

MARIANO BAYARAS
called as a witness on behalf of the Prosecution, being
first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

Q (By Captain Webster) What is your name?

A Mariano Bayaras.

Q Your age?

A 39.

Q Your nationality?

A Filipino.

Q Are you from Basco, Batanes Island?

A Yes, sir.

Q Are you the Mayor of Basco, Batan Island?

A Yes, sir.

Q How long have you been mayor?

A Since January of 1941.

Q Were you given a list by the Japanese of persons
killed by them at Basco?

A Yes, sir.

Q How many were on that list?

A 84.

Q Were all of those people killed?

A No, all of them were not.

Q How many were killed?

A 74.

Q How do you know they were killed?

A Because it was pronounced, the proclamation was given
to me and the list of those persons were in that proclama-
tion.

Q Have you seen those persons whom are listed as killed
since that time?

A Pardon me?

CAPTAIN WEBSTER: Will you read the question, please?

(Question read.)

THE WITNESS: Yes, sir.

Q (By Captain Webster) Where did you see them?

A I saw them in the house where they were kept prisoners.

Q That is before the proclamation was made, is that right?

A Yes, sir.

Q And were they held by the Japanese at that time?

A Yes, sir.

Q Did you see any of them mistreated?

A I did not see whether they were mistreated, but I saw they were suffering from bad treatment.

Q What makes you think that?

A Because I saw them with their hands tied behind, eating their food on the floor without using their hands because they could not use their hands. Some of them had broken hands, with bruises on their faces and some of them, one of them, had no more eye.

Q Was his eye out?

A Yes, sir.

Q Did the proclamation state which of these people were killed?

A According to the proclamation it stated that some of them were killed and some of them were imprisoned because of non-cooperation with the Japanese Army.

CAPTAIN WEBSTER; You may cross examine.

CROSS EXAMINATION

Q (By Captain Sandberg) Was that proclamation written in English?

A Beg your pardon?

Q Was that proclamation you refer to written in English?

A Yes.

Q Were those the exact words that were used?

A No, sir.

Q Can you give us the exact words?

A I did not memorize the exact words of the proclamation.

Q Did the proclamation refer to guerrillas?

A What?

Q Did the proclamation refer to guerrillas?

A No, sir.

Q Do you know a Captain Valones?

A After -- long after the execution that I heard the name of Valones, it was long after.

Q And is Captain Valones the leader of the guerrillas on Batan Island?

A That is what they said, but I don't know in reality.

CAPTAIN SANDBERG: That is all.

CAPTAIN WEBSTER: That is all.

(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 is a true and correct copy of the transcript of the testimony offered by MARIANO BAYARAS in the trial of the case against Tomoyuki YAMASHITA, General, Imperial Japanese Army, before a Military Commission in Manila; and that the whole record of the case, including the transcript of all testimonies taken, as well as the affidavits admitted in evidence, are now on file with this Section.

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

Witness: /s/ John R. Pritchard

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

John R. Pritchard
Capt., Inf.
Summary Court