

EXHIBIT No. 3083

(10)

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al

- vs -

ARAKI, Sadao, et al

SWORN DEPOSITION

Deponent: SHIMODA, Chiyoshi

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.

I. I was born on June 7, 1902 (Meiji 35) at No. 29, Kami-machi, Narayama Motoshin-machi, Akita Prefecture. My permanent residence is No. 1741, Ekota 4-chome, Nakano Ward, Tokyo and my present residence is No. 648, Shimo-azabu, Kawasaki, Kanagawa Prefecture.

II. The following is an outline of my career.

	1924 (Taisho 13) graduated from the Military Academy
	1936 (Showa 11) attached to the General Staff Office
April	1940 (Showa 15) staff-officer of the 104th Division
October	1941 (Showa 16) staff-officer of the 23rd Army
March	1943 (Showa 18) staff-officer of the Kanto Defense Army
April	1943 (Showa 18) staff-officer of the 3rd Imperial Guard Division and chief of the staff of the 152nd Division (Colonel)

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Termination of War.

III. From April 1940 (Showa 15) to October 1941 (Showa 16) I was a staff-officer of the 104th Division and served as the chief of operations and intelligence. In October 1941 (Showa 16) I was appointed a staff-officer of the 23rd Army (stationed in Canton and served as the chief of intelligence till March 1943 (Showa 18). I am, therefore, well aware of the movements of the 23rd Army which was stationed in Canton district about 1941 (Showa 16).

In about lunar December of 1941 (Showa 16), the Army stopped all operations and devoted all its energies to the maintenance of public order. It is, therefore, needless to say that it successfully entered the city without fighting. Since occupation of Hongkong the Chinese Army restored quite a calm attitude and the peace was maintained very well.

In Canton and vicinity, I have never heard of such places as Hsihupan, Wuyenchiao, Shasia, Shaipuchang, Hopien, Fucheng, Hsuehkung, Hsiencheng, Chaohsian, Peimenwan, Hsimenkou, Paisha etc.

If anything special had taken place in connection with the Japanese Army, I must have heard of it as I was the chief of intelligence. Even the matter which concerned the life of a Chinese was to be reported to the Army without exception, but I have no remembrance of receiving any such report at that time.

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I positively deny the fact that about 2,000 citizens were massacred by the Japanese Army at that time. Not only the commander but the leading staff of the Army were extremely strict on military discipline and repeatedly warned their subordinates to treat kindly the Chinese people, to respect the customs of the Chinese and not to interfere with the Chinese authorities. To the general soldiers, they showed such a brief motto as, "Do not burn, do not kill and do not plunder", and tried utmost to make it pervade the whole army that scarcely anyone disobeyed it.

Therefore, if the Japanese Army had ever massacred a Chinese, it would have been taken up as the serious problem of the Army.

The rumor that 2,000 Chinese people were massacred was merely a fiction and I definitely assert that such a thing did not take place while I served in the 23rd Army.

On this 27th day of June, 1947,

at Tokyo.

DEPONENT: SHIMODA, Chiyoshi (seal)

I, IMANARI, Yasutaro, 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 the same place.

Witness: IMANARI, Yasutaro (seal)

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OATH

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

/S/ SHIMODA, Chiyoshi (seal)