

PRESIDENT: In turn I believe it is the opinion of this Commission, subject to objections, that the last question of the prosecution is improper in that this witness testified as to the distance he proceeded from the point where he had stopped to where he heard the first volley. The next question implied that the convoy if reported to having proceeded twenty yards from the volley--What constitutes the convoy, the last truck, the entire column, and how many vehicles were in this column? I think the prosecution is not following the proper procedure in asking questions, particularly of the order as contained in the SCAP Directive.

Q. If an official report of the Chinese Mission to the Allied military authorities contains a statement that the jeep had proceeded about twenty meters before a volley of shots was heard, would that be correct?

DEFENSE: Now if the court please, the most that this witness could say is that if such a report was made, that that report is at variance with his own testimony. To ask him to state whether it is correct or not I think lies just a little bit beyond the province of his opinion. The facts speak for themselves.

LAW MEMBER: Objection is overruled.

A. I believe that that is incorrect.

Q. What official of the Mission interrogated you?

A. Mr. Li.

Q. What is his full name?

A. I do not know.

Q. What is his position?

A. Secretary.

Q. Did you tell him the same detailed facts that you have just stated on the witness stand?

A. Yes.

Q. I believe you stated a while ago that from the time you proceeded from the initial point until the time you heard this first volley of shots was six or seven minutes, is that correct?

A. I said six or seven minutes elapsed between the time I heard the first shot and the volley of shots.

Q. And what happened when you heard this volley of shots?

A. You mean to my jeep?

Q. Yes, what did you do after you heard these shots?

A. At that time I thought that our trucks were being fired upon.

Q. Well, what did you do?

A. At that time I thought that something serious had happened, so I wanted to report this to the MPs, so I stepped on the accelerator.

Q. Didn't the policeman, the one who was hanging on to your vehicle with both hands, tell you to stop at this point?

A. He said that, "There is something strange going on in the rear, so stop the jeep," and I did. I stopped the jeep.



- Q. What did he do then?  
A. He went down from the jeep.
- Q. Did he still have his pistol in his hand at this time?  
A. I did not see.
- Q. How soon did you leave after he got off the jeep?  
A. Immediately after he got down.
- Q. Where did you go then?  
A. I wanted to report this to the MP station right away, but since there was none located at Shibuya, I turned right at the Shibuya Railroad Station.
- Q. Where did you go?  
A. As I was about to turn to the right at the Shibuya Railroad Station, a soldier in a jeep--he was not an MP--came along on the right side and stopped me.
- Q. How did he stop you?  
A. He did this with his hand and stopped.
- Q. Was it an officer or an enlisted man?  
A. He was an enlisted man.
- Q. What grade?  
A. He had no insignia on.
- Q. What kind of head gear did he have on?  
A. An overseas cap.
- Q. What color was his jeep?  
A. The ordinary jeep color.
- Q. What did he say when he stopped you?  
A. He said something, but it was too fast and I could not understand him.
- Q. Where did you go then?  
A. As the jeep came from the rear of me and I thought that he had passed that area and was shot and was in trouble, I thought that he was going in the same direction as I was, so I told him to follow me.
- Q. Please answer the question.  
A. As I did not know where to go, I went back to the Chinese Mission.
- Q. What route did you take?  
A. I turned right at the railroad station and went straight to the Chinese Mission.
- Q. Is that a direct route to the Chinese Mission from the railroad station?  
A. There is a turn on the way to the Mission.
- Q. How long did it take you to get back to the Mission?  
A. About twenty minutes.
- Q. Did the trucks follow you to the Mission?  
A. Yes.



- Q. Who was on the trucks when you got back to the Mission?  
A. The ones who I was escorting.
- Q. I said who were on the trucks when they returned to the Mission?  
A. All the persons whom I escorted.
- Q. As a matter of fact, wasn't it only the persons who were wounded were on the trucks when the trucks returned to the Mission?  
A. Both the wounded and those who were not wounded were on the trucks.
- Q. When they arrived at the Mission what did the personnel on the trucks do?  
A. They did not do anything in particular, but conversed among themselves.
- Q. How long did the persons who were not wounded stick around?  
A. I do not know.
- Q. Did they congregate?  
A. I believe they did.
- Q. What do you mean by you believe they did? Do you know?  
A. When we reached there they were taking care of the wounded persons, so I believe that they had assembled.
- Q. How many people were in the truck?  
A. About twenty or thirty.
- Q. When you were called out to get in your jeep to take these trucks to Shi-baya, how soon after you drove your jeep up did you leave the Chinese Mission?  
A. You mean after I received the orders?
- Q. Yes.  
A. About four or five minutes.
- Q. Were the Formosans already on the truck at this time?  
A. There were some who were on the truck and some just getting on the truck.
- Q. How many jeeps were there?  
A. Three.
- Q. Was General Li's jeep back?  
A. It had not returned.
- Q. Were you the first jeep to leave?  
A. The last jeep.
- Q. Oh, you were the last jeep to leave?  
A. Yes.
- Q. Where was the jeep going that left before you did, just next before you did?  
A. It went toward the Shinagawa direction with two trucks.
- Q. How soon did you follow that?  
A. About two minutes.
- Q. The one that left before the Shinagawa jeep left, where was that going?  
A. A driver named Miao drove General Li back to his home.



Q. The jeep that was escorting the trucks to Shinagawa, was that the first convoy to leave the Chinese Mission that night?

A. Yes, that is correct.

Q. Then there were only two convoys that evening, is that correct?

A. There were three convoys.

Q. You stated that the Shinagawa group left first and that you were the last group to leave. Just when and where did this other group leave and what was its destination?

A. The third group left after me and I heard that they were heading toward Nakano.

Q. What did you mean when you said you were the last group to leave?

DEFENSE: Object to that question. I don't believe he said he was the last group to leave. He said he was the last jeep to leave.

LAW MEMBER: That's true.

Q. What did you mean when you said you were the last jeep to leave?

A. As I mentioned before, there were three jeeps in all. The first jeep took General Li home, and the second jeep driven by Chen took two trucks to the Shinagawa direction. As there were six trucks in all, Chen told me to take two trucks to the destination. That left two other trucks, and before Chen left he told me to take two trucks to their destination and that the first jeep that took General Li home will return and take the other two to their destination, so of the jeeps that left the mission at that time, I was the last one.

Q. How many trucks did you say you had in your convoy?

A. Two.

Q. And you were bound for Shibuya, is that correct?

A. Yes, I proceeded toward Shibuya. A sedan also followed me.

Q. In the convoy altogether was a jeep, a sedan and two trucks, is that correct?

A. That is correct.

Q. And Shibuya Railroad Station was your destination, is that correct?

A. Yes.

Q. And the statement in an official Chinese Mission report that your convoy consisted of one sedan and four trucks headed for Nakano would be incorrect, wouldn't it?

DEFENSE: It is objected to, if the court please. I think the court has already ruled on that question, and these reports that are referred to that haven't been made a part of the evidence are not to be incorporated in the questions that are being asked this witness. We object to that manner of introducing evidence in the case.

LAW MEMBER: Objection is overruled.

A. The record is incorrect.

Q. When you drove your jeep from the motor pool at the Chinese Mission



preparatory to conveying these trucks, when you drove it up to the place where these trucks were parked, did you get out of your vehicle?

A. No, I did not get down.

Q. You stated that a number of the Formosans were already on the trucks when you drove up, is that correct?

A. Yes, I did.

Q. How many of the Formosans were already in the trucks?

A. I saw about twenty or thirty Formosans on the truck.

Q. On each truck?

A. Yes.

Q. Then if these people were armed with firearms and clubs, you wouldn't have seen them, would you?

A. I did not see.

Q. I believe you stated that the reason you took the route that you did take was because the road was wider, is that correct?

A. That is correct, and also that I always pass on this road and I am accustomed to it.

Q. Approximately how wide is the road that you took?

A. I do not know. There are two street car tracks in the center of the road and a large truck can pass on the road between the tracks and the sidewalk.

Q. Well, approximately how wide is the other road?

A. I believe about the same width.

Q. Don't you know that the alternate route, the one you didn't take, is just as wide as the other road is at any point up to the Roppongi intersection, and from there on to the Shibuya Railroad Station it's a third again as wide as the other road is, the road that you took?

A. I do not know this exactly.

PROSECUTION: That's all.

PRESIDENT: Any redirect?

DEFENSE: No redirect, sir.

#### EXAMINATION BY THE COMMISSION

Questions by members:

Q. Do you speak Mandarin dialect?

A. A little.

Q. Do you speak any Chinese dialect well?

A. Canton dialect.

Q. Is that the same dialect used by the Formosans?

A. It's altogether different.

Q. What was your status during the war?

A. I was a Chinese.



Q. Were you interned?

A. No.

Q. Why not?

A. I do not know. I was not interned, but I was a Chinese national.

Q. Were Chinese nationals allowed at liberty throughout the war?

A. It was not freely.

Q. Any restrictions placed upon you?

A. Yes.

Q. Who was this truck driver that told you that the trucks were going to Shibuya Railroad Station?

A. It was a driver of a truck. I believe he was a Japanese.

Q. How many trucks were to follow each jeep?

A. Two.

Q. Who made that arrangement?

A. We drivers of the jeep decided this.

Q. So the drivers of the jeep decided where the trucks were going, did they?

A. No.

Q. Well, who did decide this?

A. Since Chen took the trucks that were headed for the Shinagawa direction and he told me, "You take care of the rest," so I decided that I'd take the trucks in the Shibuya direction.

Q. Were you to take all four remaining trucks with you, is that it?

A. No.

Q. How many trucks were you to take with you?

A. Two trucks.

Q. How did you determine what two trucks should follow you?

A. Since there were four trucks parked in front of the Mission and Miao who was to return after taking General Li home was to take care of two trucks, I took the first two that had lined up.

Q. Then it made no difference to the occupants who took them and where they were taken, did it?

A. When I came out I asked them where they were going, and the first truck said Shibuya, so I led them toward that direction.

Q. That isn't the reason you gave me in the answer to the last question. You stated that since there were four trucks there you decided to take the first two trucks, isn't that correct?

A. Yes, I testified.

Q. How did you know that the occupants of both of these trucks wanted to go to Shibuya Station?

A. I did not know this, but when I asked the driver of the truck he said that they were going to Shibuya, so I escorted them toward that direction.

Q. Did you find out where the other two trucks were going?

A. I did.



- Q. How did you find out?
- A. When I asked the other drivers where they were going and told them that Miao would be back, they said that they were headed for Nakano, so I took the first two which were going to Shibuya as that was nearer than Nakano.
- Q. Were the jeeps furnished as a protection for the Formosans against an attack by anyone?
- A. I do not know anything concerning this.
- Q. Then as far as you knew, you were merely guiding these trucks to their destination, is that correct?
- A. Yes.
- Q. Does the route to Nakano also take you past the Shibuya Police and Railroad Station?
- A. It is nearer to pass the Shibuya area.
- Q. Answer the question, please.
- A. Yes, the road which passes through Shibuya is nearer.
- Q. If you were merely guiding these trucks to their destination, why didn't you start with all four trucks and drop two off at the Shibuya Railroad Station and proceed to Nakano with the other two?
- A. As I wanted to return home early, I took the Shibuya group and was proceeding toward our destination.
- Q. Did the sedan that followed you also need guiding to the Shibuya Railroad Station?
- A. Yes.
- Q. Did the occupants of that sedan tell you why they didn't go to their homes in this sedan rather than go to the railroad station?
- A. No, they did not tell me anything.
- Q. You were told to guide these trucks to their destination. I still want to know why you had the sedan follow you at truck speed when he could have proceeded at a much faster rate?
- A. As I just began moving the sedan came beside me and asked me where I was going. When I said Shibuya, then the driver of the sedan told me to take him to that place, so I told him to follow me.
- Q. Where was this sedan from that he needed guiding from the Chinese Mission to the Shibuya Railroad Station?
- A. The sedan belonged to an individual.
- Q. I assumed as much. Answer the question, please.
- A. I do not know where the sedan came from. It was already at the Chinese Mission.

PRESIDENT: At this time the Commission will take a fifteen minute recess.

The Commission then took a recess until 1515, at which hour the personnel of the Commission, prosecution and defense, and the accused, interpreters and the reporter resumed their seats.

PROSECUTION: The witness is reminded he is still under oath.



- Q. You have stated you received no directives from any Formosan as to what to do, is that correct?  
A. Yes.
- Q. You stated that you received no instructions directly or indirectly from General Li as to what to do except to guide the vehicles to their destination, is that correct?  
A. Yes.
- Q. And you have stated that you told the drivers what to do, is that correct?  
A. I did not.
- Q. Who told the drivers what to do?  
A. I do not know.
- Q. Did each driver decide for himself what he was to do?  
A. I do not know.
- Q. You have stated that, "We made the decision to have two trucks follow each jeep," is that correct?  
A. No.
- Q. Does "we" include the three drivers, is that correct?  
A. Yes.
- Q. Who gave the three drivers the authority to make such a decision?  
A. General Li.
- Q. Isn't it a fact that you were told to escort or guide the trucks to their destination?  
A. Yes.
- Q. Then you did have to ask the Formosans where they were going, did you not?  
A. Yes.
- Q. Then they told you what to do, did they not?  
A. They did not.
- Q. You have stated they told you where they wanted to go, isn't that correct?  
A. No, they did not.
- Q. If they didn't tell you where they wanted to go, did you decide for them where they should go?  
A. Yes, I did.
- Q. And you decided then that two trucks should go to each of three different destinations, is that so?  
A. No, I did not. I only guided two trucks.
- Q. You have stated you made the decision where these trucks were to go, isn't that correct?  
A. Yes.
- Q. Then you decided that two of these trucks should go to Shibuya Station for the occupants to go home, is that correct?  
A. Yes.



- Q. How did you know that the occupants of those two trucks all wanted to go to Shibuya Railroad Station?
- A. I do not know. The driver told me that they were going toward the Shibuya Railroad Station.
- Q. Toward Shibuya Railroad Station, but what was their destination?
- A. The destination was the Shibuya Railroad Station.
- Q. How do you account for the fact that the entire assembly could be divided into three equal parts as to destinations?
- A. That I do not know.
- Q. That's exactly a point the Commission cannot understand either. You were on the spot. The Commission is anxious to know how you arrived at the fact that one jeep should take each of two trucks.
- A. We three drivers of the jeep decided that each jeep should escort two of the trucks. We had no reason for deciding this.
- Q. Did you have any reason for knowing where these trucks wanted to go, to each place?
- A. Because I asked them.
- Q. Then you did hold conversation with the Formosans on this point, did you?
- A. No, I did not.
- Q. The testimony has shown that drivers of these trucks were Japanese employees of the truck company. How do you account for their knowing the destination of the occupants of the truck?
- A. I do not know.
- Q. How many trucks were following you at the time you arrived at Shibuya Police Station on the night of 19th July?
- A. One sedan and two trucks.
- Q. How do you know there wasn't a third truck following you?
- A. Because of the four trucks that were parked there, I told the last two to wait for Miao to return, so I knew that the third truck did not follow me.
- Q. How do you account for the fact that three trucks were halted behind the sedan and your jeep in front of the Shibuya Police Station?
- A. I believe that I escorted two trucks, and when I was stopped the third truck approached and stopped behind me.
- Q. When you arrived at the Shibuya Railroad Station, were the trucks and the sedan close behind you?
- A. Yes.
- Q. And you continued without a stop toward the Chinese Mission, is that correct?
- A. Yes.
- Q. How fast were you driving?
- A. Twenty miles.
- Q. Do you know whether any truck stopped at the Shibuya Railroad Station or the department store in back of the Shibuya Railroad Station to discharge passengers?
- A. I do not know.



- Q. You have stated that the trucks all followed you to the Chinese Mission. How could any trucks stop and discharge passengers and still be with you?
- A. I do not know whether the truck stopped to let some passengers down. On my way I glanced toward the back and I saw the sedan and the trucks that had been following me, so I proceeded toward the Chinese Mission.
- Q. How many trucks were following you at this time?
- A. Two trucks.
- Q. After you arrived at the Chinese Mission, how many Formosans all told were there with you?
- A. I do not know how many, but there were many.
- Q. What became of these Formosans at that time?
- A. After we stopped they were carrying the wounded persons into the Chinese Mission.
- Q. Did you form another truck convey to take the Formosans home that were not wounded?
- A. No, I did not escort them.
- Q. Well, was it no longer necessary to guide or escort these Formosans home?
- A. I did not guide them after that.
- Q. Did the Formosans continue on their way in the trucks that they were originally in, or not?
- A. I do not know.
- Q. Where were you at this time?
- A. After I returned there were some wounded persons, so I immediately went to the hospital.
- Q. Went to the hospital for what purpose?
- A. Since there were a lot of wounded, I went to call the doctor.
- Q. You drove to the hospital to get a doctor, is that correct?
- A. Yes.
- Q. You stated you thought this American GI driving another jeep was also in trouble, is that correct?
- A. Yes.
- Q. What kind of trouble were you in?
- A. I was not in any kind of trouble.
- Q. You have just stated that you thought this American GI was in trouble, also in trouble.
- A. Because he came from the direction where the shooting was and stopped beside me, so I thought he was in trouble.
- Q. I want to know what kind of trouble you both were in.
- A. Being shot at.
- Q. You don't know whether the driver of this jeep had done any shooting, do you?
- A. I did not know.



- Q. You have stated you told this American GI driver to follow you. Why should any American soldier in a jeep follow you at any time?
- A. At that time I was frightened and I thought he was also on his way to report this to the MPs.
- Q. You have stated you did not understand this American GI, is that correct?
- A. Yes.
- Q. You told him to follow you because you thought he was in trouble, is that correct?
- A. Yes.
- Q. And you thought this trouble was having been shot at, is that correct?
- A. Yes.
- Q. Then what protection could you give this American GI in an American jeep?
- A. Because I thought that this GI did not know the road and I thought of guiding him even a part of the way.
- Q. Where were you going to guide him?
- A. Because I thought that he was going toward an MP station, and I wanted to go there, so I thought of guiding him there.
- Q. You have stated you did not understand him. Yet you thought this American GI wanted to go to an MP station. Why did you think such a thing?
- A. Because when he stopped me the way he spoke seemed as if he were in trouble.
- Q. And you were able to solve his troubles, were you, without even understanding him?
- A. Yes.
- Q. And just how did you solve his troubles?
- A. I thought that he did not know the way and I thought of guiding him.
- Q. Did you go to an MP station?
- A. No.
- Q. Was he with you when you arrived at the Chinese Mission?
- A. No.
- Q. Where did he leave you?
- A. After turning right at the Shibuya Railroad Station there is a hill, and soon after I got over the hill he went ahead.
- Q. Then he didn't need your guidance very far, did he?
- A. Yes.
- Q. Yes to what?
- A. Yes, he did not need my guidance.
- Q. But you just stated you thought he needed guiding and now you state that he probably didn't. Which is correct?
- A. He probably did not need my guidance.
- Q. It's not clear to me what made you believe that this American GI ever needed either protection or guidance from you. Will you please state how you arrived at such conclusions?



- A. Because he came from the direction of the shooting and stopped me and he spoke in a very excited manner, so I thought that he was in trouble and I thought of guiding him a part of the way.
- Q. Driving him a part of the way to where?
- A. I thought of going to the MP station, so I thought of going to the station together with him.
- Q. Did you know where the nearest MP station is located?
- A. I thought that it was at this building at the Metropolitan Police Board.
- Q. Why didn't you go there?
- A. Because I passed near the Chinese Mission I thought I would report this to the Mission first and then come to the MP station.
- Q. When you were stopped in front of the Shibuya Police Station, what were the occupants of the trucks doing at this time?
- A. I do not know.
- Q. Was there any loud shouting at about this time by anyone?
- A. I did not hear.
- Q. Why couldn't you hear if there was any loud shouting?
- A. Because the police had surrounded the jeep and were making a lot of noise.
- Q. The police were making a lot of noise?
- A. Because they were shouting, the policemen were shouting "shoot" in a loud voice.
- Q. You mean all the policemen you could see in that neighborhood were shouting?
- A. I heard four or five shouting.
- Q. If you thought this word meant to shoot, that is, use their firearms, do you know why the Japanese policemen did not comply with such shouted orders?
- A. I do not know.
- Q. Well, since the policemen did not shoot or use their firearms, why is it you state you believe the shouting meant the use of firearms?
- A. Because they were pointing the pistol in my direction.
- Q. Then the word could not have meant to use the firearms, that is, to shoot the firearms, could it?
- A. I came to the conclusion because of their attitude.
- Q. You came to the conclusion that the order was to fire their guns because of their attitude, is that what you're trying to state?
- A. Yes, that is correct.
- Q. If that's what the order meant, then why didn't a disciplined body, men like the Japanese police, use their firearms at that time?
- A. I do not know.
- Q. Yet you would have the Commission believe that the order was given to the Japanese police to fire their pistols, is that correct?
- A. Yes.



- Q. Can you explain why you weren't shot at this time then?  
A. No, I cannot.
- Q. Do you contend then that the Japanese police present with their pistols in their hands pointing at you deliberately disobeyed an order if that order meant to use that firearm, to actually fire?  
A. Yes, I believe so.
- Q. Isn't it a fact that at the time this word was used the policeman in front of the jeep stepped to one side?  
A. I did not see those in front of me, but I saw those on the right and left of me.
- Q. They stepped aside to allow the vehicle to pass on, isn't that correct?  
A. No, they were pointing the pistol and stepped about two or three steps backwards.
- Q. Yet didn't fire?  
A. Yes.
- Q. And a policeman did get on the jeep to insure passage through other police lines, did he not?  
A. Yes.
- Q. Was this policeman also in a blue uniform?  
A. Yes.
- Q. If you thought the order meant to use firearms against either you or the occupants of the truck, why would a policeman get on the jeep?  
A. I believe it was because we complained to the police chief and asked him to allow us to pass, so I believe he was sent to guide us through.
- Q. Then the order could not have meant to shoot, that is, the use of firearms, is that correct?  
A. It was before the police chief came, so I believe that it was an order to shoot.
- Q. What word did the chief of police use in ordering the convoy to proceed?  
A. When Mr. Shu asked the police chief to let us pass because of the reasons that I have mentioned before, the police chief said, "I understand your story. I'll let a policeman ride with you and guide you through."
- Q. What words did he use when he ordered the convoy to proceed?  
A. He did not use any word. When the policeman got on the jeep I thought that we were allowed to pass, so I called to the vehicles in the rear, "Let's go."
- Q. After considering all the conditions and the events that took place up to this time, I still want to know why you insist that the order meant to use the firearms.  
A. Because when we were first stopped they were pointing the pistols at us and the attitude was as if they were about to shoot us, so I came to that conclusion.
- Q. I have heard that before, but after considering the conditions that prevailed--and it appears to the Commission it is absolutely illogical that a disciplined body of policemen would fail to shoot if ordered to do so--



you still insist that the order meant to shoot, use the firearms. I want to know why you insist on that.

A. I really don't know what they meant at that time, but from their attitude I concluded that the order was meant to shoot.

Q. When you heard the police whistle when you came near the Shibuya Police Station, was your jeep already brought to a halt?

A. Yes, it had stopped.

Q. And that was before you heard the first pistol shot too?

A. After I heard the shot.

Q. You stopped the jeep after you heard the first shot or you stopped the jeep before you heard the first shot or the first report?

A. Before I heard the shot, the report.

Q. Did you see at that time who blew the police whistle? Was the man one among those who surrounded your jeep?

A. It was way in front of my jeep.

Q. So you didn't see who actually blew the whistle?

A. Yes, I did not see who blew the whistle.

Q. Had you been asked by the police to stop the jeep when you brought it to a halt?

A. Yes.

Q. Did you make any attempt to resist or defy such order to stop?

A. No, I did not.

Q. When you stopped your jeep did the vehicles following you also stop?

A. Yes.

Q. When you stopped and you saw four or five policemen surrounded you and shouted shoot, shoot, was the man who appeared to you to be the chief of police there?

A. No, he was not.

Q. Had you seen any policemen in the road previous to your stopping your jeep?

A. No.

Q. Did the police whistle sound that you heard come from behind your jeep?

A. In front of my jeep.

PRESIDENT: Does the defense or prosecution believe any new matter has been brought up that warrants cross examination?

DEFENSE: No, sir.


PRESIDENT: Any further questions by the Commission? There appear to be none. The witness is excused.

There being no further questions, the witness was excused and withdrew.

PRESIDENT: At this time the Commission will adjourn to meet tomorrow morning at 0900.



The Commission then at 1615 on 12 November 1946, adjourned to meet at 0900 on 13 November 1946.

  
MR. RICHARD R. ELLIOTT  
Chief Prosecutor



Metropolitan Police Station  
Tokyo, Japan  
13 November 1946

The Commission met, pursuant to adjournment, at 0900, all the personnel of the Commission, prosecution and defense, who were present at the close of the previous session in this case, being present.

The accused, interpreters, and the reporter were also present.

DEFENSE: Defense presents as its next witness Reuel Bennett.

Mr. Reuel Bennett, a witness for the defense, was sworn and testified as follows:

PROSECUTION: State your name to the Commission.

A. Reuel Bennett.

#### DIRECT EXAMINATION

Questions by defense:

Q. What is your present occupation, Mr. Bennett?

A. I am chief engineer for the Public Relations Office, Radio Section.

Q. Civilian employee of the War Department?

A. That's right.

Q. How long have you been a civilian employee of the War Department?

A. Just about a month now.

Q. Prior to that time what was your occupation?

A. Same job in the army.

Q. And what rank?

A. Technician fourth grade.

Q. On the evening of 19 July 1946 at approximately 2100 where were you?

A. In the vicinity of Shibuya Station in a jeep.

Q. And were you parked in the jeep?

A. That's right, I was parked.

Q. And where was the jeep parked?

A. Approximately a block and a half from the station. I don't know the direction, that is, north, south, east or west.

Q. On the opposite side of the room, Mr. Bennett, is Plaintiff's Exhibit No. 1 which is a map of the area. I'll ask you to step to the map there and perhaps you can show us where the jeep was parked. This is the street in front of the police station. This is the police station. This arrow points in the direction of Ebisu Railway Station. Can you indicate where your jeep was parked?

A. This is the street--where's the bridge?

Q. Hackerman Bridge?

A. It was right about here.



- Q. Will you indicate on which side of the street you were parked?  
A. This side, the same side of the street as the police station.
- Q. And which direction was the jeep facing?  
A. Away from the police station.
- Q. Away from the police station in the direction of Ebisu Railway Station?  
A. That's right.
- Q. You may resume your seat. About how far would you estimate your jeep was from the police station?  
A. About 100 yards, 100, 150.
- Q. Were you on the Ebisu Station side of the alley past the police station?  
A. That's right.
- Q. Did you notice any particular activity in that neighborhood that evening?  
A. When I drove out there I had to come by the police station, and when I came by the police station I had a little trouble avoiding hitting Japanese policemen standing in the street.
- Q. How do you mean, "standing in the street?" Were they standing across it?  
A. They were not necessarily across it, but they were along the sides in such great number that it forced me to go down the middle of the street down the car tracks.
- Q. Where did you first observe those police?  
A. About 100 feet the other side of Shibuya, that is, the other side of the police station towards Shibuya Station.
- Q. And can you estimate about how far they extended past the police station in the other direction?  
A. Approximately the same distance.
- Q. Can you give an estimate of the number of policemen you did observe?  
A. That would be impossible, but it was over 300.
- Q. And what did you do next after you observed these police?  
A. I went on to the place I was headed.
- Q. By that what do you mean?  
A. The place where I was going, which was where the jeep was parked.
- Q. And how long did you stay in that parked position?  
A. A little over an hour.
- Q. What did you observe in that time with reference to this peculiar situation of the police?  
A. Well, the police didn't come down to where the jeep was parked. However, I did see a great many policemen on down around the corner milling around.
- Q. And at approximately 2100 hours did you notice any group of vehicles pass by?  
A. I did. They came from Ebisu Station headed towards Shibuya Station. It was a group of trucks.
- Q. How many trucks?  
A. I believe it was five.



- Q. Did you observe anything other than trucks, any other vehicles other than trucks with these trucks?
- A. Not with the trucks, but approximately five minutes before the trucks went by a white jeep went by.
- Q. And after these vehicles passed or while they were passing, was there anything unusual happened that attracted your attention?
- A. Nothing that would particularly attract my attention to the trucks except that they were extremely crowded with people.
- Q. Did you remain parked in this position after these trucks went by?
- A. I did, until I heard the first shots.
- Q. What first shots?
- A. Well, when the trucks got in front of the police station there was a group of shots fired. I started my jeep, turned around to follow the trucks to see what was happening.
- Q. How far had these trucks gone by you when you heard these shots?
- A. The last truck was just reaching the corner by the bridge.
- Q. And how many shots did you hear?
- A. That would be difficult to say, but approximately 25.
- Q. Did you see these shots?
- A. I did not.
- Q. But you heard them?
- A. Yes.
- Q. Then what did you do?
- A. Pulled up in back of the last truck.
- Q. And that would require, of course, your turning around?
- A. That's right.
- Q. How had you noticed whether these trucks had stopped?
- A. The first truck had evidently stopped. The last truck was just pulling up to a stop.
- PROSECUTION: I object to what evidentially happened. This witness either knows or does not know.
- LAW MEMBER: Objection sustained.
- Q. Did you hear any noise that indicated the stopping of these trucks before you turned around?
- A. No, nothing other than the shots which aroused my curiosity.
- Q. After you turned around, what did you proceed to do?
- A. There was a Japanese man in the jeep with me when I pulled up in back of the last truck. I told him to get out and go back to his house.
- Q. What did he do?
- A. Which he did.



Q. Mr. Bennett, would you indicate starting from the position in which you were parked what you did?

A. My jeep was parked approximately where this X is. It was headed towards Ebisu Station, made a U turn in the middle of the street, came back down. Here was the bridge. Approximately in this position was the last truck. I pulled up in back of it, told the Japanese man with me to get out. He went back to his house. I waited here until the first truck started up again.

DEFENSE: Will the record indicate that the witness indicated the small X near the letter A as the approximate point at which his jeep was parked.

Q. And how long did you remain? You stopped about there?

A. Just about here.

DEFENSE: Will the record indicate that the witness states his jeep stopped at a point just past Hackerram Bridge towards Shimbashi on the river side of the street.

Q. You stopped there you say behind the last truck?

A. That's right.

Q. And you stopped immediately behind it or to either side of it?

A. Well, that's difficult. The center of my jeep would be immediately behind the right side of the truck.

Q. You may resume your seat. From the position you had here did you have a good view of the police station, the police station side of the road?

A. Fairly good, yes.

Q. Did you have a good vision of the other vehicles that were stopped ahead?

A. By leaning over in front of the other seat in the jeep I could see down the side of the trucks.

Q. Were your headlights on?

A. They were.

Q. Were the lights of the other vehicles on?

A. They were.

Q. What sort of visibility did you have that night?

A. The center of the street was extremely well lighted from the lights of the trucks and my own jeep. It made the front of the police station very visible from where I was.

Q. And while you were parked in this position what did you observe?

A. The Japanese police had worked down to the corner, that is, there was a great many policemen on the street and they were down to the corner by the bridge on both sides of the street. There was more policemen on the side of the street that the railroad is on than there was on the side of the street that the houses were on.

Q. You referred a moment ago to hearing shots in the approximate number of 25. How long did that shooting continue, do you have any idea?

A. It was just a brief instant.

Q. And after you had turned around and followed these trucks, was there any shooting going on while you were riding down the street?



A. There was no shooting while the trucks were stopped, but as soon as the first truck started the shooting commenced again.

Q. Well, how long were the trucks stopped?

A. I don't know exactly. I can merely say that I was stopped about five minutes, not quite five minutes.

Q. And during that five minutes did you observe police talking to anyone on these trucks?

A. No.

Q. Did you observe any shots from the trucks during this period?

A. I did not.

Q. And at the end of these five minutes you estimate, what did you do?

A. The first truck started up. The shooting commenced immediately and I realized I was in a pretty bad position, so I decided to get out of there. It would have been rather difficult to turn around and go back because there were Japanese policemen in back of me. The safest place for me was down the middle of the street, and that's right where I went.

Q. Did that require you going by these trucks and towards Shibuya?

A. It did, that's right.

Q. How many trucks did you estimate at this time there were? Did you have a chance to count them as you went by?

A. I went by five trucks.

Q. And what did you observe with reference to the shooting at this time as you went by?

A. Well, the Japanese police were deployed in a typical Japanese army fashion on both sides of the road firing into the trucks.

Q. Did you observe any shots from the trucks fired in return?

A. I was very close to the trucks, but the side walls on the trucks prevented me from seeing too much of anything in the trucks.

Q. Can you describe how the shooting began?

A. Well, it apparently started from a single gun.

PROSECUTION: I object to what apparently happened. As I said before, this witness either knows or does not know what happened.

LAW MEMBER: Objection sustained.

Q. You stated that you started up about the time that the first truck started to move, is that correct?

A. That's right.

Q. And that the shooting started?

A. The shooting started before I started to move.

Q. Where did it start from?

A. The police station.

Q. Did you observe the actual person who started the shooting?

A. I did not observe it, no.



- Q. How can you say it started from the police station then?  
A. By the location of the origination of the sound.
- Q. And how many shots do you estimate were fired as you were going by?  
A. I would not even attempt to hazard a guess.
- Q. A great many or a few?  
A. A great many.
- Q. And how close were the police to the trucks, the police who were firing?  
A. I went down the car track on the right hand side of the street as I was moving down the street toward Shibuya Station. The trucks were between me and the left hand side of the street. The Japanese police were about six feet off of the street into the grass.
- Q. How many of the policemen could you estimate were armed?  
A. Every policeman that I saw during the time I was going by the trucks had a pistol out.
- Q. How close were the police to the trucks?  
A. As I said before, the trucks were between me and the left hand side of the street, and the Japanese police were just off of the road about six feet.
- Q. Did you see any of the occupants of the trucks pointing pistols or any weapons?  
A. I did not.
- Q. Did you hear any of the occupants shouting at the police?
- PROSECUTION: If the Commission please, I'd like to object to that line of questioning where you have an English speaking witness, an American. I think we apply the ordinary rules of questioning.
- Q. What was the behavior of the occupants of the trucks as far as you could observe?  
A. They were huddled as near to the cab of the truck as they could get, and as low as they could get.
- Q. Did you see any police with lanterns?  
A. I did not.
- Q. And after you started moving you state you went by this line of trucks. What happened next?  
A. Well, nothing in particular happened until I passed the lead truck. There was still shooting going on all the time I was passing the trucks. They were moving very slowly. When I went by the lead truck I saw one man go off the side with a very bloody back. He went into the bushes. I then proceeded up to the corner.
- Q. By "the corner" do you mean Shibuya Railway Station?  
A. That's right.
- Q. And what happened there?  
A. I saw another jeep. I pulled up beside of it. It appeared to be full of Japanese so I asked them if they were Japanese, and the driver was so dumbfounded he couldn't reply.



Q. Did you talk any further to them?

A. I told him he had better get the hell out of there.

Q. Did he talk to you any?

A. He said that's just where he was going.

Q. What language did he say that in?

A. Japanese.

Q. Did you understand it?

A. I did.

Q. And what did you proceed to do then?

A. I turned down the street headed towards Tokyo, that is, I made a right hand turn and proceeded up the hill to Tokyo.

Q. This typical jeep you mentioned, did you notice any identifying insignia on it?

A. No, I did not.

Q. Did it follow you?

A. It did.

Q. Where did you last observe it?

A. I don't know the name of the crossing, but as you take the road out from Tokyo it's where you turn off to go to St. Luke's Apartments. That was the last place I observed it.

Q. With reference to the behavior of the occupants of the trucks as you were standing behind them and going by them, did you observe whether or not they were spitting or shouting, waving clubs?

PROSECUTION: If the Commission please, I'd like to make the same objection I made before.

DEFENSE: I've left him an alternative there.

LAW MEMBER: After all, this is not an oriental witness.

Q. Were they making any noise?

PROSECUTION: If the Commission please, he's asked him once what the conduct of the occupants of the trucks was.

DEFENSE: I'll strike that question.

Q. Did you observe whether or not there were any civilians in the crowd of police?

A. There were a great many of the local inhabitants out for the particular affair. It was rather public knowledge that something was going to happen because all of the inhabitants had turned out.

PROSECUTION: If the Commission please, I object to what the witness terms as public knowledge or local inhabitants, unless he has some basis for making those statements.

LAW MEMBER: Objection sustained.



Q. Were there people among this crowd dressed in civilian clothes?  
A. There were.

Q. Were those people armed?  
A. They were not.

DEFENSE: No further questions.

CROSS EXAMINATION

Questions by prosecution:

Q. You testified you were formerly in the army?  
A. That's right.

Q. What outfit were you with?  
A. Public Relations Office.

Q. How long did you serve?  
A. In the army or with the Public?

Q. In the army.  
A. Two years.

Q. Did you make a report to any of the occupation authorities relative to the incident you have just testified about?  
A. My commanding officer at Public Relations Office knows about it.

Q. Did you make a report to the Provost Marshal?  
A. I did not.

Q. Did you make a report to the CIC?  
A. I did not.

Q. Did you make a report to CID?  
A. I did not.

Q. Did you make a report to CIG?  
A. I did not.

Q. Did you make a report to your commanding officer?  
A. I did.

Q. When?  
A. About twelve minutes after I arrived in Radio Tokyo immediately following the shooting.

Q. What was your commanding officer's name?  
A. Captain Lindquist.

Q. Did you report to him the details which you have just testified about?  
A. I did.

Q. You testified that the time you first observed shooting it was directly in front of the police station, is that correct?  
A. Do you mean the first shots I saw?

Q. The first shots you heard.  
A. The first shots I heard stopping the trucks came from the immediate vicinity in front of the police station.



- Q. And where were the trucks at that time?  
A. The first truck was in front of the police station.
- Q. How many jeeps did you see there?  
A. I saw one other jeep besides the jeep that I mentioned, that is, besides the jeep I met at Shibuya crossing.
- Q. Where did you see that jeep?  
A. That was the jeep that went by in front of the group of trucks.
- Q. You are talking about the group of trucks that were parked in front of the station?  
A. When the trucks that went by with the people in them, about five minutes before that group of trucks came by me there was a white jeep that went by.
- Q. Is that the only other jeep you observed?  
A. I cannot say whether it was the same jeep or a different jeep, but while I was parked there was a white jeep crossed the bridge in back of me.
- Q. In other words, during the entire incident you observed only two jeeps, correct?  
A. I observed a white jeep twice. I do not know if it was the same jeep or a different jeep. I observed one OD colored jeep.
- Q. Are you referring to the jeep that followed you to Tokyo?  
A. The OD colored jeep was the one that followed me to Tokyo.
- Q. Then aside from the OD colored jeep the only other jeep you saw was a white jeep, is that correct?  
A. That's right.
- Q. How many trucks did you see?  
A. Five.
- Q. Five trucks?  
A. I passed five trucks.
- Q. You passed five trucks from the point which you have indicated on the chart and the police station, is that correct?  
A. That's right.
- Q. Did you pass any jeeps during that period?  
A. I did not.
- Q. Where were you at the time that you first heard this shooting?  
A. I was parked in the jeep, as I indicated.
- Q. What business were you on in that area this particular evening?  
A. I was visiting a Japanese friend of mine who lives in a house in that immediate vicinity.
- Q. Did you enter his house?  
A. Prior to the shooting, no.
- Q. Was he in the jeep with you?  
A. He was in the jeep with me.



- Q. Are you familiar with the rules of the occupational authorities about having Japanese nationals in American vehicles?
- A. This man was a Japanese national registered jeep driver for GRC Motor Pool.
- Q. What's his name?
- A. Takimoto.
- Q. Is that his full name?
- A. I don't know his full name. All I know is Takimoto.
- Q. How do you spell it?
- A. T-a-k-i-m-o-t-o. That's the way I would spell it.
- Q. Had the trucks passed you before you heard this firing?
- A. The trucks passed me while I was parked. The first truck was approximately in front of the police station when the first shots were fired.
- Q. That was a burst of about 25 rounds?
- A. That's right.
- Q. Was that the time that you turned your vehicle around?
- A. That's right.
- Q. And you and the Japanese national drove back in the direction of the firing?
- A. That's right.
- Q. Why did you, after hearing these shots, decide to drive back down there?
- A. Because I was very curious and wanted to know what was going on.
- Q. You had already known that there were quite a number--you so testified there were quite a number of Japanese policemen deployed in that area?
- A. That's right.
- Q. Back in the direction where you were going?
- A. That's right.
- Q. Did that arouse your curiosity in any manner when you came through there?
- A. It did.
- Q. Yet you were willing to drive back just to satisfy your curiosity, is that correct?
- A. I was.
- Q. Did you know at that time that the Japanese policemen were armed?
- A. I did. That was apparent when I went by the first time.
- Q. And how could you determine that?
- A. Because I observed two of them on the porch of the police station cleaning their pistols.
- Q. Two of them. Then you are assuming, having seen two of them, that all of them were armed?
- A. I read the newspapers. Several days before the newspaper had stated the Japanese police had been granted permission to be armed.



- Q. I wish you would explain to the Commission what you mean by "The Japanese police were deployed in typical Japanese army deployment."
- A. I was with the 37th Infantry Division on Luzon. If you knew anything about ambushes you'll know what I mean by deployment. They were scattered in such a manner that if shots were fired into them it would be rather difficult to hit more than one man with one bullet. They were also rather well concealed.
- Q. Rather well concealed?
- A. That's right.
- Q. What concealment was offered in that particular area?
- A. High grass.
- Q. How about the police station side. Is there high grass there too?
- A. There is not.
- Q. Do you know where the vegetable garden is located?
- A. There are a great many vegetable gardens in that area.
- Q. Directly in front of the police station.
- A. I take it you mean by the building on the left hand side facing the building across the street from the police station.
- Q. Yes, that's correct. Do you know where that's located?
- A. Yes.
- Q. Was there high grass there?
- A. Not at the time, not in the vegetable patch, but by the vegetable patch.
- Q. As a matter of fact, doesn't that vegetable patch run flush with the street?
- A. For a short distance.
- Q. Along the area of the entire vegetable garden?
- A. I don't understand what you mean "along the area of the entire vegetable garden."
- Q. Along the front part, street side.
- A. That's right, there's no grass in front of the vegetable garden, but the vegetable garden has a very short frontage.
- Q. How many times have you been down in this area?
- A. That would be difficult to say, but at least fifty.
- Q. Prior to the 19th of July?
- A. That's right.

PROSECUTION: No further questions.

PRESIDENT: Any redirect?

DEFENSE: No redirect.

PRESIDENT: Questions by the Commission?



## EXAMINATION BY THE COMMISSION

## Questions by members:

- Q. You have stated you pulled up behind the last truck and you have also stated you later passed five trucks. We can then assume you were parked or stopped behind the fifth truck and you were located where at this time you pulled up behind it?
- A. As I indicated on the map, it was just by the bridge on the police station side of the bridge.
- Q. Was that the first time that any of these trucks had stopped on this road?
- A. To my knowledge, yes.
- Q. In other words, this convey of trucks had already passed through the large gathering of police located in front of the Shibuya Police Station, had they?
- A. They had not. The first truck was in front of the police station. The last truck was near the bridge.
- Q. Which bridge are you speaking of?
- A. The bridge that I indicated on the map.
- Q. It so happens that the bridge is past the police station in the direction in which the trucks are going, Nachiman Bridge.
- A. No, sir.
- Q. Can you please proceed to the map and locate the five trucks you have in mind?
- A. Here is the bridge.
- Q. Where was the last truck?
- A. Approximately here, and I was approximately here.
- Q. Where would the other four trucks be?
- A. In front of the last truck.
- Q. How far up the road, approximately where were they?
- A. They were scattered in such a position that the first truck was in front of the police station and the rest--
- Q. If you look at the map closely you will find the police station is in back of the bridge which you have been speaking of.
- A. Well, I've got the wrong bridge on the map.
- Q. I think you are completely turned around. Will you please get yourself oriented on the map so that the Commission will know exactly what your story is. Take time and read the names found on the map.
- A. I'm sorry, I do not know the names of these bridges.
- Q. Do you know the name of the house where you were stopped in front of?
- A. It's one of the group that's on a slight path back, and I would not know the name of the house. The bridge that I am referring to is a three lane bridge. It's cement road. It's an overpass approximately thirty feet high passing over the railroad. If you follow that road it's the only



road in that immediate area that leads through to another street on the other side that is paved. Now I do not know which bridge that is represented on this map, but this is the wide bridge on the map and I take that to be the three lane bridge.

- Q. So it is a fairly wide bridge and does lead through. The Commission can't understand your testimony if that last truck was there and the first truck was up towards the police station. At that point the convoy must have passed the police station.
- A. Well, if that map indicates a three lane bridge, then that map is incorrect because that three lane bridge is about a minute and a half walk from the police station in the direction of Ebisu Station.
- Q. Then you are not speaking of the same bridge. That bridge there on the map is located correctly because the entire Commission has been on the scene.
- A. Well, then you know the bridge that I have reference to.
- Q. I do not know the bridge you are talking about, and I want you to identify the bridge you are talking about.
- A. It is the only bridge in the area which has a cement road on the bridge.
- Q. I still am not satisfied talking about any bridge that has a cement covering or anything else. Where is it with reference to the police station, in how many minutes or how many yards and what direction?
- A. It's about a minute and a half walking away from the police station towards Ebisu Station.
- Q. That means how many yards or meters?
- A. It would be about 150 feet, 200 hundred feet.
- Q. 150 feet. In other words you'd progress 150 feet in a minute and a half?
- A. You would if you walked fast.
- Q. 120 steps per minute would give you considerably more. I think you better start computing. Where is this bridge? Can the counsel help him out? Do you know what bridge he is referring to?
- A. If this is the bridge, then where is the road that runs up from the hill across from the police station? I don't see it indicated. I would definitely maintain that that is wrong because I know that area. That bridge comes down and the shape of the corner is such that it forms a slight triangle, but not as exaggerated as that map shows. If this is the bridge then there should be a road right here.
- Q. The Commission, having visited the scene, is fairly well satisfied with the correctness of the map. It must be that you are referring to a bridge not showing on the map then further back towards Ebisu.
- A. No, it's not that far away. I would say it was this bridge although I know it to be wider than that map apparently indicates, because I know the bridge.
- Q. I think the Commission also knows where that bridge is, and it's not a three lane bridge, not the type bridge you have been describing.
- A. By three lane I mean that it's possible for three cars to go across it abreast.
- Q. I think it's up to the counsel to assist the witness because as statements



made by the witness they are absolutely impracticable and impossible to believe. We cannot reconcile the facts as stated by the witness with reference to the location of the trucks or his jeep.

Questions by defense:

Q. Do you recall any particular shop you were parked in front of?  
A. There was a laundry shop by my jeep, laundry and dry cleaning, with the sign in English in front of it.

Q. Do you recall being parked near a post office?  
A. I do not. By this bridge there is a photographic shop.

PRESIDENT: The witness has stated he is thoroughly familiar with the area. Are you pointing out the post office to him?

Q. What was it you said just now?  
A. There's a photographic shop on the corner.

Q. Immediately opposite this bridge is a spot indicated as a photo studio.  
A. That's right, there are two photo studios in the area; at least there was at that time.

Q. Were you parked anywhere near that photo studio?  
A. I was parked beyond the photo studio toward Ebisu Station.

Q. How far beyond?  
A. The one I have reference to I was about thirty feet beyond it. There is also a flower shop in the same area as the photographic shop.

Q. Could this be the bridge then that you have in mind?  
A. It could.

Q. Assuming that that was the bridge where were you parked in reference to it if that was the bridge where you were parked.

PROSECUTION: If the Commission please, prosecution objects to assuming this is the bridge. If he states that he knows the location--

LAW MEMBER: The President has asked counsel to assist the witness.

Q. Assuming then that that were the bridge, where would you say you were parked in reference to it?  
A. Approximately here.

DEFENSE: The witness has indicated a point to the police station side of the mark XX on the map.

Q. You don't recall a post office?  
A. There is one in the area but they're off limits and I never pay any attention to them.

Q. If that were the point at which you were parked, when you turned your jeep around and proceeded down the street, where then would be the position at which you stopped the next time?  
A. Assuming this to be the bridge and when I turned around it would then be in this area.



- Q. You would have stopped in this area?  
A. That's right.

DEFENSE: The witness has indicated a point towards Shibuya just past Hachiman Bridge towards Shibuya.

Questions by members continued:

- Q. Will the witness describe the type and kind of bridge he is referring to?  
A. It is a cement bridge, that is the road on it is cement, been slightly chopped in places, has sidewalk available on both sides, has cement railings on each side of the bridge. The railing is approximately a yard high, very broad at the top. You proceed on an uphill grade coming from this street. You proceed on an uphill grade till you get to the bridge. You then are on a normal bridge.
- Q. How did you learn what the public knowledge in this area was?  
A. By asking the Japanese national that was with me.
- Q. Does the GRQ driver with you live in that area?  
A. He lived in the house that I had originally intended to go to.
- Q. Was he returning home from his day's work?  
A. He had already returned home. I had gone out to see him.
- Q. Just what did he tell you?  
A. I asked him why the Japanese police were out there and he said because there was going to be an ambush. He said that, as he termed it, the Formosans had planned to attack or ambush the police station.
- Q. The Formosans were going to ambush the police station?  
A. That's right, attack the police station.
- Q. Did you ever hear of ambushing a police station, to your military knowledge?  
A. I have.
- Q. To ambush a building?  
A. You do.
- Q. Thank you. Was your jeep fired on at any time?  
A. I cannot say that it was fired at, but there were two holes found in the cover of the jeep the next morning. They were not there the day when I received the jeep from the pool.
- Q. You have stated when you caught up with the jeep ahead of the trucks you talked to the driver of this jeep. Did he give you any instructions at this time what to do?  
A. He did not.
- Q. Did you tell him what to do?  
A. I made the remark that he should get the hell out of there.
- Q. And then you proceeded this jeep, did you?  
A. I immediately proceeded to leave, and he followed me.
- Q. Then if the driver of that vehicle would have testified that you followed him, would he be in error then?  
A. It would be a difference of opinion, but I was in the lead.



- Q. A difference of opinion? It must be a difference in fact whether he preceded or followed a certain vehicle.
- A. There was a jeep in back of me as I proceeded up the hill. I would take it to be his jeep because I left first and headlights followed me around the corner. His was the only other vehicle in the area that I could observe.
- Q. You were not following any other jeep at all, were you?
- A. I was not.
- Q. Then anyone stating that you fell in behind him would be in error, would he?
- A. As far as I am concerned he would be.
- Q. You have stated these Japanese police were well concealed?
- A. In certain instances, yes.
- Q. Well, how many were concealed and how many were not, generally speaking?
- A. The policemen that were on the side of the street opposite the police station were in the grass and reasonably well concealed when I went by the police station the first time. The policemen that were on the side of the street of the police station had no concealment available.
- Q. How can you see anyone who's concealed?
- A. Because they were standing up. They hadn't gotten down into position when I went by.
- Q. Do you know what concealment means?
- A. It means that you are hidden. They were in a position so that all they had to do would kneel down and they would be concealed.
- Q. Well, then they weren't concealed?
- A. Not when I went by, no.
- Q. Originally you stated that the Japanese police were well concealed.
- A. By that I mean they had a position of good concealment available merely by kneeling down.
- Q. You didn't testify to that. You stated the Japanese police were well concealed. How was it dark at this time?
- A. It was after sunset, yes.
- Q. How were you able to determine that there were 300 or more Japanese police?
- A. A great many of them had worn their white uniforms and they were very prevalent.
- Q. Did you count them?
- A. I didn't count them. I would haphazard a guess, easily being 300.
- Q. What was the nature of your work on the 19th of July, during that period?
- A. You mean as I was employed?
- Q. Yes.
- A. The same as it is now.
- Q. What is that?
- A. I am an engineer, a radio engineer for the Public Relations Office, Radio Section.



- Q. How is it you became so familiar with this Shibuya area?  
A. Because I have a great many Japanese friends in that area.
- Q. How long have you lived in Japan?  
A. I arrived in Japan shortly after the occupation started.
- Q. How did you become so familiar with the Japanese language?  
A. Because I have a great many Japanese working with me at Radio Tokyo who do not speak English. They only speak Japanese.
- Q. What's the Japanese word for ambush?  
A. That I don't know.
- Q. You stated this Japanese driver of the jeep said that the police were going to ambush the Formosans.  
A. He speaks English. In fact, all of my friends in the Shibuya area speak at least enough English to tell me a thing like that. This particular man that I was with was also registered as an interpreter for International Tele Communications of Japan, INC.

PROSECUTION: If the Commission please, we believe the Law Member made a mistake there. He quoted the witness as saying the police were going to ambush the Formosans. I believe the witness stated the Formosans were going to ambush the police.

LAW MEMBER: That's correct. I stand corrected.

PRESIDENT: I believe the answer was the Japanese police were going to ambush the Formosans when they had heard were going to attack and ambush the police station, I believe is the correct answer he gave, so the question by the Commission as made to the witness is correct in that he stated both the police and the Formosans were to ambush. I questioned the witness as to how you can ambush a station and I received the information that such a thing can be done.

- Q. When you turned your jeep around and came up behind the last truck, how many shots had been fired by anyone?  
A. Approximately 25.
- Q. Was this a continuous rattle of 25 shots or were they spaced in any way, shape or manner?  
A. They were spaced but they were in very rapid succession. In other words, it was not an automatic weapon. It was not an automatic weapon in the terms of a machine gun.
- Q. From the position you have indicated on the map as the location of the jeep to where you pulled up behind the truck, you would have been almost at the line indicated T on the map, isn't that correct, almost up to the line marked T?  
A. Approximately, yes.
- Q. At that time you claim approximately 25 shots had been fired?  
A. That's right.
- Q. The vehicles were all standing still, the trucks were all at a standstill at this time?  
A. The last truck was just stopping as I stopped in back of it.



- Q. All the other trucks in front, were they all stopped, the whole convoy stopped?
- A. The convoy was stopped. The last truck stopped just as I got in back of it.
- Q. There has been considerable evidence that except for one shot testified to by one witness, there was no firing until the convoy was well on the way and several vehicles had passed the Shibuya Police Station before any firing was done. There's also been considerable testimony that the first shots fired hit a sergeant who fell at a point marked IA on the map, which would have placed you within just a matter of yards of the place where this sergeant fell wounded. How do you reconcile the fact that you have told us nothing about Sergeant Naga being shot?
- A. Because I do not know anything about it.
- Q. Then you have heard a group of shots fired with relation to this convoy and its actions that no other witness has told the Commission about. There is a volley of 25 shots fired prior to the moving of this convoy.
- A. There was a volley of approximately 25 shots fired to stop the trucks.
- Q. That caused the trucks to stop?
- A. That's right.
- Q. Do you have knowledge of the behavior of the occupants on the trucks when you saw the trucks pass you? Did you notice when the trucks stopped?
- A. When the trucks stopped?
- Q. Yes. The occupants I refer to are the occupants on such trucks. Did you notice anything?
- A. The occupants of the last truck, that is the truck I stopped in back of, were very low in the truck, that is, they attempted to keep below the sideboards of the truck.
- Q. Did you see anything else, observe anything else besides them lying very low?
- A. In the trucks?
- Q. Yes.
- A. No.
- Q. And you didn't hear anything?
- A. I heard only the commotion from the local inhabitants all getting out of the way.
- Q. Commotion from whom?
- A. There were a great many people on the sidewalks at the time the trucks went by. They were getting out of the way.
- Q. Did you notice any commotion on the trucks?
- A. I did not.
- Q. I must ask a question, what sidewalk?
- A. Well, it's not a sidewalk but it's the side of the street the houses are on.
- Q. At the edge of the road?
- A. That's right.



Q. Well, please don't call it sidewalk. Stick to facts. The Commission is very anxious to get the facts.

A. In the term that it's a sidewalk, you use it to walk on. It's the only place that you can walk.

Q. There is no sidewalk, is there?

A. There is no sidewalk, but it's the only place for pedestrians to walk.

Q. At the time you observed these occupants of the truck in a low position crowding forward, had shots been fired previous to this?

A. The original shots that were fired to stop the truck are all that I know about.

Q. Previous to the firing of any shots have you heard any shouting or any noise from the trucks?

A. I did not.

PRESIDENT: Does the defense believe any new matter has been brought up warranting further examination?

DEFENSE: Yes.

PRESIDENT: It may do so at this time.

DEFENSE: Mr. President; it is my intention to question the witness with reference to the presence of a bridge that does not appear on this map.

PRESIDENT: At this time the Commission will take a ten minute recess.

The Commission then took a recess until 1025, at which hour the personnel of the Commission, prosecution and defense, and the accused, interpreters and the reporter resumed their seats.

PROSECUTION: The witness is reminded that he is still under oath.

#### REDIRECT EXAMINATION

##### Questions by defense:

Q. Mr. Bennett, are you familiar with any of the mercantile establishments in this area?

A. Yes, I am. There was at the time two photographic shops in the area, flower shop and a shoe shop out there that I know of personally.

Q. Did you ever do any business with any of them?

A. Yes, I have. I've had business with the shoe shop there.

Q. Had shoes repaired there?

A. That's right.

Q. Can you step to the map again? Will you examine the map and point out the shoe shop you are referring?

A. It's very near the radio shop, approximately here.

DEFENSE: The establishment indicated is 18 Nakadori, as indicated is the establishment of Sasaburo Otsuka, shoe maker.



- Q. Did you say you had a pair of shoes repaired there?  
A. That's right.
- Q. Do you recall generally where you parked July 19th with reference to this shoe shop?  
A. It was beyond the shoe shop.
- Q. Beyond which way?  
A. Towards Ebisu.
- Q. Do you know if there is any bridge shortly beyond the area of this map that does not appear on this map?  
A. Yes, there is. There's also a police box that doesn't appear on this map.
- Q. Could you indicate generally about where they would be?  
A. They would be off of the map, more nearly over this way. I don't know how far.
- Q. Where were you parked this night with reference to the police box you are referring to?  
A. I was towards Shibuya Station from the police box.
- Q. Towards Shibuya Station?  
A. That's right.
- Q. Is the police box you are speaking of in the direction of Ebisu beyond the bridge you were speaking of that does not appear on this map?  
A. It is.
- Q. Were you parked on the Shibuya side of that bridge or the Ebisu side?  
A. I was parked on the Ebisu side of the bridge that I have reference to.
- Q. And beyond the shoe store you referred to?  
A. That's right. I was parked immediately in front of a small laundry and dry cleaning shop, which does not appear on this map. I do not know why.
- Q. Is it possible for you to indicate about how far off the area of this map that dry cleaning establishment might be?  
A. That would be impossible to say because I feel this map is very much out of kilter.
- Q. Can you out of your knowledge give the relative location of the dry cleaning shop with reference to this bridge which does not appear on the map?  
A. There are two bridges beyond this.
- Q. I'm speaking of the first one. Is this dry cleaning establishment directly opposite that bridge or the Shibuya or Ebisu side?  
A. It's on the Shibuya side.
- Q. On the Shibuya side?  
A. That's right.
- Q. And you were parked in front of this dry cleaning establishment?  
A. That's right.
- Q. Which is on the Shibuya side of this bridge which is shortly off the area of this map, correct?  
A. Are you referring to the big bridge or the little bridge?



- Q. Well, which is the first one? Which is the one between the police box and the shoe making shop?
- A. The big bridge is between the police box and the shoe making shop.
- Q. That is the bridge I am referring to. Now you say you were parked in front of a dry cleaning and laundry shop?
- A. That's right.
- Q. And that dry cleaning and laundry shop is on the Shibuya side of this bridge that we are referring to?
- A. No, it's on the Ebisu side.
- Q. Ebisu side, and you were parked in front of that?
- A. That's right. There is another bridge beyond that.
- Q. This other bridge on beyond there, is that on the Ebisu side of the police box?
- A. Yes.
- Q. And you were on the Shibuya side of that second bridge?
- A. That's right. What do you mean by second bridge?
- Q. We'll use the blackboard. Mr. Bennett, will you indicate by use of this chalk and blackboard your position with reference to Shibuya Police Station?
- A. This point, Shibuya Station.
- Q. Railway Station?
- A. That's right. Shibuya Police Station, here's the laundry shop that I was parked in front of, and approximately here is the police box. There's a stone cutter's yard very near that.
- Q. Where are these additional bridges that you refer to as not being on the map?
- A. There is one approximately here. It's a very small one.
- Q. And where is the other one?
- A. Well, here's the big one that I have reference to.
- Q. That's the big one you are referring to that does not appear on the map?
- A. That's right.
- Q. Hackerman Bridge that does appear on the map, can you indicate that on your drawing?
- A. Well, I don't know of any bridge as large as that one indicated being across from the police station. There is, however, a bridge approximately in this position which crosses, although it is not nearly as large as this bridge here.
- Q. Would you indicate where you were parked on there? How far would you estimate that was from this large bridge you refer to in the direction of Ebisu?
- A. About 200 feet.
- Q. About 200 feet. How far would you estimate you were parked from this police box which you referred to?
- A. Approximately the same distance. Then the slight bend in the road here. I couldn't tell it by straight distance.



- Q. Then, Mr. Bennett, the point at which you were parked is not indicated on this map?
- A. That's right. I might add that there is a series of buildings along in here all in this area. This last building here there's a small feet path that leads up to a school approximately here. You look out the front of that school, you look straight into the police box.
- Q. Take the stand. When you turned your jeep around and headed in the direction of Shibuya, can you now indicate in view of your drawing the approximate location at which you stopped behind these trucks?
- A. The last truck was right about here. This would be the position approximately of the last truck, and I was right here.
- Q. How far would you estimate that was from the police station?
- A. Not quite 150 feet.

PRESIDENT: Will the defense indicate where 150 feet from the police station would be on that map? The RF is 1/50, one foot representing fifty feet. That would be three feet on the map. That brings us back to his original statement as to the location of the last truck, does it not?

- Q. Is that correct?
- A. Yes.

PRESIDENT: And places his jeep within a few feet of where Sergeant Haga was wounded as the first few shots were fired, is that correct?

- Q. Would you step to the map and indicate on here by appropriate sign where you were parked? Would you indicate by making the letter X at the point which you stopped behind this last truck?
- A. Taking this to be the position of the last truck, I was parked here.
- Q. Mark that A.

PRESIDENT: Where was the position of your jeep?

A. Immediately in back of the last truck.

DEFENSE: The witness has indicated with the green letter AX his position. No further questions.

PRESIDENT: Any examination by the prosecution on any new matters brought up?

PROSECUTION: Just one or two questions, if the court please.

#### RECROSS EXAMINATION

Questions by prosecution:

- Q. You state you have many friends in that area, is that correct?
- A. That's right.
- Q. Can you state who those friends are and where they live?
- A. I have one friend who lives in the laundry shop which I was parked in front of which is not indicated on that map.
- Q. What's his name?
- A. Ox; Ox is his nickname. I do not know his full name.



DEFENSE: I object to these questions. This is not dealing with new matter brought up.

PROSECUTION: If the court please, on the court's examination the witness stated that he had many friends, many Japanese friends and he was very familiar with this area because he had very many Japanese friends.

DEFENSE: That isn't cross examination.

LAW MEMBER: Objection overruled.

Q. Is Ok a man or a woman?

A. A man.

Q. Who else?

A. Immediately in back of the laundry shop lives a seamstress.

Q. What's her name?

A. Kikuchi.

Q. Who else?

A. Across the bridge I have reference to in the direction of Nakameguro Station I have another friend who is a Japanese radio operator.

Q. What's his name?

A. I call him Mike. I can give you his Japanese amateur call letter, but I cannot give you his last name.

Q. What is his call letter?

A. J2KW.

Q. Who else do you know in this area?

A. Also in that area I have a Japanese friend who is an English teacher at the school I indicated.

Q. What's his or her name?

A. Her name I do not know. I've only met her two or three times, but I see her every once in a while in Radio Tokyo.

Q. Who else do you know in this area?

A. In the area of the factory on the same street as Shibuya Station running away from Tokyo I have another friend who was born in Britain and who is a Japanese citizen. He does not live in the immediate area of the police station. He lives beyond Shibuya Station on out.

Q. Do you have any other friends in the area of the police station or place where this incident took place?

A. Only those that I have indicated.

Q. You have stated, Mr. Bennett, that this map is out of kilter. Could you describe the Hashizane Sachi Bridge directly across from the Shibuya Police Station?

A. Well, as I know it it is approximately twenty feet wide.

Q. Twenty feet wide?

A. I have never been on that bridge and I've never looked at it good in the daytime, but I know that it is not nearly as big as that map indicates. That map would indicate that it's the width of the police station, but I don't feel that it is.



- Q. I believe if you will look closely it doesn't indicate it's the width of the police station. However, do you know the representative fraction of this map?
- A. You mean the scale?
- Q. Yes.
- A. I believe the Colonel said it was one to fifty.
- Q. But you still state it's out of kilter?
- A. I feel that it is.
- Q. Does this bridge have any sidewalks on it?
- A. I don't know. I've never been on it.
- Q. Is the approach a paved road, do you know?
- A. I believe that it is partially paved. As I said before, I've never been on it.
- Q. Is the platform of the bridge paved?
- A. I do not know. I have never been on the bridge.
- Q. Does the bridge have any railings on it?
- A. I would guess that it has, but I must repeat I have never been on the bridge and do not know the bridge.
- Q. I believe you stated that you reported this to your commanding officer immediately after you got back?
- A. That's right.
- Q. You stated your commanding officer's name was Lindquist?
- A. That's right.
- Q. Captain Lindquist?
- A. That's correct.
- Q. What are his initials? What is his first name and middle initial?
- A. I don't know. He's gone back to the States now. I think it is L. G.
- Q. Oh, he's gone back to the States. Did you report this incident to anyone else?
- A. When I reported it to Captain Lindquist, Frank White, a correspondent who was there, immediately filed the story which was published in all of the papers.
- Q. You mean Frank White of the Associated Press?
- A. That's right.
- Q. You reported that to him?
- A. He was present when I told Captain Lindquist.
- Q. Do you know whether Captain Lindquist reported this matter to the military police?
- A. I do not.
- Q. Didn't you consider it important enough to report to the military police yourself?
- A. I did not.



Q. When did Captain Lindquist go back to the States?  
A. He went back to the States about a month after that happened, not quite.

Q. About August the 19th?  
A. Well, I don't know the exact date.

PROSECUTOR: That's all.

PRESIDENT: Any questions by the Commission?

EXAMINATION BY THE COMMISSION

Questions by members:

Q. At any time during the evening of the 19th of July were you able to determine approximately how many people were on these five trucks?

A. No, I was not, but the trucks were fairly well loaded, or I should say appeared to be fairly well loaded. In other words, there was a great many people on them.

Q. You couldn't estimate how many people were on these five trucks?

A. When I first saw them going by me while I was parked there were no lights on the trucks, that is, that would light up the occupants of the trucks, so I did not see it then. When the lights were on the trucks in the manner that I could see them, they were fairly well down in the truck and it was rather difficult to approximate.

Q. Did the trucks have the lights turned off when they approached?

A. They had lights on, but they were rather dim.

Q. You previously stated that the street at least was fairly well lit up by the lights of these vehicles. Was there a change in the candle power of the lights of the trucks at the later time, or what?

A. There must have been because there was more light when the trucks were stopped than there was when they were moving. That is, when the trucks were stopped and I was stopped in back of them there was more light on the street than when the trucks went down the street and I was parked, that is, when I first saw the trucks.

Q. You believe the trucks were traveling then with dimout lights?

A. I don't know, but the lights were dimmer than when they were parked.

Q. At what point did you pass that last truck that you pulled up behind?

A. The last truck had not gotten started yet when I passed it.

Q. Where did you pass the next truck?

A. It was just barely moving. It was where it had stopped.

Q. And the third truck?

A. Was moving. It had possibly moved five or ten feet forward.

Q. You passed a fourth truck at what point?

A. Almost directly in front of the police station.

Q. The fourth truck. Then there was but one truck for you to pass after you left the police station?

A. That's right, and it was well on the other side of the police station.



- Q. You passed it where?  
A. Pretty much the other side of the police station, that is, towards Shibuya.
- Q. You mean also past it?  
A. No, past. It had passed the police station.
- Q. How far?  
A. Twenty-five or thirty feet at least, possibly more. I was rolling rather rapidly at the time and it would be difficult to judge exactly how many feet beyond the police station it was.
- Q. At what point did you speak to the driver of this other jeep?  
A. As you know the streets, the street that we were on, that is, the street that goes in front of the police station, comes to it at Shibuya Station. It was immediately at the base of that.
- Q. You are not speaking of a base of it. You are speaking of the very point of intersection, aren't you?  
A. That is correct.
- Q. How far back were the trucks at this time when you and the other jeep were seated up to the right?  
A. They were very much in back of us. The first truck was having considerable trouble in getting rolling very fast. The other trucks were still in back of it.
- Q. As you proceeded up this road, having made the turn to the right, did you see the trucks following you?  
A. I did not see the trucks again until I was on the straightaway after having made the first right turn.
- Q. How far behind you were they at that time, the trucks?  
A. Well, I was to the point where the road bends and the second truck was just coming around the corner then.
- Q. At this time did you see a sedan?  
A. I did. The sedan was slightly in front of me.
- Q. Sedan slightly in front of you?  
A. Yes. I passed the sedan, that is, I passed the sedan on the straightaway before I saw the first truck come around the bend.
- Q. So then the sedan was ahead of this jeep that you spoke to at the intersection.  
A. That is right.
- Q. You passed the sedan followed by this other jeep, followed in turn by these several trucks, is that correct?  
A. The trucks were too far behind to pass anybody. They were moving too slowly to have passed anybody.



- Q. Nothing is said about passing any one. You were at the head of a column followed by this jeep. Where was the sedan at that time?
- A. No, no. The sedan had already gone by before I had spoken to the individual in the other jeep. The sedan wasn't moving very rapidly. I passed the sedan on the straightaway.
- Q. I believe you told me a little earlier that as you proceeded up this road followed by this jeep you knew it was the same jeep that you had spoken to for the reason there were no other vehicles in evidence?
- A. I stated also, sir, that it was after I had made the first right turn headed into Tokyo, not considering the turn where I stopped and talked to that individual. On the other hand, in order to get from Shibuya Station to Tokyo there are two right turns involved. One right turn is involved where I was stopped and talked to that jeep. Another right turn is involved considerably on down. I did not pass that sedan until after I had made that right turn.
- Q. The first or second right-hand turn?
- A. The second, counting the right-hand turn at Shibuya Station.
- Q. Had you seen this sedan previously to passing it?
- A. I had not.
- Q. Now as you were passing these five trucks, which in turn were passing the police station, were the Japanese police firing at the trucks?
- A. They were.
- Q. Why did you brave that gun fire instead of turning around and proceeding in the opposite direction?
- A. Because there were also at that time Japanese police in back of me.
- Q. Were they firing?
- A. They were, and I was in a safer position with my jeep going down the side of those trucks than I would have been in had I made a U turn because then I would have laid the side of my jeep wide open to the fire of the fellows in back of me.
- Q. I think the map shows quite a bit of previous testimony as to the location of the Japanese police force. The X you have marked on the map indicating where you stopped behind the truck is on the Ebisu side of the Japanese force except for five Japanese policemen located at XB.
- A. Where is XB?
- Q. That is up by the yellow arrow. Except for five men at that point you were on the Ebisu side of all the lines shown thereon as to location of the Japanese police. Either the police are not located correctly on the map, your mark is not ---
- A. There were policemen down to the corner at which I have reference to, the corner having the big bridge on it. In



fact there were even a few policemen on the other side of that corner.

Q. Now this Chinese Mission jeep that you caught up with near the Shibuya Railway Station, did you speak to the driver?

A. I did.

Q. In Japanese?

A. I spoke to him in English at first.

Q. Did he speak to you?

A. He did not.

Q. Did he understand you?

A. I do not know.

Q. Your last answer indicated you don't know whether the driver understood you or not, is that correct?

A. I don't know whether he understood my English or not because he made no reply.

Q. Did you talk to him in Japanese then?

A. I asked him if he was Japanese.

Q. What else did you say?

A. He still made no reply and I then said in English, "Well, get the hell out of here," proceeded to leave.

Q. And he replied to that?

A. He nodded his head.

Q. You previously testified to the fact you told him to get the hell out of there and that his reply was, "That is just exactly what I intend to do."

A. That is what I take by a nod of the head.

PRESIDENT: Any further questions by the Commission? (None)  
No further questions. The witness is excused.

There being no further questions, the witness was excused and withdrew.

DEFENSE: The defense calls as its next witness, Miao Hsi-Chuen.

PRESIDENT: The Commission will take a five minute recess.

The Commission then took a recess until 1105 hours, at which hour the personnel of the Commission, the prosecution and defense, the interpreters and the accused, and the reporter resumed their seats.

PRESIDENT: The Commission is in session. Proceed with the hearing.

Miao Hsi-Chuen, a witness for the defense, was sworn and testified as follows:



## DIRECT EXAMINATION

Questions by defense:  
Answers through interpreter:

- Q. State your name to the Commission.  
A. Miao Hsi-Chuen.
- Q. Are you employed by the Chinese Mission?  
A. Yes.
- Q. What is the nature of your job?  
A. A driver.
- Q. When did you first begin working for the Chinese Mission?  
A. End of June.
- Q. Were you employed by the Chinese Mission on the 19th of July 1946?  
A. Yes.
- Q. Were you at the Chinese Mission on the evening of July 19, 1946?  
A. Yes.
- Q. Did you hear a number of persons come to the Chinese Mission that night, a large gathering?  
A. I do not know when they came.
- Q. Did you know of a meeting that occurred in the auditorium of the Chinese Mission that night?  
A. I do not know.
- Q. Were you called out that night at any time to drive your jeep for the Mission?  
A. Yes.
- Q. By whom?  
A. Driver named Chen.
- Q. And where were you when Chen called you for this purpose?  
A. In my room.
- Q. And where did you go when he told you that you were wanted?  
A. I went out of my room.
- Q. Did you go out to your jeep?  
A. I went to call another driver and on my way back I went to my jeep.
- Q. Did you see any large gathering of people coming out of any of the buildings of the Mission at this time?  
A. When I went there they were on the vehicles.
- Q. What vehicles?  
A. Trucks.



- Q. How many trucks did you see?  
A. Six.
- Q. Were all the people you refer to on the trucks at that time?  
A. Almost every one.
- Q. And what instructions did you receive at this time?  
A. There were three drivers and we decided that each of us guide two of the trucks back. There were six trucks in all.
- Q. Did you see General Li at this time?  
A. No.
- Q. Who gave you these instructions?  
A. Chen told us that General Li had given the orders to guide the trucks.
- Q. To guide them where?  
A. At that time they did not tell me the destination.
- Q. Well, did you leave the Mission in your jeep shortly thereafter?  
A. Yes.
- Q. Who was in your jeep at that time?  
A. General Li.
- Q. And where did you go with General Li?  
A. To his quarters.
- Q. And did you leave him at his quarters?  
A. Yes.
- Q. And from General Li's quarters where did you go?  
A. When I got there General Li told me to return immediately to the Mission and guide the others home.
- Q. Did General Li give you any further instructions than this as to guiding the others?  
A. No, nothing in particular.
- Q. And where did you go then after you left General Li?  
A. Back to the Mission.
- Q. When you arrived at the Mission how many trucks were there?  
A. Two trucks.
- Q. Do you know what happened to the other four trucks?  
A. At that time I did not know.
- Q. Were the other two jeeps also gone?  
A. Yes.
- Q. Did you talk to any of the people on these two trucks?  
A. I shouted in a loud voice, "Where are you going?"



Q. What did they answer?

A. There were some who said "Nakano" and others that said "Shibuya".

Q. Either at this time or earlier when you had seen all six trucks together did you observe any weapons, clubs, or pistols held by these people on these trucks?

A. No.

Q. Did you hear any shouting by the men in the trucks?

A. No.

Q. Did any of these men get in your jeep?

A. Four got on my jeep.

Q. Did you then leave the Mission?

A. Yes.

Q. And where were you heading for?

A. Toward the Shibuya Railroad Station.

Q. Do you know how many minutes you left the Mission after the other four trucks had gone?

PROSECUTION: Object to that, unless he knows it of his own knowledge.

DEFENSE: Strike that question.

Q. Did any of these men in these trucks inform you how long the other trucks had been gone?

PROSECUTION: Same objection, if the court please.

LAW MEMBER: Objection is overruled.

A. I did not ask.

Q. Did you take the road towards Shibuya Railway Station that goes by Ebisu?

A. Yes.

Q. Did any one order you to take that road?

A. No.

Q. Why did you take that road?

A. Because I always use this road.

Q. Do you know of another road from the Chinese Mission to Shibuya Railway Station?

A. Yes.

Q. Which of these two roads would you say is the better road?

A. The shorter one is the better road.



Q. By the "shorter one" which one do you mean?

A. The road that goes through Ebisu.

Q. In what respect is it a better road?

A. I always pass this road and I am accustomed to it.

PRESIDENT: At this time the Commission will adjourn to meet tomorrow morning at 0900.

The Commission then adjourned at 1120 hours on 13 November 1948.



MR. RICHARD R. ELLIOTT  
Chief Prosecutor



Metropolitan Police Station  
Tokyo, Japan  
14 November 1946

The Commission met, pursuant to adjournment, at 0915, all the personnel of the Commission, prosecution and defense, who were present at the close of the previous session in this case being present.

The accused, interpreters, and the reporter were also present.

PROSECUTION: The witness is reminded he is still under oath.

Questions by defense continued:

Q. When you approached the Shibuya Police Station on the night of July 19th, did you see any policemen?

A. Yes.

Q. Where were these policemen that you saw?

A. On both sides of the road.

Q. Approximately how far before you reached the police station did you see the first policeman?

A. At that time I could not tell; I saw these policemen about twenty or thirty meters ahead of my car with my lights shining on them.

Q. As you approached the police station at that time, did you see any vehicles ahead of you?

A. No.

Q. How many vehicles were following you?

A. Two.

Q. Were your headlights on?

A. Yes.

Q. As you drove between the police that you say were on both sides of the road, were you driving slow or fast?

A. As we passed between these policemen, shouting started, so I think that I stepped on the accelerator, but the vehicle did not move as I expected it to move.

Q. Did you see any of these police carrying lanterns?

A. No.

Q. This shooting you referred to, was that the first shooting you heard that night?

A. Yes, the shooting that I heard was when I passed between the policemen.

Q. About how far were you from the police station at that time?

A. About one-hundred meters.

Q. Did you see these shots fired?

A. When I saw a flash ahead of me, I put down my face.

Q. This flash that you saw ahead of you, was that the first shot that you heard?

A. Shooting started at once, so I do not know.



- Q. Did you observe whether many of these policemen were armed?  
A. Yes.
- Q. Did you observe whether many of them had their arms out drawn?  
A. Yes.
- Q. Did you observe any policemen with clubs?  
A. I did not notice.
- Q. How long did this shooting continue?  
A. The motor stopped, and shooting continued from one to two minutes.
- Q. Why did your motor stop?  
A. When a shot struck the windshield one of the occupants in the rear seat said, "I am shot." I had my head down and my legs were paralyzed. The jeep proceeded for a short ways and stopped, and then I went to an open field and hid in there.
- Q. Were you past the police station when this shot hit your jeep?  
A. At that time I did not know.
- Q. Where did you stop the jeep and get out?  
A. As soon as I stopped -- near the place I stopped there was an open field, and I do not know where that was.
- Q. Was it past the police station?  
A. Yes.
- Q. From what direction did these shots seem to come?  
A. When the bullets struck the windshield, I put my head down, so I did not notice anything further.
- Q. Did a bullet strike your windshield?  
A. Yes.
- Q. When you stopped, did you notice whether the two trucks following you went by or not, passed you or not?  
A. I did not notice.
- Q. After you got out of the jeep and went into the field, did you hear any loud crash or collision?  
A. I did not hear.
- Q. When you were hiding in this field, did you see any policemen?  
A. I was excited, so I did not notice.
- Q. Did you hear whether any firing was still going on -- shooting still going on?  
A. Yes, firing continued when I was hiding.
- Q. Did the four persons who were in the jeep with you get out of the jeep when you did?  
A. Yes.
- Q. Did they go into this field with you?  
A. Yes.



- Q. Did you say a moment ago that one of them was hit?  
A. Yes.
- Q. After the shooting stopped, what did you and the other four persons with you do?  
A. I jumped out of my hiding place and went to the jeep.
- Q. Did the four persons with you do the same?  
A. Yes, they followed me.
- Q. Did you get in the jeep?  
A. No.
- Q. Did any police approach you at this time?  
A. About five or six policemen approached me.
- Q. Did they have pistols in their hands?  
A. Yes.
- Q. What side of the jeep did they approach you on?  
A. The front and the left side.
- Q. By the left side do you mean the side toward the river?  
A. Yes, the river side.
- Q. Did any of the occupants of the jeep say anything to these police?  
A. Yes.
- Q. What was said to these police?  
A. The person who was sitting on my side asked, "What is the idea of shooting at a Chinese Mission jeep?"
- Q. Did any of the police answer him?  
A. He answered, "We do not know, ask the police chief".
- Q. Did you ask the police chief?  
A. Yes, afterwards.
- Q. Did you go to the police station for that purpose?  
A. One of the policemen guided us, and we all went to the police station.
- Q. Were you put under arrest then?  
A. No, I believe not an arrest.
- Q. Did you go into the office of the police chief?  
A. Yes.
- Q. Who did you see there?  
A. The police chief.
- Q. And what was said there?  
A. Cho and myself and another person asked what was the idea of shooting a Chinese Mission jeep.
- Q. Was Cho one of your passengers?  
A. Yes.



- Q. Did the chief make any answer to this question?  
A. He answered, "The third truck of the convoy that went ahead of you started the shooting."
- Q. Did he say anything further?  
A. Then he said, "The fact that you were shot can't be helped."
- Q. Did you say anything further yourself to the chief?  
A. Yes.
- Q. What?  
A. "There shouldn't be such a foolish thing. I will report this to the Chinese Mission."
- Q. Did you go back to the Chinese Mission immediately?  
A. No.
- Q. Why not?  
A. I went to use the telephone, but they would not let me use it.
- Q. Well, did you continue to wait?  
A. Then the police chief said that he was phoning the MPs, "So wait here until the MPs come."
- Q. Well, did the MPs come?  
A. After I entered the police chief's office, about twenty minutes later the MPs came.
- Q. How many of them came?  
A. Three MPs entered the office.
- Q. When you first entered the police station were you searched by the Japanese police?  
A. Yes.
- Q. Did the police find anything in that search?  
A. No.
- Q. Were the other men with you searched, the other men from the jeep searched?  
A. Yes.
- Q. Was anything discovered in those searches?  
A. Because they did not find anything, someone said, "So you don't have anything, well follow this person and see the police chief."
- Q. There were no weapons discovered by the police in the search of the occupants of your jeep, is that correct?  
A. That is correct.
- Q. How long were you at the police station?  
A. After I entered the police station up to the time that the MPs investigated us it took about one hour.
- Q. At the completion of that, where did you go?  
A. I went either to the CIC or CID.
- Q. Were you questioned at whichever place you did go?  
A. Yes.



Q. How long were you at that place?  
A. Over two hours.

Q. Did you then return to the Chinese Mission?  
A. Yes.

DEFENSE: No further questions.

#### CROSS EXAMINATION

##### Questions by prosecution:

Q. I believe you said you were summoned out of your quarters to drive General Li to his quarters early in the evening, is that correct?  
A. You mean immediately?

Q. Strike that.  
Did you or did you not state that you drove General Li to his quarters in the evening on July the 19th?  
A. Yes, I stated this.

Q. You stated that you were summoned from your quarters, from your room; is that correct?  
A. Yes, Chen summoned me.

Q. What time of evening was this?  
A. A little after eight.

Q. At that time how long had you been in your room?  
A. I stayed in my quarters after supper.

Q. What time did you have your supper?  
A. At six.

Q. When was the last time prior to this that you left the Mission?  
A. I returned to the Mission about 5:30, and went to supper immediately.

Q. From where did you return?  
A. I went toward the Ginza, but I do not know exactly.

Q. Did you have a passenger with you?  
A. Yes.

Q. Who was the passenger?  
A. I do not recall.

Q. Why don't you recall, you seem to recall everything else that happened this evening?  
A. I carry many passengers during the day, it is not only this person.

Q. And you said you went toward the Ginza, is that correct?  
A. Yes.

Q. Do you know where towards the Ginza?  
A. I remember I passed through Ginza, but I do not recall where I went.



- Q. From the Chinese Mission Shimbashi Station is towards the Ginza, is it not?  
A. Yes.
- Q. Did you go to Shimbashi?  
A. No, I did not.
- Q. How did you know you didn't, you don't know where you went, do you?  
A. As I recall I went somewhere beyond the FX on Ginza, not towards the Shimbashi Station.
- Q. Isn't Shimbashi Station between the Chinese Mission and the Ginza?  
A. By "between" do you mean it's necessary to pass there?
- Q. I mean "between". You either know or you don't know. Please answer the question.  
A. However, I do not know what you mean by "between".
- Q. How long have you been driving for the Chinese Mission?  
A. About five months.
- Q. You know Tokyo pretty well, don't you?  
A. I do not know Tokyo very well, but in general I know Tokyo.
- Q. How long have you been in Tokyo?  
A. I've been in Tokyo since I came to the Chinese Mission. It's about five months.
- Q. Where were you before that?  
A. In Yokohama.
- Q. How long were you in Yokohama?  
A. About five or six years.
- Q. How old are you?  
A. Twenty-two.
- Q. What branch of the Japanese army were you in during the war?  
A. I was not in the Japanese army.
- Q. You never had any military training?  
A. I did not receive any training.
- Q. What time did you return to the Chinese Mission from General Li's quarters?  
A. About 8:40 or a little later.
- Q. You are sure it was 8:40?  
A. I said "about 8:40". I did not say exactly at 8:40.
- Q. Are you General Li's regularly assigned driver?  
A. No.
- Q. Did you earlier in the evening take General Li and Mr. Ling Ting Ping to the Showa School?  
A. I did not drive General Li except the time I took him to his quarters.
- Q. Who is General Li's regularly assigned driver?  
A. A Japanese.



- Q. What's his name?  
A. I believe his name is IWAMA.
- Q. Then why did General Li send for you to drive him instead of his regular driver?  
A. It seemed as if he was not there.
- Q. Did General Li's driver drive him to the Showa School earlier in the evening?  
A. I do not know.
- Q. You say it was 8:40, approximately 8:40 or a little later when you returned to the mission and there were two trucks there.  
A. Yes.
- Q. And what did the people in the trucks say to you when you returned?  
A. I asked them first.
- Q. What did you ask them?  
A. I shouted loudly, "Where are you going?"
- Q. Didn't you know where they were going?  
A. I did not know.
- Q. How did you know they were going anywhere?  
A. When I drove General Li to his quarters he told me to return immediately to the mission and guide them home.
- Q. But you didn't know where they were going?  
A. I did not know before I asked.
- Q. What did they say?  
A. They answered, "Toward Nakano and Shibuya."
- Q. If they were going towards Nakano and Shibuya why didn't they go with the other convoy that went to Nakano and Shibuya?  
A. When three of us, that is, Jeep drivers, got together we decided we would escort two trucks each, so they waited for me.
- Q. You three jeep drivers got together, is that right?  
A. Yes.
- Q. And didn't you also decide where you were going?  
A. No, I went back to my jeep and was about to ask when General Li got on my jeep.
- Q. Did you notice anything in the trucks when you returned to the mission?  
A. People were riding.
- Q. Were the people in the trucks when you returned?  
A. You mean all?
- Q. Yes.  
A. Those that were to ride my jeep were down, however I believe the rest of them were on the truck.
- Q. Did you get a good look at both truck bodies?  
A. Yes.



- Q. In which truck was the drum of gasoline?  
A. I did not notice.
- Q. Well then, you didn't get a good look at both truck bodies?  
A. I just saw the truck, I did not notice the inside of the body.
- Q. How many people were going to Nakano and how many were going to Shibuya?  
A. When I asked them in a loud voice, I believe about two or three answered to each direction.
- Q. Didn't you think it was rather foolish inasmuch as one convoy and one Chinese Mission jeep had already escorted several trucks to Shibuya for them to wait for you to go to Shibuya too?  
A. As I left the mission first, I did not know where the other vehicles went.
- Q. They had left when you returned to the mission, is that correct?  
A. There were only two trucks left. The others had gone.
- Q. What four people got in your jeep at the mission?  
A. I believe these four persons together with those on the truck.
- Q. Who were they?  
A. I did not ask their names. I learned this afterwards. One of the passenger's name was Cho, and there was another who was kept at the police station.
- Q. Why do you remember Cho's name and don't remember the rest?  
A. I met him afterwards about two or three times and was introduced to him.
- Q. Who seemed to be in charge?  
A. There wasn't anybody who took charge.
- Q. Are you sure of that?  
A. Yes.
- Q. Well, who was the spokesman when you arrived at the police station?  
A. Cho and myself complained of the shooting.
- Q. You were the only ones?  
A. There was another person who was complaining. He was kept at the police station.
- Q. Then you left for the Shibuya Station? What destination did you have in mind when you left the Chinese Mission?  
A. Since they said Shibuya and Nakano, I thought of going to the Shibuya Station first and then go to the Nakano Railroad Station.
- Q. Why couldn't you just make one trip and go to the Shibuya Station, let the people that wanted to go to Nakano get a train at the Shibuya Station for Nakano?  
A. There may have been persons who wanted to get off on the way to Nakano, but at that time I did not realize this.
- Q. What is the condition of the road on the route you took?  
A. It is an ordinary road.
- Q. How is it better than the other road?  
A. It is a shorter road and it is level. I always use this road.



- Q. How much shorter?  
A. As I estimate, if this road takes ten minutes, the other would take about fifteen minutes.
- Q. You say you always use it. How do you mean that?  
A. In order to go to Shibuya this is the only road that I use.
- Q. Have you ever used the other one?  
A. Yes, I have passed the other one.
- Q. You know don't you, by using the other road you can get to the Shibuya Railroad Station without passing the Shibuya Police Station?  
A. Yes.
- Q. Which occupant of the jeep told you to go by the Shibuya Police Station?  
A. Noone told me.
- Q. Did you overhear any of the conversation of the occupants of the jeep on your way?  
A. No, they did not converse.
- Q. You are sure of that?  
A. Yes.
- Q. And as you approached the police station, you saw police on both sides of the road; is that correct?  
A. Yes.
- Q. What do you mean by, "on both sides of the road?"  
A. By two sides of the road I mean if there is a road, toward the sidewalk of the road.
- Q. How far from the Shibuya Police Station was this?  
A. About 120 or 130 meters away from the police station I saw the policemen about 20 or 30 meters ahead with my headlights.
- Q. They were easy to see with their white uniforms, weren't they?  
A. Do you mean white uniforms?
- Q. Yes.  
A. There were some with white uniforms and some with black uniforms.
- Q. Well, what did you do when you first saw these police?  
A. I just drove on as usual.
- Q. How fast were you driving?  
A. About twenty miles.
- Q. Well, what happened then?  
A. When I was about to pass between the policemen the shooting started.
- Q. And you ducked your head; is that correct?  
A. Yes.
- Q. And you didn't see another thing until the shooting was over, did you?  
A. After the jeep stopped, I hid in a depression and kept my head low.
- Q. That's right. You were scared when the shooting started, weren't you?  
A. Yes, I was trembling.



- Q. When the shooting first started you ducked your head until the jeep stopped and then when the jeep stopped why you jumped out of the jeep and hid, is that right?
- A. Yes.
- Q. Then you didn't mean it awhile ago when you said that you saw the policemen firing and you saw the flashes coming from their pistols, did you?
- A. When the firing started, I saw the flash and ducked my head.
- Q. And you didn't see anything until after the shooting had stopped, isn't that right?
- A. After I saw the flash I did not see anything, but I heard a passenger in the rear seat shout, "I am shot."
- Q. Well, as I said before, you didn't mean it awhile ago when you stated you saw all these flashes, did you, because you were scared and you ducked your head?
- A. When I heard the first report, I saw the flash and ducked my head.
- Q. And you didn't see anything until after the shooting was over?
- A. Yes, I did not see anything.
- Q. When your jeep stopped, did the truck pass you?
- A. I did not notice.
- Q. You were too scared even to notice whether the trucks that you were escorting passed you, weren't you?
- A. As I was excited and scared, I did not notice anything that happened.
- Q. Then to recapitulate your testimony, all you know, you were in a jeep, you saw some policemen, you heard a shot, you saw a flash, and that's all, isn't it?

DEFENSE: If the court please, we object to that recapitulation as being inaccurate and incorrect.

PROSECUTION: All right, we will strike that, "to recapitulate your testimony."

- A. Yes, until I hit.
- Q. You are quite sure of that?
- A. Yes.
- Q. Who was the occupant who said, "What is the idea of shooting at the mission jeep?", after it was all over?
- A. You mean after the shooting ended?
- Q. Yes.
- A. A person named Cho.
- Q. When you went into the police station, did you go in with all four of the occupants together?
- A. Yes.
- Q. The lights were on in the chief's office?
- A. Yes.
- Q. Did you get a good look at your companions?
- A. Yes.



Q. You told the chief you were going to report it to the Chinese Mission?  
A. Yes.

Q. And when you told him that, the chief said, "Wait till I call the MPs to escort you home," didn't he?  
A. No.

Q. Don't you remember telling me and Mr. Scott that when you went into the police station the chief told you that he was sorry that the Chinese Mission jeep was shot at, and that if you would wait, he would call an MP escort to see that you got back to the Chinese Mission safely? Don't you remember that?

DEFENSE: If the opposing counsel intended to imply by that question that conflicting statements were made to him, then we object to the question on the ground there is no evidence that such conflicting statements were made to Mr. Elliott and Mr. Scott.

PROSECUTION: If the court please, I was implying nothing; just the proper questioning on cross-examination.

LAW MEMBER: Objection is overruled; however, if you are trying to refresh the witness' memory, remind him of when and where this took place and under what circumstances, the reason for it.

PRESIDENT: At this time the Commission will take a ten minute recess.

The Commission then took a recess until 1050, at which hour the personnel of the Commission, prosecution and defense, and the accused, interpreters and the reporter resumed their seats.

PROSECUTION: The witness is reminded he is still under oath.

Q. Do you recall sometime in September, approximately the middle of September, talking with Mr. Scott here and myself at the Chinese Mission about this Shibuya incident. At that time I was an officer in the United States Army.

A. I seem to recall that.

Q. And do you remember when you were driving a Mr. Lou out to the Eighth Army Stockade again talking with Mr. Scott, Mr. Hagan and myself? At the time Mr. Hagan and I were dressed in army clothes, and you pointed out to us the bullet holes in the jeep.

A. Yes, I recall.

Q. And do you remember telling us that when you explained to the Chief of Police that you were from the Chinese Mission, your jeep was a Chinese Mission jeep and asked him why he shot at you, the Chief replied to you that he was sorry, he didn't intend to shoot a Chinese Mission jeep, and he would call the Military Police to see that you got back to the mission safely. Do you recall that.

DEFENSE: If the court please, the defense objects to that question, unless it is the intention of prosecution to introduce in evidence the proof of the correctness of the statements that counsel has just made. We take the view that it is improper for counsel himself indirectly to become a witness in this case through means of cross-examination unless he intends later to prove these, what he claims to be contradictory statements, having been made.



PROSECUTION: At this time I make this observation: that prosecution will put on whatever rebuttal witnesses it deems necessary.

DEFENSE: That does not go far enough, if the court please. The prosecution should not be permitted in this way to testify in this case.

PROSECUTION: If the court please, it seems to me that prosecution is not testifying, and it seems the counsel is afraid to have this witness testify. I asked him a question; he can answer it yes or no.

LAW MEMBER: Objection is overruled.

A. I do not say such a thing. When I was asked about the bullet holes, I said that there was one in the rear, one on the windshield and one on the side.

Q. I am referring to the conversation we had at the Chinese Mission in the presence of Mr. Li, the secretary of the Chinese Mission, who acted as interpreter generally and Mr. Ling Ting-Ping and a Formosan by the name of Mr. Chen. Do you recall that?

A. When I went there I believe that General Li was not present; the others may have been present.

Q. Do you remember making the statement to me, the statement that was just asked?

DEFENSE: If the court please, may the defense ask that the question be made more clearly. I myself do not understand what the question means.

LAW MEMBER: The reporter will read back the original question.

The reporter read the question.

DEFENSE: If the court please, may the defense object to that question on the ground that it contains many more questions than one. "Do you remember that conversation?" is the question. If the witness says "yes", then he is bound by his answer that he remember the whole of the conversation and every part of it as it has been stated by the prosecution. He might remember some part of it, he might not remember other parts of it. For that reason I think the question is very confusing and object to it for that reason.

LAW MEMBER: Objection sustained. It is suggested that you ask the witness if he remembers any part of that, and if so, what part.

PROSECUTION: If the Commission please, the court has already ruled on that once before, on that very question.

LAW MEMBER: This ruling pertains to the interpretation, the understandability. All you have to do is ask, "Do you remember any part of that conversation, and if so, which part?"

Q. Do you remember the conversation that took place in the conference room of the Chinese Mission on or about the 15 of September, 1946?

A. Yes.

Q. Do you remember that part of the conversation in which you stated that when you walked into the police station after the shooting was over, you told the Chief of Police you were from the Chinese Mission, you were driving a jeep of the Chinese Mission and that the chief said he was sorry, he didn't intend to shoot the vehicle of the Chinese Mission?



LAW MEMBER: I suggest that you pause there.

PRESIDENT: As a matter of procedure you are not following the SCAP Directive. From the question you could have stopped several places and gotten either a yes or no. You are getting too many facts and parts into it, you don't allow the witness to remember one part or forget another, whichever might be the case. You will get a no to the whole question, whereas he would say yes to some parts of it and no to other parts, possibly.

PROSECUTION: I will rephrase the question.

Q. You state that you remember the conversation; is that correct?  
A. Yes.

Q. Do you remember telling us that you went into the police station.  
A. Yes, I was brought to the police station. I said I was brought to the police station.

Q. Do you remember telling us that you explained to the Chief of Police that you were from the Chinese Mission and that the vehicle was a Chinese Mission vehicle?

DEFENSE: If the court please, the defense objects to the form of that question. I think the opposing counsel should put the question, "Do you remember that so-and-so," but "did you say so-and-so?" The question implies the thing was said that may not have been said and all. That is to say, Major Elliott, who is present might be mistaken as to what was said, but he implies repeatedly that something was said, and to that extent is testifying in this case.

PROSECUTION: If the court please, I don't know whether Mr. Faissou ever practiced law before, but that type of question is entirely proper on cross-examination. This evidently is a restatement of the law of evidence. In the second place the form in which I asked this question is the form which counsel suggested himself. He said, "Ask him if he remembers thus and so, ask him if he remembers parts of the conversation." Now on following that he is objecting to something else. That form of leading question is proper on cross-examination. I might add that defense has gone so far as to use that form on direct examination.

LAW MEMBER: Objection is overruled.

A. No, I did not say this.

Q. Well, then, you did not tell the Chief of Police that you were from the Chinese Mission, is that correct?

A. I asked the police chief what was the idea of shooting a jeep that belonged to the Chinese Mission, that is all.

Q. And do you remember telling us that the chief said that he didn't intend to shoot at a vehicle belonging to the Chinese Mission?

A. I did not say this.

DEFENSE: Defense objects, for the record if the court please, to this whole line of cross-examination.

PROSECUTION: I believe that's quite evident in the record.



- Q. Do you remember telling us that the chief told you to wait until the MPs came and they would see that you get back to the mission safely?
- A. I did not say this. The police chief told me to wait until the MPs came.
- Q. You waited there at his suggestion, didn't you?
- A. I was waiting until the MPs arrived.
- Q. You weren't being held there under force?
- A. I stayed there because I was told.
- Q. What time was it when you got back to the Chinese Mission that night?
- A. It was about ten o'clock.

PROSECUTION: That's all.

PRESIDENT: Any re-direct?

DEFENSE: No re-direct, Sir.

EXAMINATION BY THE COMMISSION

Questions by members:

- Q. How many passengers did you have in your jeep on the trip which returned you to the Chinese Mission at 5:30 P.M.
- A. On my trip over I carried one passenger. However, on my trip back I did not have any passengers.
- Q. Where did you drop this passenger?
- A. A little beyond the PX.
- Q. At the Showa Primary School?
- A. I do not know where the Showa Primary School is.
- Q. Do you know of a Chinese association that has an office in that area?
- A. Yes, I know.
- Q. Is that where you dropped your passenger?
- A. No.
- Q. At what time did you leave the Chinese Mission for this trip?
- A. A little after five.
- Q. Was this person a member of the Chinese Mission?
- A. There are quite a few repatriates, so I do not know.
- Q. I asked the question, if he was a member of the Chinese Mission. I was not speaking about repatriates. Was he a member of the Chinese Mission, official body?
- A. Since I saw this person only once I do not know whether he is employed at the mission or not.
- Q. Have you seen this person since?
- A. I do not know.
- Q. Did you go directly to this area where you dropped the person and return directly to the Chinese Mission?
- A. Yes.



- Q. And you never left the Chinese Mission between 5:30 and the time that you took General Li home?
- A. I went back to my quarters; I did not go out.
- Q. You stated that there were two trucks that followed you when you left the Chinese Mission, is that correct?
- A. Yes.
- Q. Were both trucks behind you when you arrived at the Shibuya Police Station?
- A. Since my jeep is faster than the truck, on the way I glanced back often and I saw the trucks following.
- Q. The two trucks were following you at the time you arrived at Shibuya Police Station?
- A. Yes.
- Q. When the shooting started, were both of these trucks behind you.
- A. I did not glance behind when the shooting started. I ducked.
- Q. You have stated that you glanced behind you frequently to determine whether or not the trucks were following you. Just before the shooting started, did you see the trucks behind you?
- A. When I saw the policemen about twenty or thirty meters ahead of me with my headlights, I did not glance back to see whether or not the trucks were following.
- Q. I ask the witness to respond to the question, please.
- A. No, I did not see.
- Q. How do you know the two trucks were behind you at any time then?
- A. On my way I glanced back several times to see whether the trucks were following, and they were.
- Q. Where were you when you glanced back the last time to see if the trucks were behind you?
- A. It was before I noticed the policemen.
- Q. I didn't ask you about the time factor; I asked you where were you when you looked back for the last time and saw the two trucks behind you.
- A. I cannot say where, because it was dark on both sides.
- Q. Did you ever stop your vehicle except the time you have related, that you ducked your head and the engine stopped?
- A. No.
- Q. In driving down to the Shibuya Police Station, did you see any vehicles ahead of you?
- A. I did not see.
- Q. There are some fairly long straightaways on that road just before you get to the police station, are there not?
- A. There is a straight road near the Ebisu streetcar stop.
- Q. You stated you were approximately 100 to 120 meters from the police station before you first saw a policeman, is that correct?
- A. Yes.



- Q. And the policemen were about thirty meters to your front shown up by your headlights, is that correct?
- A. I stated that I saw them about twenty or thirty meters ahead of me on both sides of the road.
- Q. How long were these lines on both sides of the road?
- A. When I first saw the policemen I did not notice whether they were lined up or not, so I could not tell.
- Q. I am using your answer that they were lined up on both sides of the road. I said, "For how far did these lines extend?"
- A. As I recall, they were lined up for a distance of about five meters.
- Q. How many policemen would be in a line five meters?
- A. I believe about twenty-five or twenty-six policemen; they were bunched up.
- Q. Apparently there is a mis-use of a word. You have used the statement that they were lined up; now you are talking about a bunch. Which is correct?
- A. It was not just one line of policemen, there were about two or three lines.
- Q. Where were these two or three lines, on the side of the road, across the road or where?
- A. On the side of the road.
- Q. As you previously stated, the lines of policemen you saw were five meters long; is that correct?
- A. Yes.
- Q. I believe you also testified that as you passed between these lines the shooting began; is that correct?
- A. I said that as soon as we entered between the rows of policemen the shooting started.
- Q. Did you see any rows of policemen besides the one that was five meters long?
- A. That is all I saw during the shooting.
- Q. Where did these shots come from--from these policemen on both sides of the road you spoke of?
- A. Yes.
- Q. I believe you testified to the fact that shooting started as you passed between these lines, and the first shots came from in front of you. Now who fired the shots from in front of you?
- A. I just saw the flash, and I could not tell who shot it. I believe it was some policeman.
- Q. Then it could have been the flash from something else besides a gun, could it?
- A. I believe it could not have been some other thing, because the firing started at the moment I saw this flash.
- Q. You had heard no previous firing. Is that correct?
- A. The firing started as soon as I saw this flash, so I did not hear anything before this.



- Q. The policemen were standing at the edge of the road, were they?  
A. You mean when I first saw them.
- Q. Before the firing started?  
A. Yes.
- Q. And the first flash you saw came from directly in front of you, is that correct?  
A. As I heard the first report I saw the flash.
- Q. At that time was there a truck on the road in front of you?  
A. I did not see.
- Q. Did you at any time see a truck on the road between the police station and the Shibuya Railroad Station?  
A. I believe there was no vehicles in front of me.
- Q. As your headlight was shining down the street, could you see any policemen in the middle of the road.  
A. No.
- Q. Why do you say you believe the first shot was fired by a policeman if the shots came from directly in front of you, and yet you saw no policemen there?  
A. I saw many policemen afterward; when I came out of my hiding place I saw policemen on both sides of the road.
- Q. You will answer the question I put to you, and that was, "How could you say a policeman fired the first flash which came from directly in front of you and yet you saw no policemen in the headlights of your jeep?"  
A. I believe the first shot was fired by the policemen, because as long as we stayed between the lines of the policemen there was shooting from both sides.
- Q. If your jeep was passing through lines of policemen five meters long when the shooting started and you saw no policemen directly in front of you, why could you testify that the first shots came from in front of you?  
A. I said that a policeman started the shooting, because immediately after I saw the flash in front of me the policemen on the sides started shooting, so I testified that the policemen started the firing.
- Q. That precludes any possibility of the policemen returning the firing of someone firing upon them, does it?  
A. At that time I did not think of such a thing. I just thought that the policemen started shooting.
- Q. Are you offering into your testimony your guesses in this matter or are they based upon what you actually know?  
A. This is just my thought.
- Q. When you saw this flash, did you see anybody nearby -- any person nearby?  
A. I did not notice anything because I ducked as soon as I saw the flash.
- Q. With reference to the terrain as shown on that map, where did the flash come from and where were you at the time? Please go to the map and show.  
A. I do not understand the map.
- Q. Allright then, from how far in front of you did you see the flash originally?  
A. It was just a moment, so I could not tell how far away it was.



- Q. Was it right close to you?  
A. I clearly heard the report, but the flash was just a moment, so it seems as if near and yet far, I could not tell.
- Q. Did you finally recover the jeep yourself?  
A. Yes, I drove it back.
- Q. Where did you find it when you went back for it?  
A. It was where I stopped the jeep.
- Q. Where was that?  
A. A little toward the Shibuya Railroad Station beyond the police station there are two homes, and the jeep was a little beyond the two homes toward the Shibuya Railroad Station.
- Q. Are you speaking about two homes on the river side of the street?  
A. On the river side.
- Q. Then you hid in the field just beyond the two homes on the Shibuya Railroad Station side?  
A. Yes.
- Q. In running out in the field, did you run into some policemen who had been on the edge of the road.  
A. I was so excited at that time I did not notice.
- Q. Was your jeep fired at just as you were getting out of it?  
A. I heard reports, but I do not know whether they were shooting at me or not. I was very excited.
- Q. How long a time elapsed between the first shots and the last shots?  
A. From one to two minutes.

PRESIDENT: Any other questions by the Commission? Any new matters in the opinion of the defense that needs cross-examination?

DEFENSE: No.

PRESIDENT: Does the prosecution desire to cross-examine on any matters that they believe to be true?

PROSECUTION: I would like to ask one question of the witness.

Questions by prosecution, continued:

- Q. You have testified that you glanced back at various times and noticed that both the trucks were following you, is that not correct?  
A. Yes, that is correct.
- Q. You testified that you drove this road regularly, am I correct on that?  
A. Yes.
- Q. Shortly before you get to the Shibuya Station there is a police box located fairly close to the road, am I correct in that?  
A. I did not notice.



Q. How far in the direction of Ebisu from the police station is there a bend or a turn in the road. I could possibly help the witness by bend or turn -- do you understand better if I use the word "curve"?

A. I believe it is over 600 meters.

Q. As you came around that curve or slight turn in the road, did you then look behind to see if the trucks were still following you?

A. Yes.

Q. And you say that is about, to your judgment, 600 meters from the police station?

A. Yes, I believe so.

Q. Did you look behind again after that time?

A. About once.

Q. After you first came around the curve you looked behind once and saw the trucks were following you, and between there and the police station you looked around another time and they were following you, is that correct?

A. As I made the turn I glanced back once and then glanced once more.

Questions by Commission, continued.

Q. At that time were both trucks following you?

A. Yes.

Q. Up to the point where you heard the shots and saw the flash did any of the trucks that you testified were following you go past you?

A. I did not notice.

DEFENSE: May I address the court sir: When defense counsel came into court this morning we were prepared to proceed with the next witness, but at that time some of the Chinese defense counsels brought us some information that vitally affects our presentation of that next witness or the manner in which we present our next witness rather, and we at this time move for an adjournment until tomorrow morning so that we can hold a conference with the Chinese witnesses on points that have come up.

PRESIDENT: Is it essential to the defense that the witness be put on in the sequence mentioned and that no other witness can be put on?

DEFENSE: It is, sir, yes.

PRESIDENT: Any objection by the prosecution?

PROSECUTION: No objection.

PRESIDENT: There being no further questions, the witness is excused.

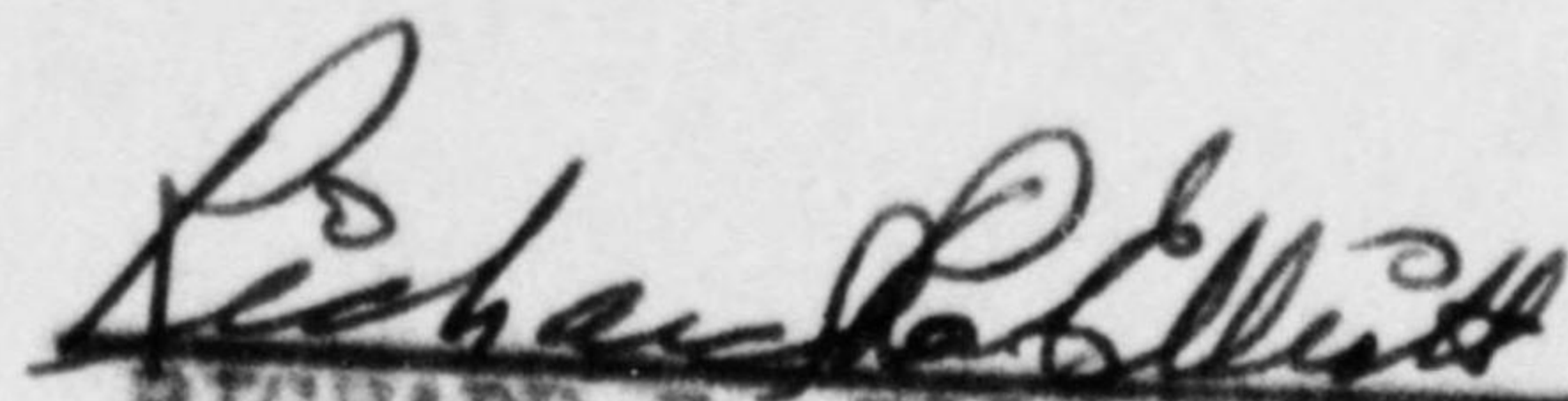
There being no further questions, the witness was excused and withdrew.

PROSECUTION: May I make one statement before adjournment. Awhile ago in answer to one of the defense's objections I was perhaps a bit vehement, and I didn't intend to deal in personalities, and I didn't mean to cast any reflection on the skill of Mr. Faissou in the practice of law.



PRESIDENT: At this time the Commission will adjourn to meet tomorrow morning at 0900.

The Commission then, at 1205 on 14 November 1946, adjourned to meet at 0900 on 15 November 1946.

  
RICHARD R. ELLIOTT  
Chief Prosecutor



Metropolitan Police Station  
Tokyo, Japan  
15 November 1946

The Commission met, pursuant to adjournment, at 0915, all the personnel of the Commission, prosecution and defense, who were present at the close of the previous session in this case being present.

The accused, interpreters, and the reporter were also present.

DEFENSE: The defense presents as their next witness Fang, Yun Ho, Defendant number 42.

Fang, Yun Ho, a witness for the defense, was sworn and testified as follows:

PROSECUTION: The witness will be sworn. In accordance with my conscience I swear to tell the truth. I will withhold nothing, I will conceal nothing.

A. (Through interpreter) I do.

PROSECUTION: Do you understand if you do not tell the truth as you have just sworn to do, you are liable to punishment by this Commission or any other American court or commission?

A. Yes.

PROSECUTION: State your name to the Commission.

A. Fang, Yun Ho.

#### DIRECT EXAMINATION

##### Questions by defense:

Q. On the afternoon of July 19th, 1946, were you at the Showa Primary School:

A. Yes.

Q. Why did you go there?

A. To hear a lecture.

Q. Who informed you that this lecture was going to be held?

A. My friend.

Q. Where were you informed of this lecture?

A. At Shinjuku.

Q. Did your friend tell you the nature of this lecture?

A. He did not know the nature of the lecture.

Q. Did he inform you who was going to give it?

A. He did not.

Q. What is your occupation?

A. Student.

Q. Where?

A. Tokyo Foreign Language School.



Q. How old are you?

A. Twenty-four.

Q. Were you attending school during the month of July 1946?

A. It was my summer vacation.

Q. Did you go to the Showa School this afternoon?

A. It is known as a Chinese School.

Q. Did you go there?

A. Yes.

Q. What did you find when you arrived there?

A. I heard people gathered to hear this lecture.

Q. Did you hear a lecture at this time?

A. Yes.

Q. By whom?

A. President Ling.

Q. Who is President Ling?

A. He is the Chief of Consular Affairs Section of the Chinese Mission.

Q. What did he say in his talk?

A. Before this a Chinese home in Shinbashi was attacked by Japanese bums and the occupants beaten. Also a Chinese family was also attacked at Shibuya by some Japanese bums, and Mr. Ling assured us that they would take necessary steps to settle this matter, so he told us not to worry.

PROSECUTION: If the court please, I object to this line of testimony and move that it be stricken unless witness knows this of his own knowledge.

DEFENSE: He is testifying to what Mr. Ling referred to at the meeting. I can ask him.

LAW MEMBER: It is what he heard, therefore the objection is overruled.

Q. Referring to these attacks on Chinese you mentioned, did you know of these attacks before you attended the meeting or were you informed of them at the meeting?

A. I knew this for the first time when I heard this.

Q. What more did Mr. Ling say?

A. I do not know.

Q. Do you recall whether Mr. Ling said anything about the Chinese Mission, the Office of Consular Affairs handling these matters?

A. He said that the Chinese Mission will settle this.

Q. Did you understand the language in which Mr. Ling was speaking?

A. I could not.

Q. Was the translation of Mr. Ling's talk made?

A. Yes.



- Q. Did you understand this translation?  
A. I could not.
- Q. What language was the translation made in?  
A. ~~Faisan~~ Fukien.  
AB
- Q. What dialect do you speak?  
A. Hakka.
- Q. Did anyone translate Mr. Ling's speech into your dialect?  
A. I asked my friend to interpret for me.
- Q. Did he do so?  
A. Yes.
- Q. At this meeting did you see anyone present with clubs or pistols?  
A. No.
- Q. If, as you say, you are a student, what interest did you have in attending this lecture?  
A. Since I was informed that there was a lecture and I liked to attend these lectures and meetings, I attended.
- Q. Why do you like to attend these lectures and meetings?  
A. Whenever there were meetings or lectures I attended, because I thought it would be educational for me.
- Q. What are you studying as a student?  
A. English.
- Q. What's the name of the school you attend?  
A. Tokyo Foreign Language School.
- Q. After the lecture was over, did you leave the school grounds immediately?  
A. I did not.
- Q. What did you do?  
A. I was playing ping pong.
- Q. In the school building?  
A. Yes.
- Q. For approximately how long did you continue to play ping pong at the school?  
A. About an hour.
- Q. Did you leave the school after you finished this hour's ping pong.  
A. Yes.
- Q. Why did you leave the school at that time?  
A. When I was playing ping pong I heard somebody say, "We're going to the Chinese Mission," so I went out.
- Q. You mean you went out in the school yard.  
A. Outside of the school.
- Q. Did anyone say why they were going to the Chinese Mission?  
A. I overheard someone say that they are going to the Chinese Mission to appeal to the Mission.



- Q. Appeal for what?  
A. They did not say.
- Q. Did you go?  
A. Yes.
- Q. Did you ride there on any vehicle?  
A. Yes.
- Q. A truck?  
A. Yes.
- Q. Why did you go to the Chinese Mission?  
A. Because I wanted to.
- Q. Why did you want to?  
A. Because the others were going, and since I had not gone to the Chinese Mission, I wanted to go and see the mission.
- Q. Did you have any particular reason of your own for going to the Chinese Mission to make an appeal?  
A. I did not have.
- Q. Do you mean your main reason in going to the Chinese Mission was to see the Chinese Mission because you had never seen it before?  
A. Yes.
- Q. What route did you follow to the Chinese Mission?  
A. As I was engaged in conversation on my way over to the Mission, I do not know exactly where we passed, but I seem to recall that we passed beside the Hibiya Hall.
- Q. Do you have any recollection of going near Shimbashi Station?  
A. No.
- Q. But you do recall going near Hibiya Hall?  
A. Yes.
- Q. When you arrived at the Chinese Mission, what happened?  
A. When I reached there I saw one or two trucks had already arrived before us.
- Q. On your way from the school to the Chinese Mission did any jeeps stop you or did any officials of the Chinese Mission stop you or meet you on the way?  
A. No.
- Q. You say there were already two trucks at the Mission when you arrived there?  
A. Yes.
- Q. Did you go into any building at the Chinese Mission that night?  
A. Yes.
- Q. Did anyone address you in that building?  
A. Yes.
- Q. Who?  
A. General Li.



- Q. And what did General Li say?  
A. In general, the same things that President Ling said.
- Q. Where did you go from the Chinese Mission at the conclusion of this meeting?  
A. I went home.
- Q. Did General Li say anything, to your recollection, advising that those people at this meeting should go home?  
A. Yes.
- Q. Did the people attending the meeting give any indication that they agreed with General Li's advice to go home?  
A. Yes.
- Q. How?  
A. Because everybody had their hands raised I asked my friend what this meant. When he said that it was to indicate that everyone agreed to General Li's suggestion, I also raised my hand.
- Q. Was General Li's speech translated by a friend of yours so that you understood what was going on?  
A. No, he did not.
- Q. Did anyone explain to you what was said at this meeting by General Li?  
A. When I asked my friend what was said at this meeting he said that in general, the same things that President Ling had said.
- Q. Was this the same friend that you had originally gone to the Chinese School with this afternoon?  
A. No.
- Q. What happened to that first friend?  
A. My friend went home before I did when I was playing ping pong.
- Q. And after the meeting was over, did you get on board any of the trucks that were at the Mission?  
A. Yes.
- Q. And did you leave the Mission?  
A. Yes.
- Q. Were there any jeeps that left the Mission with you?  
A. Yes.
- Q. Where did these jeeps come from?  
A. When I was on the truck, the jeep arrived at the Mission, and this jeep accompanied us.
- Q. Do you know whether this was the jeep belonging to the Chinese Mission or not?  
A. Yes.
- Q. Do you know why this jeep happened to go with you?  
A. I did not know.
- Q. What number truck were you in, in order of leaving the Chinese Mission?  
A. The last.

PRESIDENT: That is not responsive to the question.



- Q. What numbered truck was the last truck?  
A. When I left, the last truck was the second truck.
- Q. How many trucks were there at the Mission in all?  
A. As I recall, about five or six.
- Q. Do you know whether it was five or six?  
A. Yes.
- Q. You are not certain which?  
A. Six, I am sure of six.
- Q. And you were the last or sixth truck to leave the Mission?  
A. Yes.
- Q. How many other trucks left with you at this time?  
A. One other truck.
- Q. How much time elapsed between the time your truck and this other truck left and the time the last previous truck had gone?  
A. About twenty minutes.
- Q. Why did you get on the sixth truck?  
A. As I came out of the auditorium I got on the truck that was nearest to me.
- Q. Did anybody say where this truck was going?  
A. When I asked the occupants of the truck, one of them answered that this truck was going towards Shibuya.
- Q. Where do you live?  
A. At Shibuya-Ku Yoyogi, Uehara-Cho.
- Q. Did any of these occupants say why this truck was going to Shibuya?  
A. No.
- Q. Did they say it was going to Shibuya Railway Station?  
A. Yes.
- Q. Do you live close to the Shibuya Railway Station?  
A. Twenty minutes by walking or five minutes by bus.
- Q. How did you intend to go home this night, walking or by bus?  
A. I intended to walk.
- Q. From where?  
A. From the Shibuya Railroad Station.
- Q. Was it your belief that you would get on this truck and ride to the Shibuya Railway Station and get off and walk home?  
A. Yes.
- Q. Did the driver of the jeep that was leading your two trucks speak to anybody on your truck?  
A. I believe he did.
- Q. Do you remember what he said?  
A. He asked, "How far are you going?"
- Q. Did anybody reply to that from your truck?  
A. About four or five answered. Some of them said Nakano and others Shibuya Railroad Station, and then there were some that said the truck that is in front of us will leave for Nakano.



- Q. Where were you on this truck?  
A. About the center of the truck.
- Q. Were you standing or sitting?  
A. Sitting.
- Q. On the floor of the truck?  
A. Yes.
- Q. Did you see any spare tires in this truck?  
A. No.
- Q. Did you see any clubs or weapons held by any occupants?  
A. No.
- Q. Did you see any clubs laying on the floor of the truck?  
A. No.
- Q. Do you recall the route that this truck took toward Shibuya Railway Station?  
A. No.
- Q. Do you recall whether you went by the Ebisu Station?  
A. No.
- Q. You say that you were sitting down on the floor of the truck; were you able to observe, to see over the side of the truck?  
A. Yes.
- Q. As you approached the Shibuya Police Station, did you see any policemen?  
A. Yes.
- Q. About how far before you came to the Shibuya Police Station do you estimate you saw the first police?  
A. About a distance of 150 or 160 meters.
- Q. Did you notice whether any of these police were armed?  
A. Yes.
- Q. Did you notice whether any of these police had their weapons drawn?  
A. Yes.
- Q. Did you notice whether any of these police had any weapons other than pistols?  
A. I did not notice.
- Q. Did you hear any shots?  
A. Yes.
- Q. From where did you hear the first shot?  
A. I heard the reports from in front of the truck on both sides of the road.
- Q. Did you see anyone firing pistols?  
A. I did not.
- Q. What did your truck proceed to do? Did it continue down the street?  
A. Yes.



- Q. Was your truck hit by any of these shots?  
A. I do not know.
- Q. What eventually happened to your truck?  
A. It proceeded a little, then the engine reared, the truck turned left and collided with a building.
- Q. Was that on the riverside of the road or the police station side of the road?  
A. On the riverside.
- Q. Why did it leave the road, why did your truck leave the road?  
A. At that time I did not know.
- Q. Do you know now?  
A. Yes.
- Q. Why did it leave the road?  
A. I heard that the driver was shot and died.
- Q. Was anyone else on your truck other than the driver injured, to your knowledge?  
A. Yes.
- Q. How many?  
A. I do not know.
- Q. Did you hear or observe any shots fired from your truck?  
A. No.
- Q. Do you know if anyone in your truck had a weapon or a pistol?  
A. I do not know.
- Q. After your truck collided with this building, what happened?  
A. As soon as the truck collided, I heard many people around the truck shouting.
- Q. Who were these people?  
A. Policemen.
- Q. What were they shouting?  
A. They were saying, "Don't move or we'll shoot. Tonight we are going to kill about twenty of you. We have not lost this war to your country."
- Q. Did any of them have pistols in their hands?  
A. When they were saying this, I could not see.
- Q. Did any of them throw anything at your truck?  
A. I do not know.
- Q. How long did you remain on the truck after you collided?  
A. About thirty minutes.
- Q. Were you finally allowed to leave the truck after thirty minutes?  
A. We went down from the truck after we were told to come down, one by one, with our hands up.
- Q. Where did you go then?  
A. Into the police station.



- Q. What happened in the police station?  
A. We were given a physical examination.
- Q. By whom?  
A. The police.
- Q. What for?  
A. I do not know.
- Q. Were you injured yourself?  
A. No.
- Q. Were you questioned by the police?  
A. Not at that time.
- Q. Were you later questioned by the police?  
A. Yes.
- Q. When?  
A. The next day, the 20th of July.
- Q. Who were you questioned by?  
A. I do not know.
- Q. Have you ever registered for repatriation?  
A. No.
- Q. Have you ever registered for any purpose as a Formosan?  
A. Yes.
- Q. For what?  
A. Register for nationality.
- Q. Where did you register for nationality?  
A. The Federation of Chinese Association.
- Q. Where is that located?  
A. The office is at the Chinese School.
- Q. You had been to the Chinese School then before the 19th of July?  
A. Yes.
- Q. What do you understand registration for nationality to mean?  
A. Chinese who are residing in Japan have to register.
- Q. For what purpose?  
A. I do not know.
- Q. Did you observe on this truck in which you were riding an oil drum this night?  
A. I did not.
- Q. While you were proceeding down the street in the area of the police station, approximately how many shots did you hear?  
A. I heard many shots at once, so I could not determine.
- Q. From what direction or directions did they come?  
A. On both sides of the road.



Q. Were the occupants of your truck shot?

A. No.

Q. While your truck was being shot at what was the behavior of the men on your truck? What were they doing?

A. They were low on the truck.

Q. Why were they low on the truck?

A. Because they were being shot at.

DEFENSE: No further questions.

#### CROSS EXAMINATION

##### Questions by prosecution:

Q. When did you arrive in Japan?

A. In 1939.

Q. When did you enroll in this language school in which you state you are a student?

A. In April of 1945.

Q. When did you first start attending this school?

A. In April.

Q. 1945?

A. In 1945.

Q. What were you studying at that time?

A. English.

Q. Any other subjects besides English?

A. None besides that.

Q. You started to school in April of 1945. How many months did you go at that time before you had your vacation?

A. There was no summer vacation last year. The summer vacation this year started in June.

Q. In 1945 did you go to school in April, May, June and July?

A. Yes.

Q. The name of this school was the Tokyo Foreign Language School. Is that correct?

A. Yes.

Q. How could you study English in April, May, June and July, 1945, when the English language was not taught in Japan during the war?

A. It was taught at the Foreign Language School.

Q. When the police arrested you on the 19th of July, 1946, what occupation did you tell them that you had?

A. A student.

Q. Isn't it true that you told them that you had no occupation?

A. I did not.



- Q. You testified that you registered sometime before the 19th of July 1946 at the Chinese Federation. Can you give us the date when you registered?
- A. I do not recall when.
- Q. Do you recall the year?
- A. This year.
- Q. 1946?
- A. Yes.
- Q. During the war did you register?
- A. No.
- Q. Do you know whether or not all allied nationals were required to be registered in Japan during wartime?
- A. I did not.
- Q. You do know that you did not register for any purpose until 1946, however. Is that not true?
- A. I did not register.
- Q. You at no time have given up your Chinese Citizenship, have you?
- A. After the end of the war I recovered my Chinese Nationality.
- Q. You speak Japanese, do you not?
- A. Yes.
- Q. Do you read Japanese also?
- A. Yes.
- Q. And you know, do you not, that allied nationals were required to register during the war?
- A. I did not know.
- Q. You did not claim to be an allied national during the war, did you?
- A. Because of the occupation by the Japanese government we were not considered as Chinese Nationals on the surface.

PRESIDENT: I don't quite understand that answer. Will you please read that answer back.

The reporter read back the last answer.

PRESIDENT: The answer appears to be meaningless to the Commission, and the Commission requests that the translators endeavor to find a translation that carries a meaning.

- A. (Continued) As the result of the aggression policy of Japan, we were not considered Chinese Nationals on the surface.

DEFENSE: If the court please, unless this line of examination is intended to question the credibility of the witness, the defense objects to it as being irrelevant.

LAW MEMBER: Objection is overruled.



- Q. What have you been doing during your vacation from school this summer?  
A. I was taking lessons in French, and in August I had planned to go up to Karuizawa.
- Q. Did you do any work of any kind during the early part of 1946 prior to the time that you were arrested?  
A. I did not.
- Q. You are well acquainted in Shibuya, are you not?  
A. I am not.
- Q. Are you familiar with the Shibuya area?  
A. No, I am not too familiar.
- Q. Prior to the 19th of July did you frequent the area near the Shibuya Railroad Station?  
A. I have gone to that area.
- Q. Did you ever serve as a guard for any of the stalls in that area?  
A. No.
- Q. How long have you lived at Yoyogi, which is in Shibuya ku?  
A. Seven years.
- Q. And you have testified that it is five minutes by bus and twenty minutes walking distance from the Shibuya Railroad Station, and you still say that you are not acquainted with the area?  
A. By "being familiar with the area", what are you basing your question on?
- Q. What do you know about the area?  
A. I know the main highway, the railroad station and the theaters.
- Q. Do you know the location of most of the stalls operated by Formosans in that area?  
A. Yes.
- Q. Do you know where that archway was located that was torn down by the police in April, 1946?  
A. Yes.
- Q. Do you know where the Office of the Third Detachment of the Chinese Federation is located?  
A. I do not know.
- Q. To what branch of the Chinese Federation do you belong?  
A. I am a member of the Chinese Federation, The Federation of Chinese Association.
- Q. What branch of it?  
A. There is no branch. I am just a member of the Chinese Association.
- Q. Do you belong to any organizations in the Shibuya Area?  
A. No.
- Q. Did you ever belong to any organizations of Chinese or Formosans other than the Chinese Federation which you have just mentioned?  
A. No.



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A. There is no branch. I am just a member of the Chinese Association.
- Q. Do you belong to any organizations in the Shibuya Area?  
A. No.
- Q. Did you ever belong to any organizations of Chinese or Formosans other than the Chinese Federation which you have just mentioned?  
A. No.



Q. Do you know Sai Ryu To?

A. I do not.

Q. What officers of the Chinese Association do you know?

A. President Jin Rei Kei. That is the Japanese pronunciation.

Q. Any others?

A. Ko Yoku Jun, charge of liaison, Han Shi To, the head of the Interior Affairs Department. That is all the officers I know.

Q. Did the Chinese Federation or any Chinese Association have an office in the area near the Shibuya Railroad Station?

A. No.

PR ESIDENT: At this time the Commission will take a 15 minute recess.

The Commission then took a recess until 1045, at which hour the personnel of the Commission, prosecution and defense, and the accused, interpreters and the reporter resumed their seats.

PROSECUTION: The witness is reminded that he is still under oath.

Q. Do you get your rations in Shibuya?

A. No.

Q. Where do you get them?

A. At the Federation of Chinese Association and the Yoyogi Uehara Street Association.

Q. By "Chinese Association" to what office are you referring?

A. The welfare section.

Q. Where is the place actually located where you receive them?

A. At the Takasago Building.

Q. Where is that located?

A. That is at Hongo Nasago-Cho.

Q. Did you ever receive your rations at the Showa School?

A. Yes.

Q. Often or not?

A. Often.

Q. Did you sometimes receive them in the area near the Shibuya Railroad Station?

A. No.

Q. On the 19th of July where were you when you first heard there was to be a meeting?

A. At Shinjuku.

Q. About what time of day did you first hear there was to be a meeting?

A. About 3:30.

Q. Who told you there was to be a meeting?

A. Also a Chinese student.

Q. What's his name?

A. I do not know.



- Q. Did you go to the meeting with the friend who told you about it?  
A. Yes.
- Q. And is that the same friend who told you what the speakers at the meeting were saying?  
A. Yes.
- Q. When did you part with that friend?  
A. When I was playing ping pong he said he is going, and he went home.
- Q. Did you see him again that day?  
A. No.
- Q. Is the man who first told you about the meeting one of the defendants in this case?  
A. No.
- Q. Do you recall the conversation you had with the Japanese Police Officer who questioned you on the 20th of July of this year?  
A. Yes.
- Q. Did you tell him that you first heard of the meeting about noon on the 19th of July?  
A. No.
- Q. Did you tell him that you first heard of the meeting when you were in front of a stall in the Shibuya area?  
A. No.
- Q. Did you tell him the name of the friend with whom you went to the meeting?  
A. No.
- Q. Did you tell him how you went to the meeting?  
A. Yes, I told him that I took the Chuo Line.
- Q. Isn't it true that you told him that you went to the meeting with a friend in a taxi?  
A. I did not.
- Q. And you are sure that you did not mention the name of the friend with whom you went to this school meeting?  
A. I am positive I did not mention his name.
- Q. Do you know one of the defendants named Non Hogi?  
A. Yes.
- Q. Did you mention his name to this Police Inspector as the friend with whom you went to the meeting?  
A. I did not.
- Q. Sometime after the incident do you recall being questioned by a Special Agent of the GIC?  
A. Yes.



- Q. And you were questioned relative to the events of the 19th of July. Is that not true?
- A. Yes.
- Q. What time did you arrive at the meeting place?
- A. About four o'clock.
- Q. At the time you were told about the meeting, did you know that it was a meeting to be attended primarily by Formosans?
- A. No.
- Q. Did you go to the meeting by electric line, elevated railroad or by street-car line?
- A. Elevated line.
- Q. At what station did you leave the train?
- A. At the Tokyo Station.
- Q. How far from the Tokyo Station is the Showa School located?
- A. About five minutes' walk.
- Q. As you approached the school what did you see near the school?
- A. I saw dancing at the Tokyo Club.
- Q. Did you see any trucks, cars or vehicles parked near the Showa School?
- A. Yes.
- Q. How many did you see?
- A. Several.
- Q. Give us the approximate number that you saw?
- A. About four or five.
- Q. What type of vehicles are you mentioning now?
- A. Trucks.
- Q. Did you see any sedans?
- A. Yes.
- Q. About how many sedans?
- A. One.
- Q. Did you see any jeeps?
- A. No.
- Q. Where were they parked?
- A. On the side of the road leading to the Showa School.
- Q. By that do you mean the main road that comes from Tokyo Central Station or the road that leads off that main road and to the school building?
- A. The main highway.
- Q. By that you mean the main highway that runs from the Tokyo Central Station down to the street we know as Ginza, or Ginza Street?
- A. Yes.



- Q. So that as you walked from the Tokyo Central Station down toward the Showa School you passed these vehicles as you walked to the school. Is that no true?
- A. No, I did not pass.
- Q. Did you pass the vehicles?
- A. No.
- Q. Did you turn off this main road before you got as far as the place where the vehicles were parked?
- A. Yes.
- Q. As you left the Tokyo Station walking down toward the Showa School, were you walking on the right or the left hand side of the street?
- A. On the right side.
- Q. By that you mean your right side as you were walking along, is that not true?
- A. Yes.
- Q. How close did you walk to these trucks before you turned off to go to the Showa School?
- A. Just before I reached the vehicles I turned left.
- Q. Anybody in those trucks or sedans at the time that you turned off just before reaching them?
- A. No.
- Q. Do you know whether those trucks and that sedan were used by any of the Formosans or Chinese who were attending that meeting?
- A. I did not know.
- Q. Did you see any trucks or sedans parked closer to the school entrance than these trucks and sedan?
- A. No.
- Q. As you turn off this road onto the side road leading past the side of the school, were there any vehicles parked on that side of the school building along this narrower road?
- A. No.
- Q. What entrance did you use in entering the school?
- A. The front gate.
- Q. Did you see any vehicles parked along the narrow road that runs by the front gate of the school?
- A. No.
- Q. As you were in front of the entrance to the school, did you see any vehicles parked on the narrow road which runs by the other side of the school?
- A. I did not.
- Q. When you arrived at the school was the meeting in progress?
- A. No.
- Q. About how many people were there?
- A. I believe about 400 persons.



- Q. How long were you there before the meeting started?  
A. About thirty minutes.
- Q. Did more people arrive before that interval?  
A. I did not notice.
- Q. When you left there where was the truck parked that you rode on?  
A. Near the corner.
- Q. By "the corner" do you mean the corner where you saw the vehicles when you first came to the school?  
A. Yes.
- Q. Did you get on one of the vehicles which you had seen parked there?  
A. I believe so.
- Q. Did you notice if any of the people who had been at the meeting got in the sedan which was parked there?  
A. No.
- Q. Did you notice if any of them got on the other truck which was parked there?  
A. Yes.
- Q. When the meeting was over were there other trucks at or near the school used by Formosans other than the two you have just talked about?  
A. I did not.
- Q. When you left the school the only two trucks you saw used then were the two trucks which you had seen parked when you first came to the school. Is that correct?  
A. I mentioned that I saw two or three trucks.
- Q. In that place, the same place where you saw them when you first came to the school?  
A. I saw two or three trucks when I first came to the school.
- Q. When you finally left the school when you heard someone say they were going to the Chinese Mission did you see Formosans get on any other trucks other than the three trucks parked in the area that we have been discussing?  
A. No, I did not.
- Q. Do you know whether these other two trucks followed your truck or not, or did your truck follow it?  
A. I believe that the truck I rode was the last one.
- Q. Don't you recall whether or not your truck left before the other two, with them or later?

DEFENSE: If the court please, I have it down in my notes here that the witness has said that there were two or three trucks there. Now I believe the opposing counsel is asking him about two trucks following him.

PROSECUTION: Strike that. I have no intention on the number whatsoever.



Q. Do you recall in which truck you left, whether it was the first one to leave, the second one to leave or the third one to leave of the three trucks which you saw parked on the street at the corner?

A. It was the last truck.

Q. Did you see the other trucks leave?

A. All the trucks left the same time.

Q. So these other two trucks then were ahead of you as they left?

A. Yes.

Q. In what direction did the trucks go?

A. Toward Sukiya Bridge.

Q. Is that the bridge between the Showa School and the Tokyo Station?

A. No.

Q. In what direction is it from the Showa School?

A. Toward the Asahi Newspaper Building.

Q. The three stippled figures I have drawn will indicate Tokyo Central Station. The line which I draw, horizontal line, will represent the railroad tracks which run through Tokyo Central Station. This will represent the road which leads from Tokyo Central Station down past the area of the Showa School.

A. I do not understand the sketch.

Q. There is a road which leads from the Tokyo Central Station, a wide road which leads from the Tokyo Central Station down past the Showa School, is there not?

A. Yes.

Q. Assuming that this is the road and this is the railroad tracks, then we have a canal, do we not, which runs immediately on the other side of the railroad tracks?

A. There was a canal, but I cannot place it on this sketch.

PROSECUTION: It is quite difficult for the witness to see the lines drawn on that map from his position because of the light that is shining on it.

PRESIDENT: He also seems to find it amusing.

Q. Immediately on the other side of the canal there is a street running parallel to it, is that not true?

A. Yes.

Q. And on this street approximately 100 meters from this intersecting canal is a building known as the Tokyo Club where you saw dancing that night. Is that not true?

A. Yes, I understand.

Q. And right behind this building is a building known as the Showa School?

A. Yes.

Q. Then there is a narrow road that leads from this road running from the Tokyo Central Station at right angles to it and past the Showa School. Is that not right?

A. I do not know.



- Q. Can you draw the road which leads from this road to the school and on which you walked that day?
- A. This is the Yaseo entrance. This is the bridge.
- Q. Where were these cars parked that you saw as you approached the school?
- A. These are trucks.
- Q. And this is a sedan?
- A. Yes.
- Q. What way were these trucks facing. Now as you left the school, which way did you travel.
- A. I rode on this truck.
- Q. And which direction did that truck go as you left the school?
- A. This truck made a "U" turn and proceeded in this direction.
- Q. And did the second truck follow it?
- A. Yes.
- Q. And your truck followed it?
- A. Yes.
- Q. And it went along this road which runs parallel to the canal. Is that right?
- A. Yes.
- Q. And in that general direction which you are traveling there are a number of bridges over that canal, is that not true?
- A. I did not notice.
- Q. Where is the Asahi Newspaper Building located?
- A. It's on the side of the Canal.
- Q. Is it between the canal and the elevated railroad tracks?
- A. Yes, there is the Nihon Theater.
- Q. And the Asahi Newspaper Office is on the same side of the corner as the railroad tracks?
- A. Yes.
- Q. There is a bridge across the canal just as you get to that newspaper building, is there not?
- A. I believe so.
- Q. Do you recall on which bridge you crossed the canal, whether it was the one near the Asahi Newspaper Building or a bridge closer to the Showa School?
- A. This bridge, Sukiya Bridge.
- Q. Then you came this way and turned in that direction. Is that right?
- A. Yes.
- Q. How far is this Asahi Newspaper Building from the Dai Ichi Building?
- A. I do not know.



- Q. What is the nearest building used by the Allied Occupation Force to this Asahi Newspaper Office?
- A. There is a building that was known as the Matsuda Building. I do not know what it is used for now.
- Q. This building you have drawn here is the PX?
- A. Yes.
- Q. That is the PX used in July. Is that right?
- A. Yes, that is the Eighth Army PX.
- Q. And that is on a street which the Allied Force knows as the Ginza?
- A. Yes.
- Q. Alongside that PX runs a road connecting this road, and down to this road leading to the Tokyo Station. Is that not right?
- A. Yes.
- Q. And as you turn here past the Asahi Newspaper Office and proceed some hundreds of meters you come to a corner where the Teikoku Building is located, do you not--the Provost Marshal's Building?
- A. Yes.
- Q. And on the corner opposite from it is part of the Meiji and the Imperial Palace Grounds, is that not true?
- A. Yes.
- Q. Do you know where Shimbashi is located?
- A. In this direction.
- Q. Continuing along the street which the Allies know as Ginza Street?
- A. Yes.
- Q. Did you on that evening, after leaving this intersection called the Provost Marshal Building Intersection, go into the area near the Shimbashi Railroad Station?
- A. No.
- Q. Do you know whether or not after leaving the Provost Marshal's corner it is necessary to drive near Shimbashi Railroad Station to get to the Chinese Mission?
- A. I do not know.
- Q. Do you recall where the three trucks in your group went after leaving this school?
- A. I do not know, but as I recall, we passed the Hibiya Hall.
- Q. And the Hibiya Hall would be located on the street which runs past the Provost Marshal's Building and in a direction which would be your left, is that not correct?
- A. Yes.
- Q. Do you remember if further on you passed the American Embassy or not?
- A. As I was engaged in a conversation, I did not see.



- Q. Were there any other vehicles in your group other than these three trucks at the time that you were driving along the route that you have indicated?
- A. No.
- Q. Were you at any time before you arrived at the Chinese Mission joined by any other vehicles?
- A. No, none joined us.
- Q. So when you arrived at the Mission your group consisted only of three trucks which were together when you left the Showa School?
- A. Yes, the three trucks reached together.
- Q. And when you arrived at the Mission, approximately what time was it?
- A. I do not have a watch, but as I recall, it was about 6:30.
- Q. As you drove into the Chinese Mission how many trucks did you see there ahead of you--your group.
- A. There were two Japanese trucks and one or two U.S. Military trucks.
- Q. Were there any jeeps?
- A. I did not see.
- Q. Were there any sedans?
- A. I did not notice.
- Q. At the Chinese Mission, where did your trucks park?
- A. In the courtyard.
- Q. That courtyard is located in front of the building as you enter the main gate. Is that not true?
- A. Yes.
- Q. That courtyard is an open space with a gravel or stony surface, is it not?
- A. Yes.
- Q. When you arrived, you saw two other trucks--Japanese trucks, two Military trucks, is that correct?
- A. Yes.
- Q. Describe the Military trucks.
- A. It was a small size truck.
- Q. Could it be a jeep?
- A. I believe it was not.
- Q. Do you recall seeing any jeeps there?
- A. No.
- Q. If there had been any jeeps in that courtyard you would have seen them, would you not?
- A. I do not know.
- Q. After you arrived at the Mission, what did you do?
- A. I went to the auditorium.



- Q. Did you go there right away?  
A. I waited until everybody got down, and then I went in together with them.
- Q. Before you entered the building, did any other vehicles arrive?  
A. No.
- Q. After you entered the lecture hall, did the meeting begin right away?  
A. We waited for quite awhile.
- Q. Did others arrive during that interval of waiting?  
A. I believe not.
- Q. Do you know why you were waiting?  
A. No.
- Q. Approximately how long did you wait?  
A. I believe we waited for about thirty minutes.
- Q. Did any more people enter the hall during that interval of waiting?  
A. No.
- Q. Do you know whether any more trucks arrived in the yard during that interval of waiting?  
A. I do not know.
- Q. What did you do during that thirty minute interval?  
A. I was reading a newspaper.
- Q. Did you have anything to eat?  
A. No.
- Q. Who opened the meeting at the Chinese Mission?  
A. General Li spoke.
- Q. Who opened the meeting? Who was the first man to stand up in front of the group and say anything to them?  
A. President Ling introduced General Li, and General Li spoke.
- Q. When did President Ling and General Li enter the hall?  
A. I first saw General Li about thirty minutes after I entered the hall.
- Q. That would be just before he began speaking, would it not?  
A. Yes.
- Q. When did you first see President Ling?  
A. When he spoke at the Chinese School.
- Q. When did you first see him at the Chinese Mission that evening?  
A. The same time that I saw General Li.
- Q. Do you know whether or not President Ling and General Li were waiting in the hall during the thirty minutes that you and the rest of them were waiting?  
A. I did not see, they were not waiting.
- Q. Do you know where they were?  
A. I do not know



- Q. How long did President Ling speak?  
A. About two or three minutes. He only made the introduction.
- Q. How long did General Li speak?  
A. About thirty minutes.
- Q. In what language did General Li speak?  
A. Chinese.
- Q. Did you understand him?  
A. No.
- Q. Were any other dialects or any other language spoken other than the one General Li spoke?  
A. There was an interpreter.
- Q. Did you understand any language that was spoken?  
A. No.
- Q. So what you know of the meeting was what some friend at the meeting told you. Is that correct?  
A. Yes.
- Q. How long after the meeting was it that you left the Mission?  
A. About twenty minutes.
- Q. About what time of the evening did you leave the Mission?  
A. I do not have a watch, so I do not know exactly, but as I recall, it was about eight o'clock.
- Q. Do you recall how long it took you to drive from the Chinese Mission to the Shibuya Police Station?  
A. I believe about thirty minutes. I do not know exactly.
- Q. If you arrived at the Chinese Mission at approximately 6:30 and if it took you thirty minutes to drive from the Mission to the Shibuya Police Station, then you must have been at the Mission approximately two hours. Am I correct in that?

DEFENSE: If the court please, that is merely a matter of calculation, and I think the court is able to calculate the time.

PROSECUTION: It's true. All the evidence in the case is the incident happened at approximately 1900. I am merely trying to refresh the witness. It is obvious that he is mistaken as to the time. I am trying to see if we cannot aid him in fixing the time element. He states that he arrived at the Mission at approximately 6:30, and assuming, if he is correct, that it took him twenty minutes to go to Shibuya, that means he would have left approximately 8:40, which would be two hours and ten minutes interval. He has only accounted for thirty minutes of waiting, twenty minutes of speaking and then twenty minutes before departure, which would be merely seventy minutes. Quite obviously his approximations are wrong, and I thought we probably could assist him in determining whether or not he may have arrived at the Mission later, or whether or not the meeting may have lasted longer.



DEFENSE: The witness has said every time he has been asked a question which required a statement as to time that he had no watch and he didn't know and he thought it was about that, or it was approximately, or something of that kind. He qualified, I think, his answer every time he made an answer respecting time.

PROSECUTION: That is very true. There is no attempt to impeach him whatsoever. I merely thought we might be able to assist him to account for an hour and ten minutes of his time.

LAW MEMBER: Objection is overruled.

Q. If you arrived at the Mission at 6:30 and left there twenty minutes before you arrived at the police station, then you would have been at the Mission about two hours and ten minutes. Do you think that you were there that long, or do you think you might be mistaken as to when you arrived or as to the length of time of waiting or speech-making?

A. I said it would take about thirty minutes to Shibuya Railroad Station.

PRESIDENT: At this time the Commission will adjourn, to meet at 1350.

The Commission then took a recess until 1350, at which hour the personnel of the Commission, prosecution and defense, and the accused, interpreters and the reporter resumed their seats.

PROSECUTION: The witness is reminded that he is still under oath.

Q. When you arrived at the Showa School on the afternoon of the 19th, what did you first do there?

A. I was watching the ping pong game.

Q. When you first arrived there, did you play ping pong?

A. I did not.

Q. What did you do when you first arrived there?

A. I was watching the ping pong game.

Q. How long after you arrived did the meeting start.

A. After a short time.

Q. Where was the meeting held in the school?

A. In the schoolyard.

Q. Is that the enclosed schoolyard. By that do you mean the enclosed yard of the school?

A. Yes.

Q. That yard is surrounded by the building by three sides and a high wall on the fourth side, is it not?

A. Yes.

Q. When you walked out into the school yard, had the meeting started yet?

A. No.

Q. In what room of the school were you watching the ping pong game before you went out into the school yard?

A. In the auditorium.



- Q. Is that on the first floor of the school, that is, the ground floor?  
A. Yes.
- Q. Is that the room on the right-hand side as you come into the entrance of the building?  
A. On the right side as you enter from the main gate.
- Q. How long were you in this room where you were watching the ping pong game?  
A. Just for a short time.
- Q. Later on when you played ping pong yourself was it in the same room?  
A. Yes.
- Q. Had you been in that room before when you were on your visits to the school for rations?  
A. Yes.
- Q. That room is also used as a gymnasium, is it not?  
A. I do not know.
- Q. In that room did you notice what equipment was therein?

DEFENSE: If it please the court, the defense objects to this cross-examination as not being material to any of the issues in the case, to go into such detail as all this, taking up a great deal of time. I suggest, if the court please, that we can do without such great detail as to what might be in that room, unless counsel will vouchsafe an explanation of his purpose in going into it.

PROSECUTION: I think the next question will make it very clear what my purpose is.

LAW MEMBER: Objection overruled.

- A. Yes.
- Q. In that room did you notice the stands with wooden bars which are used in physical exercise or in gymnastics?  
A. I did not see.
- Q. As you entered that room did you notice what was along the right hand wall as you enter that room?  
A. I did not.
- Q. I show you here prosecution's Exhibit No. 10 composed of two wooden clubs and ask if you did not see in that ping pong room racks of stands containing clubs identical with these, bars identical with these?  
A. I did not.
- Q. When you were out in the schoolyard, did you see the athletic stands or the exercise stands containing wooden clubs similar to this?  
A. No.
- Q. Did you see any equipment there composed of uprights placed approximately as far apart as the length of this rod and containing rods approximately eight inches apart?  
A. I did not notice.



- Q. How many times have you been at that school prior to the 19th of July?  
A. I do not remember how many times I went there?
- Q. As you stated before, you had gone there often for your rations during the seven years that you have lived in Tokyo, is that not true?  
A. No.
- Q. And during the time that you have been there, you have never seen any clubs or any wooden bars similar to these either in the room where you played ping pong, which is the first room to your right on the ground floor as you come in the main entrance, or in the yard where the meeting was held. Is that true?  
A. I did not say such a thing.
- Q. When did you first know what the meeting was about?  
A. After the lecture.
- Q. From the time that your friend first told you about the meeting until you arrived at the Showa School, didn't you talk about this meeting?  
A. We did not.
- Q. I believe you testified it was about noon that you first heard there was to be a meeting, am I correct in that?  
A. No.
- Q. What time did you first hear about it?  
A. About 3:30.
- Q. It takes you approximately how long to ride from Shinjuku to the Tokyo Central Station?  
A. About thirty minutes.
- Q. About thirty minutes by express train, is that correct?  
A. It takes thirty minutes on a local train.
- Q. And during that time your friend made no mention of the kind of meeting which you were going to attend? Is that your testimony?  
A. He did not.
- Q. And when you arrived at the school, did your friend also go into this room to watch the ping pong game?  
A. No.
- Q. Why did you go from the ping pong game out into the school yard?  
A. Because I was told that the lecture will start.
- Q. Who was the first man to speak to the assemblage in the school yard?  
A. President Ling.
- Q. In addition to President Ling, who else spoke?  
A. I do not know.
- Q. Approximately how many others spoke?  
A. I did not know this.
- Q. Was it one other, two others or three others?  
A. I do not know.



- Q. Did Ling open the meeting or did someone else open it?  
A. It was Mr. Ling.
- Q. Do you recall whether anyone else other than Mr. Ling spoke to the assemblage?  
A. I do not know.
- Q. By that do you mean that you do not remember or that no one else actually did speak?  
A. I do not remember.
- Q. You did not understand anything that was said by the speakers, is that correct?  
A. Yes, I did not understand.
- Q. So, the only thing you know about what was said is what was told you by your friend, is that correct?  
A. That is correct.
- Q. After Mr. Ling opened the meeting, did anybody out in the assemblage or among the people listening speak to Mr. Ling?  
A. No.
- Q. After Mr. Ling had talked for a short while, did anyone in the assemblage stand up or did anyone in the assemblage talk to Mr. Ling loud enough so that you could hear what was being said?  
A. I did not see.
- Q. Did you remain in the schoolyard during all the time that Mr. Ling was talking?  
A. Yes.
- Q. And during that time that he was talking no one in the assemblage spoke openly and in front of all of you to Mr. Ling, is that correct?  
A. I did not see.
- Q. If anyone had so spoken during the time that Mr. Ling held the platform, would you have noticed it?  
A. Yes.
- Q. So that since you didn't notice it you state that no one did so, is that correct?  
A. I believe so.
- Q. And as far as you recall, none other than Mr. Ling spoke to the assemblage that afternoon. Am I correct in that?  
A. I did not see.
- Q. At any time during the meeting did anyone make any remarks from the assemblage which were loud enough so that you could hear them?  
A. I heard the people conversing among themselves.
- Q. Did you hear anyone who spoke loud enough as though he was speaking to Mr. Ling?  
A. No.
- Q. Do you know Mr. Toshiyasu Hankyo?  
A. I do not.



Q. Do you know how Mr. Ling knew what the meeting was about?  
A. I do not know.

Q. What did your friend tell you that Mr. Ling was saying at the meeting?  
A. He said that regarding incident in Shibuya where a Chinese home was attacked by some Japanese and some Chinese beaten, and about incident in Shimbashi where Chinese home was attacked by Japanese bums, he told us not to be concerned about this, because the Chinese will take the necessary measures.

Q. Did you say "bums" or "bombs"? Maybe the interpreter can tell us.

INTERPRETER: He says "bums", B-U-M-S.

Q. Did he tell you anything was said about goods which the police had confiscated from stall owners?  
A. No, he did not.

Q. Did he make any statement about certain Formosans who were being held by the police?  
A. No, he did not.

Q. Approximately how long did this meeting last?  
A. I believe approximately thirty minutes.

Q. Did your friend say that the speaker made any mention of Matsuda Gumi?  
A. He did not.

Q. Did you hear the name "Matsuda Gumi" mentioned by Mr. Ling during the time that he was talking?  
A. No, I did not hear.

Q. If he had used the name "Matsuda Gumi", even though talking in a Chinese dialect, you would have recognized it, would you not?  
A. If I heard this, I would know.

Q. Did you hear it mentioned during the speech?  
A. I did not hear.

Q. Did your friend mention that anything was said about securing compensation for goods which had been damaged or property which had been damaged?  
A. He did not.

Q. Did he make any mention of goods which had been confiscated by the police?  
A. He did not.

Q. Did he make any mention of an archway which had been erected at Shimbashi Station?  
A. No, he did not.

Q. Was "Shimbashi" mentioned in any connection has having been mentioned by the speaker?  
A. I did not hear this directly, but I heard this from a friend.

Q. Did this friend tell you that "Shimbashi" was mentioned by the speaker?  
A. My friend mentioned that "Shimbashi" was mentioned as a place where Chinese homes were attacked by Japanese bums and Chinese beaten.



- Q. Did he tell you anything further relative to Shimbashi?  
A. No.
- Q. Did he tell you what advice Representative Ling gave to those who were assembled there?  
A. No, he did not.
- Q. When you talked to the policeman on the 25th of July, 1946, about the incident of the 19th, did you tell the policeman that Mr. Ling had told them to wait two days before taking any action on their demands?  
A. I did not.
- Q. Did you tell that policeman that Mr. Ling asked that the people there should avoid force and they should dissolve the meeting immediately?  
A. I did not.
- Q. Do you know what Mr. Ling told the Formosans as he closed his speech?  
A. I do not know.
- Q. When Mr. Ling finished his speech, what did he do?  
A. He went home.
- Q. What did you do when he finished his speech?  
A. I played ping pong.
- Q. What did the other Formosans who were in the schoolyard do when Mr. Ling finished his speech?  
A. They started going home.
- Q. All of them?  
A. Others, I do not know.
- Q. When he finished his speech was there any discussion or talking going on among groups of the Formosans who were in the schoolyard?  
A. I did not notice.
- Q. Approximately how long did you play ping pong?  
A. I believe it was a little over one hour.
- Q. What exit did the Formosans use in leaving the schoolyard?  
A. Since I did not see, I do not know.
- Q. Isn't it true that they used the exit which goes right past the ping pong room and through the main entrance to the school?  
A. As I was playing ping pong, I could not observe all that was going on.
- Q. When the meeting was over, you were in the schoolyard, were you not?  
A. Yes, I was.
- Q. And when the meeting was over, the Formosans started leaving. Isn't that true?  
A. Yes.
- Q. And you did not notice how they left this enclosed school yard. Is that your testimony?  
A. They went out of a gate.



- Q. How many exits are there from that schoolyard?  
A. I do not know.
- Q. When you went in and began playing ping pong, did you know as you were playing ping pong whether or not the Formosans had all gone or did you know that some were still out in the courtyard?  
A. As they took sometime going out, there were some that had gone home and some that were still in the yard.
- Q. And after you had been playing ping pong one hour approximately, how many were still there when you left to go on your truck?  
A. The place was almost empty.
- Q. Approximately how many men went on these three trucks that were in your group that rode to the Chinese Mission?  
A. In all, I believe there were about 120 or 130 men on those three trucks.
- Q. So at least 120 men then had remained at the school during the time that you were playing ping pong, is that correct?  
A. I do not know.
- Q. Do you know where these 120 men who got on the three trucks came from just before they got on the trucks?  
A. I do not know.
- Q. After President Ling finished his speech and you went into the ping pong room, do you know whether or not any of the Formosans held another meeting in the schoolyard?  
A. I do not know.
- Q. By that do you mean that you don't know, or that they did not have a meeting?  
A. I do not know.
- Q. This room where you were playing ping pong has windows all along the left-hand side as you enter the room, has it not?  
A. Yes.
- Q. And the next thing to those windows is the schoolyard, is it not?  
A. Yes.
- Q. If 120 or approximately that number Formosans had had a second meeting, wouldn't you have known about it if you were playing ping pong in that room?  
A. I do not know.
- Q. Why don't you know?  
A. Because I was absorbed in the ping pong game.
- Q. The gateway exit in the schoolyard is approximately in the center of the high wall surrounding the schoolyard, is that not correct?  
A. I do not know.
- Q. Is this a fairly close description of the Showa School? (Illustrating on blackboard)  
A. Yes.



- Q. This (indicating) in the center is the school yard?  
A. Yes.
- Q. Along this fourth side of the schoolyard is a high cement fence, is that not true--cement, wall?  
A. Yes.
- Q. I will indicate here the main entrance to the school. Is that approximately correct?  
A. Yes.
- Q. Is this the room in which you were playing ping pong?  
A. Yes.
- Q. This exit gate which you speak of is located approximately here (indicating). Is that not correct?  
A. I do not know where there is an exit or not.
- Q. Where is that exit gate which you mentioned?  
A. Besides this exit there are two more exits.
- Q. If you leave the courtyard -- schoolyard -- by any of the three exits which you have indicated, then you must go completely through the school building to get to the area surrounding the school, is that not correct?  
A. Yes. There is a wall in there and a table in there and a table in that room. (Indicating)
- Q. The two marks you have drawn here are what?  
A. That is also an exit.
- Q. So you can go from the ping pong room into the schoolyard either by this exit or from the main entry, and in that way, is that correct?  
A. That is right.
- Q. Do you know whether or not there is a gate on this wall?  
A. I did not notice. I believe there isn't any.
- Q. Then for one hour after Mr. Ling finished speaking you were playing ping pong at the table you have indicated here. Is that correct?  
A. Yes.
- Q. How many of these Formosans at the meeting did you recognize as acquaintances or friends of yours?  
A. You mean during the meeting?
- Q. At any time when you were at the Showa School that afternoon.  
A. Two.
- Q. Did you recognize any of the defendants as being at the meeting that afternoon?  
A. There is one.
- Q. Was he playing ping pong with you?  
A. No.



- Q. Where were the other Formosans from?  
A. By "other Formosans", whom do you mean?
- Q. Those that you didn't recognize.  
A. I do not know.
- Q. Aside from the two that you have testified that you knew, did you see any that you recognized as having seen before but who were not known to you by name?  
A. No, I did not.
- Q. When you left the meeting and entered the last truck, do you know if there were any more Formosans left at the school?  
A. I do not know.
- Q. Did you see any around the building, either in the schoolyard or in the entrance way or in front of the building when you left?  
A. I saw one or two, but the place was almost empty.
- Q. Was there anything about any of these trucks which called your attention to it? By that I mean any markings on it such as company markings or any painting of any kind?  
A. No.
- Q. Did you notice whether the driver was Chinese or Formosan or Japanese?  
A. I do not know.
- Q. During the time that you were playing ping pong, did you hear anything about any of the difficulties which the Formosans were having or did you hear anything pertaining to the purpose of the meeting or the matters discussed at the meeting?  
A. I did not.
- Q. During the time you were playing ping pong, did other people come and go--come into that room and leave the room?  
A. I believe there were, but I did not know exactly.
- Q. During the time that you were playing ping pong, did you have any conversation with anybody other than your partner in the ping pong game?  
A. I did.
- Q. Did that conversation pertain to anything relative to what had been said at the meeting during the afternoon?  
A. No.
- Q. During the time that you were playing ping pong and before you left on the truck, did anything happen to call your attention to the schoolyard or to any other part of the school building?  
A. No.
- Q. During this hour that you were playing ping pong and before you left was there any excitement of any kind at the school?  
A. No.
- Q. So there was nothing to attract your attention away from this game of ping pong. Is that correct?  
A. There was no incident to attract my attention, but I heard someone playing the piano.