Tojo. I do not know about the Navy. Admiral Mori and General Tachibana agreed that all flyers would be executed as soon as Major Horie was through with them, and as Major Horie was in the higher command, he must have approved of the plan. Therefore, when Major Horie was through, he turned the flyers over and then they were executed.
- 43 Q Did General Tachibana issue an order, that the prisoners would be returned to the units which captured them for execution?
- A The general did not say anything like that. I believe it was Major Horie's idea to return the flyers to the units which captured them, to encourage them to capture more, and the flyers were returned as a reward to the units.
- 44 Q When prisoners of war were given to Navy units, was the order of execution given by General Tachibana, Admiral Mori, or Major Horie?
- A The responsibility for the delivering of prisoners of war to naval units lies on General Tachibana, but the rest of the responsibility lies with Admiral Mori.

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45 Q When a flyer was returned to the unit which captured him, did General Tachibana or Admiral Mori issue an order to execute him immediately or was an order issued to execute the flyer when they felt best?

A There was no definite orders issued by anyone. It was just agreed upon by the higher command and they did it that way.

46 Q In other words, there was no specific order from anyone?

A No. There may be some exceptions like the Suyeyoshi Tai. Lieutenant Suyeyoshi actually asked the naval headquarters for permission, and received the approval of the naval headquarters for the execution. Admiral Mori thanked me for letting him have a prisoner for execution.

47 Q Admiral Mori personally thanked you?

A Yes.

48 Q Why was the flyer turned over to the Suyeyoshi Tai by you?

A On February 18, 1945, two (2) flyers were captured by my unit. On February 27th, one (1) was returned to my battalion from the Haken Shireibu. Lieutenant Suyeyoshi, upon hearing the flyer was returned to my unit, came over to see me and asked me to let him have the flyer. He wanted to show his men an American, and wanted to make his men more accurate in their aim and build their morale. Therefore, I let Lieutenant Suyeyoshi have the flyer.

49 Q Previous to the time the flyers were turned over to the Haken Shireibu, hadn't you let Lieutenant Suyeyoshi take the two (2) flyers to his unit and show them to his men, to build morale?

A I do not know. They might have been taken past the Suyeyoshe Tai, but I do not believe they were taken in.

50 Q What were the flyer's names?

A I gave the pistol from this flyer to Lieutenant Suyeyoshi. One (1) of the two (2) flyers was named Hall, but I do not know the name of the other flyer.

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51 Q From whom, at the naval headquarters, did Lieutenant Suyeyoshi receive permission to execute the flyer?

A I believe that Chief of Staff Shinoda or Kamiura gave the permission or the approval, with the approval of Admiral Mori also.

52 Q Your previous testimony regarding this matter was not the truth, then?

A No.

53 Q You said in your previous testimony, that an agreement with Lieutenant Suyeyoshi was made long before. Is this true?

A I promised Lieutenant Suyeyoshi that I would give him a flyer before the actual date of transfer. The prisoners were still at the Haken Shireibu when I had a talk with Lieutenant Suyeyoshi.

54 Q Who actually took the flyer to the Suyeyoshi Tai?

A Lieutenant Suyeyoshi and a sailor?

55 Q Who executed the flyer?

A I do not know. I do not know the details regarding this.

56 Q If Lieutenant Suyeyoshi wished this execution to be a morale builder, why did he not order his men to be present at the execution?

A I do not think that the execution was done in secret. I believe that at least each of the Suyeyoshi units saw the execution, and I also believe that members of the other units stationed on the hill also saw it.

57 Q Did Lieutenant Suyeyoshi talk with you about the execution after it happened, or tell you who performed the execution and the details regarding it?

A I do not remember if Lieutenant Suyeyoshi said that he was present or not.

58 Q Do you remember, that Lieutenant Suyeyoshi said that Lieutenant Morishita performed the execution?

A No.

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59 Q When you told Lieutenant Suyeyoshi that you gave him this flyer for execution, did you at that time tell him that you wanted parts of the flyer's body sent to you?

A No, I do not remember such a thing.

60 Q Didn't you tell Lieutenant Suyeyoshi that after the flyer was executed, he should send you two (2) ken of flesh from the flyer's body?

A I might have said it, but I do not remember. I might have said it as a joke. I was at the divisional headquarters at the time of the execution, and I did not know about it.

61 Q At what time?

A The time of the execution. So I do not know whether the flesh was sent over or not.

62 Q Was any of the flesh from the body of the flyer, killed by the Suyeyoshi Tai, delivered to the 308th Battalion and eaten by the personnel of the 308th Battalion.

A I do not believe so.

63 Q When Admiral Mori thanked you for giving the flyer to the Suyeyoshi Tai, did he mention anything about the liver?

A No. After the party at the 307th Battalion where human flesh was served and eaten, on my way back I talked to Admiral Mori, and told Admiral Mori of the party. It was then that he told me to bring down a little human liver from the body of the next flyer to be executed by the 308th Battalion.

64 Q Who was present, when you held this conversation with the admiral?

A The staff officers were present.

65 Q Which ones?

A Staff Officers Shinoda, Miyazaki, and Kamiura.

66 Q Did you report to General Tachibana, that you had turned this flyer over to the Suyeyoshi Tai for execution?

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A Yes, I reported the matter to General Tachibana. The general just said, "Is that so", and nothing more.

67 Q When this prisoner of war was returned to the 308th Battalion, did he show any evidences of being beaten or improperly clothed or anything else?

A I do not know as I did not see the flyer upon his return.

68 Q The two (2) flyers, Ensign Hall and the man captured with him, were they beaten, kicked, slapped, or otherwise mistreated, while they were at the 308th Battalion before they were sent to the Ryokan Shireibu?

A I did not actually see the flyers beaten or mistreated in any way, but I assumed that they were slapped.

69 Q In other words, it was the policy of the Japanese personnel to mistreat and beat the captured Americans?

A Yes, I think that every man in the Japanese Army did not think first, and it was natural for him to do that. I remember Major Harie saying that one (1) of the flyers executed in August, told him that he was beaten at least twenty (20) times before he came to the Haken Shireibu.

70 Q Did he say by whom?

A No.

The accused objected to the entire interrogation and answers and moved they be stricken from the record, on the ground that the questions were leading; they called for opinions of the witness and they were very prejudicial to the rights of the accused, especially the co-defendants Mori and Tachibana.

The judge advocate replied.

The commission announced that the objection was not sustained.

The commission then, at 11:30 a.m., took a recess until 2:10 p.m., at which time it reconvened.

Present:

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All the members, the judge advocates, the interpreters, each of the accused and his counsel.

Richard H. Jarvis, yeoman first class, U.S. Navy, reporter.

No witnesses not otherwise connected with the trial were present.

The judge advocate introduced Tamamura, Fumio, petty officer first class, Imperial Japanese Navy, as interpreter, and he was duly sworn.

With the consent of all parties to the trial this interpreter will be used only to assist in the translation of documents.

Lieutenant Fredric T. Suss, U. S. Naval Reserve, the witness under examination when the recess was taken, resumed his seat as a witness. He was warned that the oath previously taken was still binding and continued the reading of the interrogation of Major Matoba, Sueso, IJA, from the Board of Investigation.

71 Q Tell us in detail, just what you know about the execution at the Yoake wireless station, and the cannibalism of the personnel of that station?

The accused objected to this question on the ground that it is calling for opinion and hearsay evidence and that no proper foundation has been laid for such a question.

The judge advocate made no reply.

The commission announced that the objection was not sustained.

A I do not know exactly if two (2) or three (3) prisoners were taken to the Yoake wireless station. One (1) out of the two (2) or three (3), whichever it may be, was sent to the Torpedo Boat Squadron. The prisoner or prisoners who went to the Yoake wireless station went either directly from the Haken Shireibu or from the Ryodan Shireibu. I do not know if there were two (2) or three (3).

72 Q How many executions were there at the Yoake wireless station?

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A I do not know, either one (1) or two (2). The execution was performed by an officer who was present with his sword. I also heard that human flesh from this flyer was served in soup. This was in the soup for both the officers and the enlisted men. I only heard this, so I am not sure. Staff Officer Miyazaki was present.

The accused objected to the last four sentences of this answer on the ground that they are hearsay and requested that they be stricken from the record.

The judge advocate made no reply.

The commission announced that the objection was sustained and directed that the last four sentences be stricken from the record.

73 Q Did you hear that he was present, or do you know that he was present?

A I do not know if Staff Officer Miyazaki actually witnessed the execution or not. However, I am definitely sure that Miyazaki was present at the party that night at which time human liver was eaten in the officers' mess. I also heard that Miyazaki returned to the naval headquarters with a portion of the liver. I am absolutely positive about this.

74 Q How are you sure about this? Did Staff Officer Miyazaki tell you about this?

A I heard Staff Officer Miyazaki say these things at the naval headquarters. I was present and heard it personally.

75 Q Were any of the officers from the Navy base present at the execution, or at the party?

A I do not know, but I know that Miyazaki was at the Yoake wireless station. If he witnessed the execution, or not, I do not know.

76 Q What was the name of the officer, who executed the flyer at Yoake?

A I do not know.

77 Q You hadn't heard that Lieutenant Hayashi performed the execution?

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The accused objected to this question on the ground that it was definitely leading.

The judge advocate made no reply.

The commission announced that the objection was sustained.

78 Q Do you know whether or not Commander Shinoda was present at the execution at the Yoake wireless station?

A I do not know.

79 Q Did Commander Yoshii receive permission or orders from Admiral Mori to perform the execution?

A I do not think that Commander Yoshii received any definite orders regarding the execution from Admiral Mori. However, the admiral must have approved the execution, for otherwise it would not have taken place.

The accused objected to that part of the answer in which the person being interrogated gave opinion evidence, and requested that it be stricken from the record.

The judge advocate made no reply.

The commission announced that the objection was sustained and directed that the part of the answer objected to be stricken from the record.

80 Q You and Commander Yoshii were quite good friends weren't you?

A It wasn't a very deep friendship. I met and drank with him on five (5) or six (6) different occasions.

81 Q Was General Tachibana present at the party at Yoake?

A I do not know.

82 Q Did you attend the party?

A No.

83 Q What did Commander Yoshii have to say to you about this, after the execution was performed?

A I only remember that Commander Yoshii mentioned the fact that human flesh, from the body of this flyer executed by his unit, was put into the soup.

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84 Q He told you personally.

A Yes.

85 Q Did Commander Yoshii order the flesh put into the soup?

A I did not hear if it was a specific order from Commander Yoshii or not.

86 Q How soon after the execution, was it reported to Admiral Mori?

A I believe that Commander Yoshii visited the naval headquarters at least once a day. Admiral Mori and his command, I think, knew about it before it actually happened.

The accused objected to this answer on the ground that it was opinion and conclusion on the part of the person being interrogated and requested that it be stricken from the record.

The judge advocate made no reply.

The commission announced that the objection was sustained, and directed that this answer be stricken from the record.

87 Q What kind of man was Commander Yoshii? Was he one (1) who would do things without orders?

A I cannot tell, I do not know; but I believe Commander Yoshii acted on orders or at least approval.

The accused objected to the part of the answer that was the conclusion and opinion of the witness and requested that this part of the answer be stricken from the record.

The judge advocate made no reply.

The commission announced that the objection was sustained and directed that the words, "but I believe Commander Yoshii acted on orders or at least approval" be stricken from the record.

88 Q We understand that Commander Yoshii was tried by court-martial twice on this island. Why was he tried?

The accused objected to this question on the ground that it was highly irrelevant to the issue under question.

The judge advocate made no reply.

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The commission announced that the objection was not sustained.

A I know of one (1) time. I know of once Commander Yoshii was called before court-martial. Captain Izawa of the 304th Battalion was detailed to teach fencing at the Yoake wireless station, and one (1) day Captain Izawa and Commander Yoshii had a quarrel. Izawa drew his sword, whereupon some of the men under Commander Yoshii jumped out and tried to prevent the two (2) men from killing each other. It ended up by Commander Yoshii piercing Captain Izawa, but not killing him, and that is why they gave Commander Yoshii a court-martial.

89 Q By whose orders was the flyer turned over to the Yoake wireless station?

A The one (1) who went from the Ryodan Shireibu was transferred on the orders of General Tachibana, and the one (1) transferred from the Haken Shireibu was transferred on orders from Major Horie.

90 Q Why were these flyers not returned to the units which captured them?

A General Tachibana and Commander Yoshii were very good friends. I think that on the request of Commander Yoshii, General Tachibana gave him the flyers because they were personally good friends, but I do not know for sure.

91 Q Did you hear that the other units protested this?

A I believe that they did not like it. They wanted the prisoner returned to them.

92 Q What did you hear that Miyazaki did with the flesh, when he took it down to the naval headquarters?

The accused objected to this question on the ground that it is calling for hearsay evidence and the opinion and conclusion of the witness.

The judge advocate made no reply.

The commission announced that the objection was not sustained.

A I heard that it was eaten at the naval headquarters.

93 Q By whom?

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A The admiral and three (3) staff officers.

The accused objected to this answer on the ground that it is clearly hearsay and prejudicial to the rights of the accused.

The judge advocate made no reply.

The commission announced that the objection was sustained and directed that this answer be stricken from the record.

94 Q Did you hear anything else, when you were at the headquarters regarding the execution at Yoake?

A No.

95 Q Did Commander Yoshii send any of this flesh to the headquarters of the 302th Battalion?

A No.

96 Q Did Commander Yoshii ever tell you personally, that he and his officers had eaten the liver or other parts of this flyer?

A Yes, I heard Commander Yoshii mention in his conversation that they, meaning he and his officers, ate human flesh and liver.

97 Q Did he say that any of the petty officers at the wireless station were given this flesh to eat?

A The personnel ate the flesh in the soup.

98 Q Did you speak to the admiral, at this particular time at the naval headquarters, regarding the liver of the flyer executed at the Yoake wireless station?

A I did not speak of the liver of the flyer, executed by the wireless station, directly with Admiral Mori. However, the matter was discussed between Shinoda and myself.

99 Q What information do you have on the execution at the Torpedo Boat Squadron, in addition to the name of the officer who executed the flyer?

A What I know of the Torpedo Boat Squadron is by hearsay. According to what I heard, the execution was a public affair. I heard around five hundred (500) to six hundred

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(600) men witnessed the execution, and they came from the Yoake area to the Hiyose area to witness the execution. And also I heard, that the liver was taken from the body and eaten by the Torpedo Boat Squadron and the 209th Construction Battalion. I also heard that Lieutenant Commander Mivazaki was also present at the party that night at which the liver was served and eaten. This execution was so public that everyone should know about it from the admiral down to the lowest rank.

The accused objected to this entire answer on the ground that it was hearsay and requested that it be stricken from the record.

The judge advocate did not reply.

The commission was cleared.

The commission was opened. All parties to the trial entered.

No witnesses not otherwise connected with the trial were present.

The commission announced that the objection was not sustained.

100 Q Were you present?

A No.

101 Q Were any of your officers present?

A There might have been an officer from my unit present, but I did not know about it.

102 Q Did you or any of your officers participate in the eating of flesh from this executed flyer?

A No one ate flesh from my unit.

103 Q Were parts of this flyer's body delivered to the 308th Battalion headquarters.

A No.

104 Q Was part of this liver delivered to Commander Yoshii?

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A I do not know if any part of the liver or of the flesh was sent to Commander Yoshii. I remember I heard that Commanders Yoshii and Miyazaki were present at the Torpedo Boat Squadron, and if this was true, nothing would be sent to them because they were present.

105 Q Do you know of any of the names of the personnel, who participated in the party at the Torpedo Boat Squadron when human flesh was eaten?

A I have no idea.

106 Q Did you ever hear why the Kurasaki Squadron obtained or wanted this flyer for execution?

A I do not know the reason behind the execution. I only heard from Major Herie that it was Commander Yoshii, who took the flyer to the Torpedo Boat Squadron and had him executed.

The accused objected to that part of the answer, "I only heard from Major Herie that it was Commander Yoshii, who took the flyer to the Torpedo Boat Squadron and had him executed," on the ground that it was hearsay and request that it be stricken from the record.

The judge advocate did not reply.

The commission announced that the objection was not sustained.

107 Q Do you mean by that, Commander Yoshii had Lieutenant Kurasaki execute him?

A I believe that Commander Yoshii brought down the flyer, and the purpose of executing him was to instill better fighting spirit.

108 Q Do you have any evidence, that any of the liver of this flyer was delivered to the Navy base or to Admiral Mori?

A I do not know if part of the liver or even any flesh was delivered to the naval headquarters or not. I heard that human flesh was delivered to naval units in the area. There were many naval units there, under Admiral Mori's command.

The accused objected to that part of the answer, "I heard that human flesh was delivered to naval units in the area", and requested that it be stricken from the record as hearsay evidence.

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The judge advocate did not reply.

The commission announced that the objection was not sustained.

109 Q Which suicide boat units executed American flyers?

A I never heard of any executions by the suicide boat units.

110 Q Do you know of an American flyer, who was executed in the Kominato area by the 307th Battalion at this time?

A I do not know any details regarding the matter. But according to what I heard from Captain Kosuga, I was led to believe that there were two (2) men executed by the 307th Battalion. But Captain Ikawa, adjutant of the 307th Battalion, told me one (1). He told me personally. I know no details.

111 Q Do you know who killed him, where, and by what method?

A Captain Ikawa told me that the flyer was executed by men of the various units of the 307th Battalion which lost personnel in the American raids, and the prisoner was bayoneted.

112 Q Was Captain Ikawa an eyewitness to this execution?

A I do not know, but it seems that he should probably have been present.

113 Q Did you hear that parts of this flyer's body were eaten by the 307th Battalion, or by any other units?

A It was quite possible, but I do not know.

114 Q Did Captain Ikawa ever tell you that he witnessed an execution at any time?

A No.

115 Q What was Captain Ikawa's reputation for truthfulness?

A I heard that Captain Ikawa was a pretty good liar, and I know that Captain Ikawa was a big boaster and would talk about small things and make them larger. I think that Captain Ikawa knew everything that was going on at the 307th Battalion.

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116 Q Did Colonel Kato witness the execution?

A I do not know.

117 Q How many executions that you know of, took place on Chichi Jima?

A I do not know the exact number, but I would place the total between eight (8) and ten (10).

118 Q Enumerate these.

A The 307th Battalion executed one (1) or two (2); the Ryodan Shireibu executed two (2); the Yoake wireless station executed one (1) or two (2); the Torpedo Boat Squadron one (1); the 308th Battalion, two (2); and the Suyeyoshi Tai, one (1).

119 Q Those are all you know about?

A Yes.

120 Q Is it your opinion that there were others?

A I do not think so. I believe that personnel on Haha Jima captured and executed flyers. It was almost impossible to believe that there were none, and I believe there were executions there.

121 Q What about Ani Jima?

A Anybody captured on Ani Jima would have to be sent over to Chichi Jima, and I do not believe that any executions took place on Ani Jima.

122 Q Wouldn't flyers, captured on Haha Jima, have to be sent to and questioned on Chichi Jima also?

A I do not know the actual facts, but I know that Haha Jima used wireless to Tokyo to show how many planes were shot down, and I believe that they executed some flyers. The flyers should have been sent to Chichi Jima from Haha Jima, but none were sent here.

123 Q Do you know whether or not between July 29th, 1944, and the end of the war, any staff officers were sent to Haha Jima from Chichi Jima and if so, who were they?

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A Yes, there were staff officers sent on different occasions, and I believe that Major Horie went to Haha Jima twice. Staff Officers Miyazaki, Kamiura, and Shinoda also went to Haha Jima.

124 Q Who was in command at Moko Jima?

A Major Makata of the 304th Battalion.

125 Q By whose orders did Corporal Nakamura execute Hall?

A The order for the execution of flyers or prisoners came from General Tachibana or Major Horie. I personally did not know that Hall was returned to my unit. Corporal Nakamura received orders from either Sergeant Major Wada, Captain Sato, or Lieutenant Ono. However, the responsibility lies with me. But it so happens that I did not give the order personally. Therefore, Corporal Nakamura would know who gave him the order.

126 Q You would have us believe, then, that officers under your command would issue orders for an execution without your knowing about it?

A Yes, the responsibility lies with me, but one (1) of my officers actually gave the order without my knowledge.

127 Q Without your order?

A Hall was the last man to be executed on the island, and they followed the general policy.

128 Q By whose order was Doctor Teraki to cut out the liver and deliver it to you?

A By my order.

129 Q If you did not order the execution, why did you order Doctor Teraki to be there?

A Sergeant Major Wada or Captain Sato came and reported the execution to me. I then ordered Doctor Teraki to go and cut out the liver of the flyer. I gave the order after I received the report that the flyer was executed. That is, the order for the removal of the liver.

130 Q How was it, that Doctor Teraki was already at the scene of the execution before it occurred with his corpsmen, ready to perform the dissection?

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A I did not give any orders previous to the execution, but if it so happens that the circumstances point to me giving the orders, I will take the responsibility.

131 Q Do you know Sergeant Furushika?

A Yes.

132 Q Why was it that Sergeant Furushika was scheduled to perform the execution?

A Out of the personnel there were some who volunteered and wanted to perform the execution, and Furushika must have been one (1) of them. Sergeant Furushika was sharpening his sword and polished it up and was expecting to execute Hall, when he was returned to the 308th Battalion. It was not the custom of the Japanese to order an execution. Therefore, only volunteers could do the job. The responsibility lies with me, and I am willing to take full responsibility for what happened. If evidence points to the fact that I ordered the removal of the liver previous to the execution, or if the evidence points to the fact that it was after, I will take full responsibility.

133 Q Why is it that an execution would have been performed without your knowing about it?

A The execution at my battalion was the last. In the beginning, execution were handled through the various channels of command, but at the end it was just an understood policy, and it happened that I did not give an order.

134 Q Did anyone report to you that Ensign Hall was returned to the battalion?

A One (1) man out of the four (4) mentioned, told me that Hall would be returned in two (2) or three (3) days. However, nobody reported the fact of his arrival and I did not know.

135 Q Did you issue any orders that the flyer was to be executed and that Sergeant Furushika was to execute him, or did you order that the flyer be executed and Furushika was to do it on his own?

A When the matter was reported to me that the flyer would be returned in two (2) or three (3) days. I just said "Is that so?".

136 Q Are you trying to tell us that your battalion was so poorly run, or that you were so incompetent a commanding officer, that you did not know what was going on?

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A This was a particular case, and it was understood that when a flyer was returned to a unit he was to be executed. All the men knew this and so no specific order was necessary.

137 Q Is it true that you were drunk at the time Hall was returned to the 308th Battalion?

A I do not think so. I might have been playing chess or something else.

138 Q Who reported to you, that a flyer would be returned and sent to you from the Haken Shireibu?

A Captain Kanmuri or Captain Sato, and I do not know which because I received it by telephone.

139 Q At that time, did you give any orders to Sergeant Major Wada to go to the Haken Shireibu and get this flyer?

A I believe that I told Captain Kanmuri or Captain Sato to send someone to get the flyer.

140 Q Didn't Captain Sato report to you, when Hall arrived at the 308th Battalion?

A I do not remember. If the 308th Battalion had been transferring the prisoner somewhere or turning him over to someone, I would have given specific order, but on this occasion I did not take care of him.

141 Q Why did Corporal Nakamura execute Hall?

A I do not know the exact reason behind Corporal Nakamura's performance, but I know that the corporal told me that he went looking for Sergeant Furushika and that upon not finding Sergeant Furushika, he executed the flyer in his place.

142 Q Didn't you intend that this should be a public execution?

A No. The execution was not a public affair. Corporal Nakamura will tell you about it.

143 Q Exactly what instructions did you give to Doctor Teraki, regarding the disposition of the flyer's body?

A I ordered Surgeon Teraki to hurry up and remove the liver because I wanted to take it to the naval headquarters.

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144 Q Who brought the liver to you?

A Doctor Teraki reported to me that the liver was brought and left in my orderly's room. As I could not go to the naval headquarters due to air raids, I had it sliced and dried.

145 Q Wasn't there a party at your headquarters, the night of Hall's execution?

A It wasn't exactly a party, but they ate the liver at the 308th Battalion headquarters that night. It was Hall's liver.

146 Q Who do you actually know ate the liver?

A Captain Sato, Warrant Officer Soyuz, Sergeant Major Wada, Captain Kamuri and myself ate human liver.

147 Q You actually saw these named men eat human flesh?

A Yes, also present were Captain Nakajima and Captain Kuriwa but I do not know if they ate human flesh or not. Second Lieutenant Ono was also present, and he said that he was a Christian and could not eat the flesh.

148 Q What about Lieutenant Watanabe?

A No, he was not there.

149 Q How much of the liver was distributed to the various galleys of the 308th Battalion?

A I did not ration out any liver or flesh to any of the men, but I heard that flesh was eaten by the men under my command.

150 Q You do not know which men in your command or which galleys in your command ate the flesh?

A I heard rumors that flesh was eaten, but by what company, squad, or platoon, I do not know. However, it is possible that the machine gun squad and the third company may have been responsible for the act.

151 Q Do you remember saying to your officers, that eating human liver was good for the stomach or that liver was good stomach medicine?

A Yes.

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152 Q Only once or several times?

A Several times.

153 Q Tell us about what was done with the liver, when you delivered it to the Navy base.

A I had it pierced with bamboo sticks and cooked with soy sauce and vegetables, and then took it to the Navy base and we ate it.

154 Q Who was present at this banquet?

A Lieutenant Commander Kariura, Lieutenant Commander Shinoda, Admiral Mori, Staff Officer Miyazaki, Second Lieutenant Isogai, and Ensign Ijima.

155 Q Prior to this, had you taken goat meat to the naval headquarters?

A Yes.

156Q Isn't it true that before eating this flesh, the other officers present thought that it was goat meat?

A All of the members present knew it was human liver. There is no question about it.

The accused objected to this entire answer and requested that it be stricken from the record on the ground that it was conclusion of the part of the witness.

The judge advocate replied.

The commission was cleared.

The commission was opened. All parties to the trial entered.

No witnesses not otherwise connected with the trial were present.

The commission announced that the objection was not sustained.

157 Q Did you tell them it was human liver?

A Yes, I very clearly told them what I brought.

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158 Q What were your exact words, as far as you remember them?

A I told Admiral Mori that, "I brought you the liver as promised". That was prior to the eating of the liver.

159 Q Then, did you see the men you named, actually eat the liver?

A Yes, definitely they ate it. While we were eating the human liver, Admiral Mori mentioned the fact that during the Chinese-Japanese war human flesh and liver was eaten as a medicine by the Japanese troops. The medicine made from the liver was named Seirogan.

160 Q Are you sure that you did not tell them it was human liver, after they had eaten it?

A I told them all before, and they knew that they were eating human liver.

161 Q Then, did you tell them after they were finished eating it?

A No, I did not need to. They must have known about it because the conversation turned towards it, and everyone should have known about it. Everyone knew it was human liver.

162 Q Are you sure that you did not take any goat meat to the naval headquarters, prior to this?

A No, I never took any goat meat personally. One (1) time when I sent a lot of things to the naval headquarters, I might have sent some goat meat.

163 Q Did Admiral Mori and the others think that this was goat meat?

A Other than Admiral Mori, everyone might have thought that it was goat meat.

164 Q Are you sure that this was not done as a practical joke on Admiral Mori? That is, you brought the flesh and told them it was goat meat and let them eat it, and then told them it was human liver?

A No.

165 Q What did Admiral Mori, Lieutenant Commander Shinoda, and the rest of the officers think of the idea of eating the flesh of prisoners of war?

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- A They were all saying that liver was good medicine for the stomach.
- 166 Q In what other cases of cannibalism did you participate?
- A These are the three (3) times that I ate human flesh; at the 307th Battalion, 308th Battalion headquarters, and at the Navy base. Other than these, I ate a small pill made from human liver in Singapore.
- 167 Q Then, by your own admission, you are a cannibal?
- A Yes, I was a madman due to the war and that is the only reason I can give for being a cannibal.
- 168 Q What other details of cannibalism do you want to tell us?
- A In my previous testimony, I forgot to mention certain matters, that I would like you to know now. The liver of the flyer beaten to death by Captain Nakajima was eaten at the 308th Battalion headquarters. The liver of Hall was taken to the Navy base headquarters. The liver of the flyer beaten to death by Captain Nakajima was eaten on the day following the execution. The liver of Hall was taken to the naval headquarters and eaten by the personnel whose names I have previously mentioned, that is: Lieutenant Commander Shinoda, Isogai, Kamiura, Miyazaki, Admiral Mori, and Ensign Iijima. The flesh of the flyer executed at the Suyeyoshi Tai was eaten at the 307th Battalion.
- 169 Q Whose flesh was eaten at the party at the 308th Battalion headquarters, the night of the day of Hall's execution?
- A I was mistaken. There was no party that night; the flesh was eaten the night after the day the flyer was beaten to death by Captain Nakajima. Regarding the flyer beaten to death by Captain Nakajima, I have heard that the flyer was a rated man and very young.
- 170 Q Insofar as you can remember, what was the exact date of Hall's execution?
- A Sometimes toward the end of March.
- 171 Q Insofar as you can remember, what was the date that Captain Nakajima beat this flyer to death?
- A Toward the end of February.

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172 Q Then the 1st of names which you gave us, as eating human flesh at the party on the night of Hall's execution, was actually the list of persons attending the party on the evening after the day when Captain Nakajima beat this flyer to death?

A Yes.

173 Q Who removed the liver from this flyer?

A There were two (2) medical officers at the 308th Battalion. Which one (1) removed the liver, I do not know. One (1) was Doctor Teraki and the other was Doctor Sakabe. If you ask Captain Kanruri, you could find out.

174 Q Who prepared this flesh for the party?

A I believe it was cooked by my cook, Konishi, on my orders.

175 Q Do you recall the other company commander present at the party at the 307th Battalion, when human flesh was consumed?

A I cannot recall the name of the second company commander present, and the one (1) which I listed previously as Kobayashi is incorrect. The man present was Makano. I remember two (2) first lieutenants, Enjo and Makano. They were at the party but I do not know if they ate the flesh or not. I do not know and cannot recall the third man's name.

176 Q What happened the day that the flyer was beaten to death by Captain Nakajima? Tell us what you know about it; who reported the flyer was there; what was going on there; what was said to Captain Sato; and so on?

A At the time, my headquarters had notice from General Tachibana's headquarters to hunt for an American officer who supposedly had landed on Nishi Jima. Major Horie told us that it was a high ranking officer, a lieutenant commander or something. We sent a searching party out for two (2) or three (3) days, but the flyer could not be found. Four (4) or five (5) days later, Maikawa Fukuichiro brought in the two (2) flyers he had captured. On that day, I called in my company commanders and at 1 p.m., we had a party. At 4 p.m., Sergeant Major Wada came there and said that a flyer was found and brought to the headquarters. As the hour was already late, I told him to keep the flyer and bring him to headquarters the next day. Before the end of the party, Captain

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Nakajima left the table, because I reprimanded him for over drinking. Due to over drinking, Captain Nakajima had beaten his men and men from the Suyeyoshi Tai several times. When Captain Nakajima left the table, I think that he went to the prisoner and beat him to death. I did not know at the time. However, the report was made as soon as Captain Nakajima had beaten him. Therefore, I had to report the matter to Major Harie and General Ichihana. I reprimanded Captain Nakajima for his act on the following day.

177 Q At the time the report of a captured flyer reached you, did you order Captain Sato and Captain Nakajima to question the flyer?

A No.

178 Q You gave no orders whatsoever.

A No, the only orders I gave was that the flyer was to be delivered to the divisional headquarters the next day.

179 Q Did Captain Sato leave the party at approximately the same time Captain Nakajima did?

A They did not leave together. However, it was quite possible that Captain Sato left the party before anyone, because he does not drink.

180 Q Then, according to your story, the party was continued that night and the liver of this flyer was served?

A No, not that night. It was on the following day.

181 Q So, on the following day you reprimanded Captain Nakajima for beating the flyer to death, and then you had a party at which this liver was served?

A Yes, that is correct.

182 Q Isn't it rather strange, that you should invite Captain Nakajima to this party, when he was in disgrace for beating the flyer?

A I do not know if the captain ate the liver or not. Anyway, Captain Nakajima did not attend the party, because I reprimanded him at 10 o'clock in the morning. I do not know which body was eaten by various men of the companies. Maybe it was Hall's body or maybe it was the Navy man's body. Many men just came and took pieces of flesh. I heard this, but I did not see this. Sergeant Major Wada would know.

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183 Q By whose orders was this liver taken from the flyer's body, and served at the party?

A By my orders.

184 Q Do you remember whether you gave the orders to Captain Kanmuri or Captain Sato?

A I do not remember.

185 Q At this party, which officers did you actually see eat part of the liver?

A I have already given you the names, but Captain Nakajima was not present. The liver of Hall was taken from the body on my order. I do not know if I gave the order personally to the surgeon, but I gave the order. The liver was sliced and dried and taken to the Navy base.

186 Q Did you have a party one (1) week after Hall's execution, at which time you ate slices of dried liver?

A No.

187 Q What was done with the remainder of the liver from the flyer killed by Captain Nakajima which was not eaten at the party on the day following the execution?

A I do not know if there was any liver left or not.

188 Q Isn't it true that this was kept for your personal use after being dried?

A No.

189 Q In addition to the liver being left in the galley the night of Hall's execution, isn't it true that flesh was also left there?

A No. Maybe the gall bladder was there, but I do not know. The gall bladder might have been in the galley for quite awhile.

The commission then, at 4:35 p.m. adjourned until 9:15 a.m., Saturday, September 7, 1946.

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NINETEENTH DAY

United States Pacific Fleet,
 Commander Marianas,
 Guam, Marianas Islands.
 Saturday, September 7, 1946.

The commission met at 9:15 a.m.

Present:

Rear Admiral Arthur G. Robinson, U.S. Navy
 Captain Eric B. Hoag, Dental Corps, U. S. Navy,
 Colonel James V. Ware, Infantry, Army of the United States,
 Colonel Pierre R. Denson, Coast Artillery Corps, Army of the United States,
 Lieutenant Colonel Adolph Zuber, U.S. Marine Corps,
 Commander Orville O. Dean, U.S. Navy,
 Major Donald B. Cooley, junior, U.S. Marine Corps, members, and
 Lieutenant Daniel Flynn, U.S. Naval Reserve,
 Lieutenant Edward L. Field, U.S. Naval Reserve and
 Lieutenant Fredric T. Suss, U. S. Naval Reserve, judge advocates
 Vivian Kilner, civilian, reporter.
 Each of the accused and his counsel and the interpreters.

No witnesses not otherwise connected with the trial were present.

The record of the proceedings of the seventeenth day of the trial was read and approved.

Lieutenant Fredric T. Suss, U.S. Naval Reserve, the witness under examination when the commission adjourned on the previous day, resumed his seat as a witness. He was warned that the oath previously taken was still binding, and continued his testimony.

(Examination continued.)

5 Q I ask the witness to continue the reading of the interrogation of Major Matoba from the Board of Investigation.

190Q Was this flyer beaten to death by Captain Nakajima, the flyer for whom Major Horie and General Tachibana were looking?

A No, this flyer beaten to death was only a radioman.

191 Q Who questioned the flyer?

A Captain Sato or Sergeant Major Wada must have questioned the flyer.

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192 Q What was the flyer's name?

A I do not know.

193 Q Who would know?

A I have no idea. Maybe Sergeant Major Wada would know.

194 Q Does the name Frazier sound familiar to you?

A No.

195 Q Was Captain Sato at your party, at the time the flyer was brought in?

A Yes.

196 Q Did you tell him to go out and question the prisoner?

A No.

197 Q How could he leave the party then?

A I am not certain if Captain Sato left the party or not, but it was possible as he was not a heavy drinker.

198 Q Was it possible that he asked your permission to leave the party?

A Yes. After the night of February 18th, we gave up the idea of examining or cross-examining the flyers brought in at the various battalions. In other words the prisoner would have to be examined by the Haken Shireibu. Therefore, I do not believe that anyone would go out and question the flyer officially.

199 Q You have tried to give us the impression that your reason for eating the flesh was due to the shortage of supplies. Why is it then that only the liver was taken out and eaten?

A My battalion still had sufficient food.

200 Q In other words, it was a deliberate act of cannibalism?

A Yes. They were going to eat Japanese flesh once the American troops landed here. I even said that when I was killed they would have to eat me. If you question the officers and men under me, they would probably give you the actual happenings at the time. However, what I tell, you know is the truth, but I am liable to make a lot of mistakes.

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201 Q According to the reports we received, human flesh was kept in the ice plant at Biyobu Dani in March, 1945, and rationed out to the various battalions in their meat ration. What information do you have concerning this?

A I do not know a thing about it. I remember once eating meat that made me ask and made me feel it was something unusual. If you ask Warrant Officer Soya, you could find out more about this.

202 Q What was the approximate date?

A It was around this time.

203 Q Isn't it true, that liver was left to dry on the line outside of Konishi's galley for weeks following Hall's execution?

A I do not believe that pieces of liver were dried for a long period. I believe it was gall bladder.

204 Q Everyone told us that pieces of liver were left to hang there for weeks, and during that time they decreased in number.

A I cannot believe that this was liver; they must be wrong. I believe it was gall bladder.

205 Q Of what war crimes were you guilty in Singapore?

A In Singapore I received a pill made from human liver from Major Asaeda Shigeharu.

The accused objected to this question on the ground that both the question and answer showed the character of Major Matoba. No proper ground work was laid for this question and it is highly irrelevant in this case.

The judge advocate did not reply.

The commission announced that the objection was sustained and directed that both the question and answer be stricken from the record.

206 Q What duties did you have there?

A I was attached to the staff. I was in the headquarters of General Yamashita, and I worked under Lieutenant Colonel Kern. I had this job because I know something about water transportation. At one (1) time I commanded a battalion.

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207 Q What battalion?

A I belonged to one (1) of the battalions in the 18th Division.

208 Q What was the name of the battalion?

A It was a part of the 56th Regiment. The regimental commander was Colonel Nasu.

209 Q How many executions did this battalion perform, while you were there?

A I did not take a single prisoner on my way in Singapore. The prisoners were captured after the city was taken.

210 Q How many of those were executed?

A None were executed which I saw. There were so many that I did not bother with them.

211 Q How many executions did you perform, while you were attached to the staff?

A I was busy with the shipping and I did not have anything to do with prisoners or captured civilians. However, the Japanese Army executed thousands of civilians, but not soldiers.

212 Q You know about them?

A Yes.

The judge advocate did not read questions 213 and 214 of the interrogation. They were highly irrelevant and had no bearing on this case.

215 Q How many times did you eat human flesh on the Chinese front?

A None.

216 Q How many times did you eat human flesh in Singapore, other than eating this liver pill?

A Only this one (1) time.

217 Q From where did this pill come?

A I do not know where it came from.

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218 Q Did you know it was made from human flesh or liver?

A Yes, I was told by Major Asada.

The accused objected to the answer of this question, on the ground that the answer is a confession against the accused and is irrelevant to this particular case.

The judge advocate did not reply.

The commission announced that the objection was sustained and directed that this answer be stricken from the record.

219 Q Was this bill part of your medical supplies issued by the Japanese Army?

A No. It was dried liver. It was not an issue of the Army.

220 Q From whose body did it come?

A I have no idea.

221 Q How many executions did you witness in Singapore?

A I did not see any executions of prisoners.

222 Q What about civilians?

A No, none. I heard this took place when I was in the hospital. At that time, I heard of these mass executions.

223 Q Who ordered these executions?

A By order of General Yamashita.

224 Q How many executions did you witness on Chichi Jima?

A None, not a one (1).

225 Q How many captured flyers did you personally execute on Chichi Jima?

A None on Chichi Jima. I executed one (1) prisoner in China, a Chinese. This was eight (8) years ago.

226 Q By beheading or by spearing with bamboo spears?

A By beheading.

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At the conclusion of the reading of the interrogation of Major Matoba the accused stated as follows:

Before the judge advocate continues, we of the defense want to call the attention of the commission to the statement in the interrogation of Major Matoba by the Board of Investigation on Chichi Jima. The opening sentence read was that Major Matoba was recalled as a witness. The defense objected to the entire proceedings of Major Matoba's testimony and therefore can not ask that Major Matoba's entire testimony and interrogation be brought in evidence. But the defense wants to call the attention of the commission to the fact that only part of the testimony was read and not the entire testimony. The defense asks some ruling as to whether the entire testimony should be entered in evidence or just the part that has been read.

The judge advocate replied.

The commission was cleared.

The commission was opened. All parties to the trial entered.

No witnesses not otherwise connected with the trial were present.

The commission announced it was aware of the fact that only a part of the testimony of Major Matoba was introduced by the judge advocate. The accused, however, on cross examination, may request that the testimony given by Major Matoba at any other appearance before the Board be introduced in evidence if they so desire.

The proceedings of the Board of Investigation were submitted to the accused and to the commission and by the judge advocate so much thereof as contains the statement of Major Matoba, Suedo, Imperial Japanese Army, on April 16, 1946, was offered in evidence.

The accused objected to the statement of Major Matoba being offered in evidence for the same reasons that were previously given. In addition, it is a statement against Matoba's interest and the accused is being made to testify against himself. Nowhere does it show that this was a voluntary statement or that he volunteered this information of his own free will. It is a statement against the interests of the defendant Matoba, and also the co-defendants, particularly Lieutenant Suedoshi. Therefore we object to the statement being offered in evidence.

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The judge advocate replied

The accused further pointed out as a ground for objection the rule written down in Court Martial Order No. 1, on page 72: "A general court martial received in evidence, over the objection of the accused, extracts from the testimony of the accused before a Board of Investigation as an interested party. The record did not show that he took the stand at his own request, but did show that he was sworn and allowed to testify at length after it was apparent that he was involved in such a way that an accusation against him could be implied, although he was not made a defendant until he had concluded his testimony. It follows, therefore, that his testimony before the board of investigation could have no evidential value in the instant case, and it should have been excluded by the court." So in this particular case the prosecution is attempting to introduce in evidence a statement made after the interrogator could see that Major Matoba was involved.

The judge advocate replied.

The commission announced that the objections were not sustained, and the statement of Major Matoba will be received in evidence.

The statement of Major Matoba, Supt, Imperial Japanese Army, submitted to the Board of Investigation April 16, 1946, was so received.

6 Q I will ask the witness to read the statement of the accused, Major Matoba, submitted to the Board of Investigation on April 16, 1946.

The witness read the statement of the accused, Major Matoba, in English, a certified true copy appended, marked "Exhibit 2".

An interpreter read the statement in Japanese.

The accused requested opportunity to cross-examine the witness on the statement of Major Matoba.

The commission ruled that the cross-examination should take place when the prosecution is through with this witness.

The proceedings of the Board of Investigation were submitted to the accused and to the commission and by the judge advocate so much thereof as contains the statement of Corporal Nakamura, Shigenobu, Imperial Japanese Army, on 11 January, 1946, was offered in evidence.

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The accused objected to the admission of this document in evidence on the ground of the previous reasons and also on the additional ground that this document is dated on a date previous to the Board of Investigation, and therefore we have no proof that this is an authentic document. Moreover, it was brought out before the precept convening the Board of Investigation was signed.

The judge advocate replied.

The commission announced that the objection of the accused to the introduction of the statement of the defendant, Corporal Nakamura, was not sustained.

The statement of the defendant Nakamura was received in evidence.

7 Q I ask the witness to refer to the Board of Investigation and read the statement of Corporal Nakamura, Shigenobu, Imperial Japanese Army, submitted on 11 January, 1946.

The witness read the statement of the defendant Nakamura, a certified true copy appended, marked "Exhibit 3".

An interpreter then read this document in Japanese.

The accused objected to that part of the statement which related to the character of Major Matoba on the ground that it is self incriminating evidence, as stated in Naval Courts and Boards, section 235.

The judge advocate replied.

The commission announced that the objection was not sustained.

8 Q As a judge advocate of this commission, are you the legal custodian of certain dispatches regarding the identity of the alleged victims York, Merston and Frazier?

A I have the original dispatch from Commander Marianas to the Bureau of Naval Personnel, Casualty Division, and a certified true copy of the reply received. The original of the reply is in Washington, D. C.

9 Q As to the reply, who is the originator and who is the addressee?

A It is addressed from the Bureau of Naval Personnel to Commander Marianas, and certified to be a true copy by S.A. Shepard, Captain, U.S. Navy. CERTIFIED TO BE A TRUE COPY
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10 Q Can you produce before this commission the original dispatch from Commander Marianas to the Bureau of Naval Personnel and the certified true copy from the Bureau of Naval Personnel to Commander Marianas?

A Yes, I have here the original from Commander Marianas, to the Bureau of Naval Personnel and I can not produce the original reply from the Bureau of Naval Personnel because the original is in the Navy Department in Washington, but I have the certified true copy as received.

The two dispatches, Commander Marianas dispatch to Bureau of Naval Personnel (Casualty Section) and the Bureau of Naval Personnel (Casualty Section) dispatch to Commander Marianas were submitted to the accused and to the commission and by the judge advocate offered in evidence.

There being no objections they were so received.

11 Q I ask the witness to read these two dispatches.

The witness read the two dispatches, certified true copies of these dispatches appended, marked "Exhibit 4" and "Exhibit 5" respectively.

An interpreter read these dispatches in Japanese.

12 Q As a judge advocate of this commission are you the legal custodian of a certain dispatch from Commander Marianas to the Navy Department, and the reply relating to the identity of the alleged victim Woellhof?

A I have the original of the dispatch from Commander Marianas to the Bureau of Naval Personnel and the reply from the Bureau of Naval Personnel to Commander Marianas, the original of which is in Washington, but I have a certified true copy.

13 Q Can you now produce before this commission the original dispatch and the certified true copy of the reply?

A Yes.

The two dispatches were submitted to the accused and to the commission and by the judge advocate offered in evidence.

There being no objection they were so received.

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14 Q I ask the witness to read these two dispatches.

The witness read the two dispatches, certified true copies of these dispatches appended, marked "Exhibit 6" and "Exhibit 7" respectively.

The interpreter read these dispatches in Japanese.

15 Q As a judge advocate of this commission are you the legal custodian of a dispatch from Commander Marianas to the Navy Department regarding notice of this trial?

A Yes.

16 Q Can you produce this dispatch?

A I have the original.

The dispatch, Commander Marianas to the Navy Department, Judge Advocate General, regarding information being sent to the Imperial Japanese Government of this trial now in progress, was submitted to the accused and to the commission and by the judge advocate offered in evidence.

There being no objection, they were so received.

17 Q I ask the witness to read this dispatch.

The witness read the dispatch, certified true copy appended, marked "Exhibit 8".

An interpreter read the dispatch in Japanese.

Cross-examined by the accused:

18 Q Was this order that was reported to be signed by Major Matoba on March 9, 1945, actually signed by the major on March 9?

A I can only answer that question from the appearance of the document. It appears that the name of the major is subscribed as a signature. It seems to be a reproduction of an order from his memory.

19 Q Was there ever an original written order?

A As it says in the statement, the orders given were verbal.

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Neither the judge advocate, nor the accused, desired further to examine this witness.

The commission did not desire to examine this witness.

The witness resumed his seat as judge advocate.

The prosecution rested.

The commission then, at 11:45 a.m., adjourned to meet Monday, September 9, 1946, at 9:00 a.m.

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