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Direct Examination of YAMAMOTO, Chikao  
by Mr. Roberts

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27252

The witness identified Exhibit 3052 as his affidavit and verified it. The affidavit states that the witness \* was Chief of First Section, Administrative Division, Dept. of Naval Aeronautics from September 1941 to December 1942; Chief of First Section, Naval Dept. of Imperial Supreme Hqrs from Jan 1943 to Dec 1944; and Chief of Staff, 10th Air Fleet and Commandant 72nd Air Squadron from Jan 1945 to the end of the war.

From Jan 1943 to Dec 1944 he was in charge of matters concerning overall operations of the navy under the Chief of the First Div. Naval Dept of Imperial Supreme Hqrs. He had to direct the members of the section in drawing plans and drafting orders and directions for overall operational conduct.

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\* He handled such matters both exclusively for submarine operations and for overall operations including submarine warfare. He participated in the overall operations since the latter part of March, 1943, the third phase of the campaign. The submarine warfare could be broken down to three periods. The first was from late March 1943 to October 1943. The operational policy for this period was destruction of maritime traffic as in the prior period. Cooperating with the German submarines in operation in the Indian Ocean area and supply to outlying bases.

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\* The results of the operations led them to believe that submarines could be used better against enemy sea traffic than against naval forces. Increased enemy aircraft activities in the Solomon Islands and Rabaul areas made surface supply more and more difficult, compelling the use of submarines to transport supplies. Such supplying by submarine was later extended to New Guinea, the Mandated Islands and the Aleutians, causing numerous submarines to be diverted from traffic destruction, leaving only a scant force of submarines for that purpose.

The plan for this minor period was given to YAMAMOTO, Isoroku, commander of the Combined Fleet, by Chief of Staff NAGANO March 25, 1943. The witness himself participated in drafting the directive.

The second period began in October 1943 with an unaltered principle in operation.

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The coming of German submarines into the Indian Ocean however, required demarcation of the German and Japanese submarine field of operation. This was indicated by an order of NAGANO to Adm. KOGA, commander of the Combined Fleet, October 4, 1943. This operational agreement set 70 degrees longitude as the line. Prior to this date nothing was shown to the units concerning this matter. It was probably not deemed necessary to issue the directive until German submarine activity was actually in the Indian Ocean although the agreement was already concluded.

The witness drew up the directive.

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The third period started August 1944. \* There was no alteration in principle by directive. The navy had become too tightly occupied with operations in the Philippines to divert submarines for sea traffic destruction and submarines engaged in traffic destruction in the Indian Ocean and Pacific Ocean were withdrawn.

On March 25 1954 Staff Directive 209 was about to be delivered to YAMAMOTO from NAGANO. The item for cooperation with Germany was first inserted in this directive because it was expected that both would start operations shortly in the Indian Ocean in accordance with the military agreement.

It was not until October 4 1943 that operational units were first instructed in the matter because there had been no necessity.

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\*During his tenure as chief of the First Section no Japanese Navy officer in Germany or any German official had ever notified Tokyo of Germany's request for cooperation in submarine warfare. He had never heard that Germany requested Japan in 1943 to adopt the policy of killing all persons on board allied vessels except a few for information. The Japanese navy never adopted such a principle. It is a matter of course that there was strict observance of international law and high regard to human lives which guided the navy.

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In the staff directive of November 30, 1941 and directive #60 of March 1, 1942 \* warned that in carrying out submarine warfare ample time for sufficient retirement should be given to crew members and passengers unless circumstances otherwise dictated.

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The humanitarian spirit of the Navy remained unchanged.

Submarines in the Indian Ocean operated under the command of the South-Western Area Fleet from July 1942 to October 1943. At that time the 8th Submarine Squadron joined full forces and both were placed under the command of the 8th Squadron which was under the command of the South-Western Area Fleet. Since August 1944 every submarine of this squadron was diverted to other area from the Indian Ocean.

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The submarines in the Pacific Ocean from 1942 to 1944 were \* commanded by the Sixth Fleet. This included the First Submarine Force as of March 20 1943. There was no direct connection between the first Submarine Squadron and the Submarine Force in the Indian Ocean. Although both the Sixth Fleet and the SW Area Fleets were under the combined Fleet, neither of the submarine forces had anything in common on matters pertaining to command.

27260

\* The forces of the SW Area Fleet were based at Penang and operated in the Indian Ocean and from October, 1943, only east of 70 degrees East longitude. The forces of the Sixth Fleet were based at Truk with the Pacific Ocean as the field of action.

MITO became commander of the First Submarine Squadron on March 29 1943 but was succeeded by Adm. KOUDA and the squadron was ordered to the North Pacific and assigned to duty in the Kiska-Attusu area in the middle of April.

The witness had never seen top secret First Submarine Squadron Order #2 issued March 20, 1943.

CROSS-EXAMINATION by CAPT. ROBINSON

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\* The witness stated he did not know that submarines in the Indian Ocean followed the German policy in the destruction of shipwrecked survivors. He had never heard that the Nicolett was sunk on July 2 1944 in the Indian Ocean and that many other allied vessels were sunk there and their crews machine-gunned and passengers destroyed. He did once hear that the United States, Britain and Holland and others protested against such tactics. He had heard nothing definite.

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\* He had never heard that the Germans supplemented their written orders by oral instructions to destroy shipwrecked survivors. In regard to the protests that were made, he believed they were taken up by the competent section of the navy and his subordinates would investigate reports coming in from various naval units, reporting time and place, if the time and place coincided with those set forth in the protest. His subordinates had made such investigations. However, he had never had any report made to him that as a result of these investigations there was an actual case in which time and place did coincide.

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\* He again repeated that he had never heard of any incidents where ships were sunk and crews destroyed by such tactics. He stated that the 16th Squadron never had any submarines under it. He believed that Adm. \* TAKASU was in command of the Southwest Area Fleet in February 1944 and he believed that Adm. SAKONJI was in command of the 16th Squadron.

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When asked whether the SW Area Fleet and the 16th Squadron held a conference at Penang February 23, 1944, at which they made plans for operations in the Indian Ocean, he stated that Imperial Gen. Hars had no knowledge of such conferences held by commanders in these areas.

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When asked whether it was possible that orders to submarine commanders might be passed orally as had been done by the Germans, the witness stated since no reports were submitted as to what orders or instructions the local commanders gave their subordinates, based on orders from Imperial Headquarters, he did not know what orders they actually gave. However, although most orders given by local commanders were in written form, some were given orally. In order to explain the orders of the local commanders the Chief of Staff would give oral explanations with them. But these oral explanations would customarily be distributed later in written form.

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\* He repeated that he had no knowledge of the PENANG meeting on February 23, 1944.

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\*The witness stated that he had not heard of the sinking of the British ship BEHAR and the execution of 65 of its survivors and he had never heard of Britain's protest.

NARRATIVE SUMMARY OF THE RECORD

September 2 1947

Defense - DIV V - PACIFIC

POWS (YAMAMOTO - Direct)

Page 4196

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\* The attention of the Tribunal was called to Exhibits 2104, 2087 and 2088 and the testimony of McDougall at page 15109.

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\* Exhibit 3053-A - Directive of Imperial Headquarters referred to in the affidavit stated bases situated at the very head of the front lines should be supplied by submarines or like combatant vessels if occasion demanded and every possible assistance should be made in transferring supplies to any units disposed on outflung positions.

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\* Exhibit 3054-A, Staff Directive #60 - Imperial General Hqrs, dated March 1, 1942, stated that in the operations by surface craft, it should be made a rule that such attacks should be preceded if possible by due visit and search and every endeavor made to rescue lives if circumstances warranted the sinking of the vessels.

As a rule hostile vessels should be captured and brought to a port of Japan proper whenever possible. When this is not feasible captured vessels should be made to sail to the nearest friendly port or be destroyed after proper measures are taken for personnel and cargo.

As a rule persons of armed forces, including civilians, armed men, mariners, technicians, important government officials, who belong to enemy countries and the Chiang Kai-shek regime shall be taken prisoners of war.

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\* Exhibit 3055 - Navy regulation for treatment of POWS dated Feb. 17, 1904, as amended 1941, stated that \* in case a POW is guilty of disobedience, he may be confined and bound if necessary. If he attempts to desert, arms may be used to prevent it if necessary. A POW who attempts to desert or disobeys shall be subject to disciplinary punishment which shall be effected according to the regulations \* of the Naval Disciplinary Punishment Ordinance which shall be enforced by the chief of naval officials then in charge of the internment of said POW.

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The naval commandant shall deliver POWS with their roster, POW journal and other articles kept under custody, and inventory of such articles to a naval station or closest naval authority. If a POW dies during the delivery, roster, personal belongings and all other documents shall be delivered.

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Naval stations or other naval authorities on receiving POWS shall detain them in any temporary camp available having adequate facilities to prevent them from desertion until transportation or redelivery is possible.

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\*Commanders of stations or other authorities shall hand over at designated places the POWS under their care together with the other items to the army authorities who are to receive the POWS.

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Exhibit 3056- Report on POW Administration made to SCAP by the Tokyo Central Liaison Office, stated that in principle all POWS captured by the navy were to be handed over to the army. \* But until such time there were cases of temporary naval supervision in improvised camps, where the POWS were placed under regulations of war based on international agreements, to be treated the same as regular POWS.

The organization having the policy making or administrative authority over such POWS were the party designated by the commander of a Major or Minor Naval Station or operational forces, who was usually the commander of the defense area in question. This commander in turn designated another party, usually a junior officer and interpreters and other civilian employees.

27280

\* The designated commander performed direct supervision over the camp under orders from the commander of the station or operational force. The junior officer carried out actual management under orders from his commander and the interpreters and others worked under him. The designated commander issued instructions for the direct supervision of the camp while the junior officer established necessary regulations for supervising POWS in a temporary camp.

objection to structure not proposed.  
Yamamoto - Chitao

Filed with Clerk cups and  
included in

A-D. 2208 ✓  
1940 ✓  
1941 ✓  
✓ 1943 ✓  
1943 A  
1944 ✓

copy 2294 and loss of all

documents.

We intend to offer all these after

the affidavit.

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objection H's

#1897

Def. Doc.



*Amelin  
Director  
no 1945*

Translated by  
Defense Language Branch

UNITED STATE OF AMERICA et al

- vs -

ARAKI Sadao et al.

*was with the direction  
of treatment of enemy crew  
charged - sec 7.6*

SWORN DEPOSITION

Deponent: Yamamoto Chikao

Having first duly sworn an oath as on attached sheet and in accordance with the procedure followed in my country I hereby depose for the questions of witness Inagawa Tatsuo as follows.

Question: State your name, address and occupation.

Answer: YAMAMOTO Chikao; Niya-mura, Kita-gun, Ehime-ken.  
No occupation.

Q.: State your post and rank at the time of demobilization.

A.: Rear-Admiral: Commandant of the 11th Air Squadron.

Q.: State main posts you occupied since around the outbreak of war till its termination.

A.: Chief of First Section, Administrative Division, Department of Naval Aeronautics from September 1941 to December 1942;

Chief of First Section, Naval Department of Imperial Supreme Headquarter from January 1943 to December 1944; and Chief of Staff, 10th Air Fleet and Commandant, 11th Air Squadron from January 1945 to the end of the

- 1 -

*Locate the documents mentioned or object to their mention  
1. have seen Staff Directive 209 - F-4 near top - this is Def. Doc. 1943  
was this issued as a result of the understanding with Germany? See Exhibit No. 100 file  
2 - Same no 282 - f. 4 his name allocated  
(b) what & when through agreement with Germany - 20 March 1943  
3. Same Directive no 15 - f. 6  
4. " " no 60 - f. 6  
See Carl Lentz*



Def. Doc. # 1897

war.

Q.: What sort of a job was assigned to you from January 1943 to December 1944?

A.: I was in charge of the affairs concerning overall operational conduct of the Japanese Navy under the control of the Chief of the First Division, Naval Department of the Imperial Supreme Headquarters. To fulfill this duty I was to direct the members of the First Section in drawing up plans as well as drafting orders and directives for the overall operational conduct of the Navy.

Q.: Have you ever taken part in drawing up the plan for submarine warfare or in drafting orders or directives for the same?

A.: I took part in those affairs, both exclusively for submarine operations and for the problem of overall operations inclusive of submarine warfare.

Q.: What sort of plans and orders of submarine operation were they that you took part in?

A.: What I participated in was the overall naval operations of the period since the latter part of March, 1943, that is, the period for the so-called Third Phase of the Campaign. As regards submarine warfare, this period could in turn be broken down into three minor periods. The <sup>(1)</sup> First minor period covered from the latter part of March, 1943 to October of the same year. The highlights of the operational policy for this minor period were:

Third Stage

Def. Doc. # 1897

1st minor  
Period

March  
to  
Keller fort 1943

- (1) Destruction of maritime traffic constituted the key point of the operation. In this respect this minor period made no difference from the preceding stage of campaign which extended from June 1942 to March 1943.
- (2) To cooperate with the German submarines in operations in the Indian Ocean area.
- (3) Supply to outlying bases shall be carried out by means of a portion of the submarines.

Results of operations up to that time led us to believe that submarines could be more effectively employed against enemy sea traffic than against enemy naval forces. Increasing activities of enemy aircraft in the Solomon Islands and Rabaul areas, however, made the supply by ordinary surface transports to these outlying bases more and more difficult, a situation which compelled us to employ submarines for the transportation of supplies.

The method of forwarding supplies by means of submarines was subsequently extended to New Guinea, the Mandated Islands and the Aloutian Archipelago areas. This necessitated numerous submarines to be diverted from the field of maritime traffic destruction, leaving in the latter field only a scanty force of submarines, a situation which made the prospect of achieving the results at first visualized very remote.

The operational plan for this minor period is what was indicated to the Commander-in-Chief of the Combined Fleet YAMMOTO

*Object*

Isoroku by the Chief of Naval General Staff NAGANO Osami on 25  
March 1943 as Naval General Staff Directive No. 209, in the draft-  
ing of which I myself took part as the Chief of the Section in  
charge of the planning.

*2nd minor Period  
Oct 43 - Aug 44*

The second minor period began in October, 1943 with the prin-  
ciple in operation unaltered. But the advent of German submarines  
in the Indian Ocean necessitated the drawing of the demarcation  
between the fields of operations of Japanese and German submarines.  
This line of demarcation was indicated by the Chief of Naval  
General Staff NAGANO Osami to Commander-in-Chief of the Combined  
Fleet Admiral KOGA with Naval General Staff Directive No. 282 dated  
4 October 1943.

*When  
Object*

The operational agreement concluded with Germany regarding  
to the field of operations in the Indian Ocean setting 70°E longi-  
tude as the line of demarcation was indicated to the units con-  
cerned by Naval General Staff Directive No. 282 of 4 October 1943  
for the first time. Prior to that date nothing was shown to them  
concerning this matter.

*When  
was this  
concluded.*

This was because, I suppose, it had not been deemed necessary  
to issue such directive until the activities of the German sub-  
marines became actually seen in the Indian Ocean, though the agree-  
ment with Germany on the matter had been already concluded.

This Naval General Headquarters Directive was drawn up by my-

self in the capacity of the Chief of the <sup>m</sup>competent Section.

*3rd*  
The third minor period started in August 1944. For this period no alteration was made in the principle of operations in so far as a directive of the Naval General Staff was concerned.

In reality, however, our navy became too tightly occupied with the operations in the Philippine area to divert submarines to continue sea traffic destruction; and the submarines which had so far engaged in the traffic destruction in the Indian Ocean as well as in the Pacific Ocean had been withdrawn.

Q.: When was it that the cooperation of the submarines among Japan, Germany and Italy was contemplated in the Japanese Imperial Supreme Headquarters?

A.: When on 25 March 1943<sup>43 (?)</sup> Naval General Staff Directive No. 209 was about to be delivered for the Third Phase of the War to the Commander-in-Chief of the Combined Fleet, YAMAMOTO from the Chief of the Naval General Staff, an item dealing with the cooperation first found its insertion into this directive because it was expected that some of the German and Italian submarines would start operations shortly in the Indian Oceans in accordance with the military agreement among the three powers. It was not until 4 October 1943, however, that the operational units concerned were first instructed concretely about the matter, because the necessity to do so had not been felt before.

Q.: During your tenure of office as the Chief of the First Section, Naval Department of the Imperial Supreme Headquarters, had any of Japanese

*What about  
nomina -> the  
ops of the  
submarines  
A.:*

Naval officers residing in Germany or any German official ever notified to Tokyo the German request or something like that about the cooperations of the Japanese and German submarines?

No, Nothing of the sort.

Q.: German U-boats successfully pursued the policy of killing all of the persons on board the Allied vessels except only few of them useful for getting information when they sank those vessels. Do you know the fact that the Germans requested to Japan for the adoption of such policy around 1943?

A.: No, I have never heard of any such thing.

Q.: Has the principle of the annihilation of the crew members of a sunken vessel ever been adopted in the plan of operations drawn up in the Imperial Supreme Headquarters?

A.: The Japanese Navy have never adopted such a principle; absolutely never. On the contrary, though it is a matter of course, the strict observance of international laws and the high regard to human lives have been held among the traditional spirits which have guided the Central Authorities of the Japanese Navy. For instance, in Naval General Staff Directive NO. 15 of 30 November 1941 and in Naval General Staff Directive No. 60 of 1 March 1942 it is enunciated as a matter of warning that in carrying out submarine warfare ample time for safe retirement should be given to the crew members and passengers of Allied vessels, unless circumstances might otherwise dictate.

*Central  
about  
1943?*

*\* Were not these  
directives subsequently changed?*

This humanitarian spirit of the Navy had been maintained unchanged throughout the war.

Q.: What fleet was in command of the submarines which operated in the Indian ocean from around October 1942 to around October 1944?

A.: A division of submarines was placed under the command of the South-Western Area Fleet since 10 July 1942, and operated in the Indian Ocean till October 1943. In October, 1943 the Eighth Submarine Squadron joined forces with the aforesaid division. Both of these submarine forces were placed under the direct control of the Commandant of the Eighth submarine Squadron, who in turn was under the command of the South-Western Area Fleet.

Since August, 1944, every submarine of the above Squadron diverted to other area from the Indian Ocean.

Q.: What fleet was in command of the submarines that operated in the Pacific Ocean -- in Samoa-Fiji area in particular -- from 1942 to around 1944?

A.: They were commanded by the Commander-in-Chief of the sixth Fleet.

Q.: By whom was the First Submarine Force commanded as of 20 March 1943?

A.: Belonging to the Sixth Fleet, it was commanded by the Commander-in-Chief of the Fleet.

Q.: In the relation between the 1st Submarine Squadron and the submarine forces operating in the Indian Ocean, was the one in command of the other regarding the operational matters?

A.: No, they had no direct connection at all between them. Although both the Sixth Fleet and the South-Western Area Fleet were under the command of the Combined Fleet, the Submarine forces operating in the Indian Ocean, which belonged to the South-Western Area Fleet, and the First Submarine Force belonging to the Sixth Fleet had nothing in common between them regarding the matters pertaining to command.

Q.: Where were the bases and how extensive were the theaters operations?

Tell me the bases and the theaters of operations of the submarine forces belonging to the South-Western Area Fleet and of the submarine forces attached to the Sixth Fleet.

A.: The submarine forces of the South-Western Area Fleet had their base at Penang and the theater of their operations was the Indian Ocean (since October 1943, the theater was limited to the Indian Ocean only east of 70°E longitude); while the submarine forces of the Sixth Fleet had their base at Truk with the Pacific Ocean as the field of action.

Q.: When was MITO Hisashi transferred to the Navy Ministry from the office of the Commandant of the First Submarine Squadron?

A.: It was on 29 March 1943.

Q.: Do you know who succeeded him and what sort of orders were given to the successor?

A.: He was succeeded by Rear-Admiral KOUDA Takeo. The First Submarine Squadron was ordered to turn to the Northern Pacific and was assigned another duty in Kiska-Attusu area in the middle of April.

Def. Doc. # 1897

Q.: To what extent and scope did the directive prescribe which was issued by the Chief of the Naval General Staff to the Commander-in-Chief of the Combined Fleet?

A.: The directive specified in minute detail such matters as were deemed necessary for the fleet to conduct operations in accordance with the Imperial Supreme Headquarters Naval Order, which was in fact an order issued by the Chief of Naval General Staff as ordered by the Throne.

The directive covered in the main:

1. Master Principle to be observed in the direction of operations.

For instance: In waging submarine warfare, the utmost importance should be attached to the destruction of maritime traffic, and the key area should be the Indian Ocean; and the like.

2. The Strength of the forces to be used might be indicated in case where circumstances might so dictate. But such matters were preferably left to the discretion of the Commander-in-Chief of the Combined Fleet.

3. Matters agreed upon over the conference table between the Army and Navy Supreme Commands of the Imperial Headquarters concerning a cooperation of the fleet with army field forces (These were usually called as "Central Agreement.")

In other words the directive covered: (1) basic principle deemed necessary for the Chief of Naval General Staff to instruct the Commander-in-Chief regarding the latter's execution of the duty given by the

*Object  
of  
Directive*





*Secrets  
Subway*

Imperial Supreme Headquarters Naval Order; and (2) what the Commander-in-Chief of the Combined Fleet had not been empowered to do by himself (i. e., "Central Agreement" for the main).

Further, in drafting these directives care was exercised to mention only the main principles to be followed or some such things and to abstain as far as possible from going into detail. This was to allow the Commander-in-Chief in wide latitude of discretion in his planning and practice, encouraging him to stage operations in close conformity with actual situation of the theater.

Q.: Have you ever witnessed what is called Top-secret First Submarine Squadron Order No. 2 issued by the Commandant of the First Submarine Force on 20 March 1943?

A.: No. I have never.

*When  
Did you first know I was issued*

On this 22nd day of May, 1947

At Tokyo

DEPONENT /S/ Yamamoto Tatsuo (seal)

I, Inagawa Tatsuo hereby certify that the above statement was sworn by the Deponent, who affixed his signature and seal thereto in the presence of this Witness.

On the same date At Tokyo

Witness: (Signed) Inagawa Tatsuo (seal)

DEF. DOC. # 1897

OATH

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

/S/ Yamamoto Tatsuo (seal)

INTERNATIONAL PROSECUTION SECTION

MEMORANDUM

26 August 1947

TO : Mr. Frank S. Tavenner, Jr.  
FROM : D. N. Sutton  
SUBJECT: YAMAMOTO, Chikao, Def. Doc. No. 2016  
TERAI, Kunizo, Def. Doc. No. 2080

I hand you herewith the memorandum prepared by Smith Crowe on each of the two above witnesses.

- (1) As to YAMAMOTO, his affidavit merely confirms the unlawful bombing of a train on a railway in French Indo-China on 2 February 1940. We put in evidence (Ex. 618-A, R. 6856) the French protest with regard to the bombing of this train. The explanation that the crew of the bomber could see the railway track but couldn't see the train is so weak that it does not deserve any cross-examination.
- (2) As to TERA I, objection might be made to this affidavit on the ground that it presents primarily the conclusions of the witness and what he "presumes" happened in this case. He does not purport to have any first hand knowledge of the bombing. This objection applies particularly to all of section 5 of the affidavit, especially that portion of it beginning in the fourth line with, "I presumed" and continuing to the end of section 5. While cross-examination might further discredit the witness, especially in view of his statement in paragraph 4 that the crew were careful to avoid bombing the city since they desired to respect foreign rights but bombed the suburbs of the city, it seems that we could get the idea over to the court in the objection to the admission of the affidavit, especially those parts in which the witness gives his presumptions and guesses, and then decline to cross-examine.

D. N. Sutton

Encl.

25 August 1947

MEMORANDUM TO: Mr. David N. Sutton

FROM : Mr. Smith N. Crowe

SUBJECT : Affidavits of YAMAMOTO, Chikio, Defense Document No. 2016 and TERAJ, Kunizo, Defense Document No. 2080

Pursuant to your memorandum of August 25th, regarding the above affidavits, I herewith submit the following:

1. There is nothing of importance in our files regarding the personal careers or activities of either of these two witnesses. YAMAMOTO was a former rear admiral and at the time of Pearl Harbor, was in charge of an air bureau. In his interrogation, he states that he was not informed of the attack to be made on Pearl Harbor.

2. The Prosecution evidence on these two witnesses is as follows:

a. On p. 6814 of the Record, Exhibit 614-A, which is a business report for the year 1939 published in December 1941, by the South Seas Bureau of the Japanese Government, includes the statement that the French administrator at Hanoi protested the bombing by Japanese sea-planes of Tha Khe, near the border of French Indo-China and China, on August 26, 1939. A protest was made stating that 30 casualties were caused.

b. On pp. 6856 to 6857, Exhibit 618-A, which is another excerpt from the business report of the South Seas section, made in 1940, showing that the French authorities protested on February 5, 1940, the bombing of a railroad train on the Yunnan Railway. The Japanese stated that the bombing occurred for the same reason stated in the affidavit of YAMAMOTO.

3. In my opinion, Defense Document 2016 should be rejected by the Court on the ground that it contains no additional information not already in the Prosecution's evidence. If this is not done, then it might be well to ask the questions bearing on how the bombing was accomplished, i.e., how could the bombing have been so accurate if it was impossible to distinguish as large an object as a train on the track. His affidavit does not show that he was in a position to conduct a close and accurate examination of the bombing crews or of the mission. This might be cleared up by cross-examination. He says that he "later examined aerial photographs of the bombing and discovered a train on the bridge." There is no statement as to whether this examination was

Memo to: Mr. D.N. Sutton  
From : Mr. S.N. Crowe  
Subject: Affidavits of YAMAMOTO, Chikio, Def. Doc. No. 2016 and  
TERAI, Kunizo, Def. Doc. No. 2080

conducted a considerable time after the bombing took place. If the letter is true, the examination of the crews would be inaccurate due to a natural vagueness of memory after the passage of time.

4. It is called to your attention that the affidavit of TERA I admits (at the end of par. 4) that the Japanese seaplanes dropped bombs in the "suburbs" of a town which they took to be Fungchow. In the first place it would appear that this town was their legitimate target and so there would be no need to drop bombs there and any other place than on the target. If they were not sure it was the target, they certainly should not have dropped bombs in the suburbs. Again in this affidavit, there is no indication of when the investigation of the situation took place. Questions directed to a determination of this might be helpful in establishing their inaccuracy. Another inconsistency occurs in the affidavit in par. 4. This is that the planes had instructions to attack targets defecting and disrupting supply communication lines, and in case such targets were not observed to bomb air fields projects or military installations in the Tungchow vicinity (this town is spelled with a "T" and with an "F" in the affidavit). The affidavit then goes on to say that "after returning from the mission" a plan got astray and the incident in question occurred. If the mission had been accomplished, which these words implied, there would be no need to jettison bombs because they would already have been dropped. The witness might be asked questions to clear up these inconsistencies. This witness might also be questioned regarding his knowledge of the mission. He states that each plane carried only two bombs, yet the reports were that there were high casualties. Questions might be directed toward attempting to find out how close to the actual situation he really was.

SMITH N. CROWE

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al

-VS-

ARAKI, Sadao, et al

*Mistaken bombing of a train on the  
Tien-yueh Ry 2 Feb 1940*



SWORN DEPOSITION

Deponent: Chikao, Yamamoto  
86 Ko, Niiyamachi, Niiyamura,  
Kitagun, Ehime-ken,  
Born: Oct. 13, 1896

Having first duly sworn an oath as on attached sheet and in accordance with the procedure followed in my country I hereby depose as follows.

1. I was formerly a rear admiral. On Nov. 15, 1939 I was made a Captain and on the same day was assigned to the 15th Air Unit Command. I was in this position until Nov. 15, 1940.
2. This 15th Air Unit was organized at HAINAN in November, 1939. The Air Unit participated primarily in the operations in the South-China sector and it engaged in the bombing of the TIEN-YUEH Railway which was at that time an important supply route of war needs for the enemy.
3. The mistaken bombing of train on the TIEN-YUEH railway

on Feb. 2, 1940 was done by planes of the 15th Air Unit, the circumstances of which are as follows: (Incidentally, the 15th Air Unit was the sole unit that had participated in the raid and no other unit was involved.)

a) The bombing target had been confined to railway bridges and railways, and the bombing of trains had strictly been prohibited. On that day the bombing was carried out with the 7th bridge as main target.

b) According to the report of the crews on the planes, the air currents were bad at the time of bombing the enemy fighters, were intercepting, and the fire from the enemy anti-aircraft guns was heavy. The bombing was carried out under these adverse circumstances and the bombing altitude was 3,800 meters. Consequently, no one had realized the fact that there was a train on the 7th bridge at the time of bombing.

*Train not noticed*  
c) Later, as a result of my close examination of the aerial photographs taken at the time of bombing I discovered what seemed like a train on the bridge, entering half-way into the tunnel just north of the bridge. Therefore, I asked the bombing crews whether or not they had seen a train there at that time, or whether or not they had noticed any damage done to the train. But no one had noticed the existence of the train.

Def. Doc. # 2016

4. Such being the case, the mistake bombing of the train was an accidental incident occurred while the bridge was being bombed to cut off the enemy supply route.

On this 21 day of May, 1947  
at Tokyo

Deponent: /S/ Chikao, Yamamoto (seal)

I, Shigeo, Yasuda, hereby certify that the above statement was sworn by the Deponent, who affixed his signature and seal thereto in the presence of this Witness.

Witness: /S/ Shigeo, Yasuda (seal)

OATH

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

/S/ Chikao, Yamamoto (seal)



INTERNATIONAL PROSECUTION SECTION

25 August 1947

MEMORANDUM

TO : Mr. Smith N. Crowe  
FROM : D. N. Sutton  
SUBJECT: Defense Witnesses - Pacific Phase -  
Military Subdivision

Will you please go over the two following affidavits -

TERAI, Kunizo      Def. Doc. No. 2080  
YAMAMOTO, Chikao      "      "      No. 2016

and prepare a brief statement of any facts which we have relative to the witnesses, suggested cross-examination, if any, and a statement as to the nature of the Prosecution's evidence and where it appears in the record.

I will appreciate it if you will let me have your report in triplicate as soon as you may reasonably be able to complete it as these witnesses will probably be reached late this afternoon or tomorrow morning.

D. N. Sutton

cc: Mr. Tavenner