

Japanese Piling Up Dead in Bataan In Vain Effort to Budge M'Arthur

By CHARLES HURD
Special to THE NEW YORK TIMES.

WASHINGTON, Jan. 23—New Japanese assaults have been launched with great force against the United States-Filipino forces holding Bataan Peninsula, on the Island of Luzon, in an apparent effort to reduce the defenders regardless of the cost in Japanese lives, the War Department announced today.

A communiqué, issued on the basis of reports received here up to 9:30 A. M., stated that the assault, made by "strongly reinforced" troops, had been "extremely heavy" in the past twenty-four hours. General Douglas MacArthur's forces repulsed the new series of attacks with heavy losses

to the enemy, the communiqué said.

"Apparently the enemy," the communiqué stated, "has adopted a policy of continuous assaults, without regard to casualties, hoping by great superiority in numbers to crush the defending forces."

While this fighting progressed, the communiqué added, General MacArthur received warm congratulations to himself and his command from General Sir Archibald Wavell, supreme commander of forces of the United Nations in the Southwestern Pacific.

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tion stated that reports had come from Mindanao, southernmost island in the Philippines, stating that the invaders there had organized 10,000 Japanese residents of Davao, the principal city, into "a local military force." The presence of large numbers of Japanese nationals in the Philippines undoubtedly has hampered defense of the islands from the start of the Japanese attack, and it is believed to have contributed much to Japanese intelligence reports assisting the invasion.

Reports received here two days ago gave word that Filipinos in Mindanao had formed themselves into a strong force and had engaged the Japanese thirty-five miles north of Davao. Accordingly, observers here believed that the Japanese probably have formed a local militia of their own nationals to assist in subduing native patriots.

While the Japanese pursued their campaign on Luzon, Lieut. Gen. Masaharu Homma, Commander in Chief of the Japanese forces there, issued a list of seventeen types of activity for which civilian Filipinos may be subjected to the death penalty.

These "crimes" were related in a dispatch received by the War Department from General MacArthur

and made public here tonight. In general, they cover virtually every conceivable operation that might obstruct Japanese occupancy and political reorganization of the Philippines. They were issued following other actions, previously reported, under which the Japanese displaced civilian officials in conquered territory and decreed the death penalty for attacks on Japanese soldiers.

The category of capital offenses

includes far more than this number of actions. It includes even counterfeiting "or refusing to accept military notes or similar currency or hindering its free circulation." Observers were struck by the fact that fifteen categories of crimes were specifically stated. The sixteenth category consists simply of "any other acts against the interests of the Japanese forces" and the seventeenth makes a crime of "suggestion or assistance in the commission of the acts listed."

General Homma made "rebellion against Japanese forces" the foremost crime in his list and reserved for tenth place the crimes of "looting, robbery, murder, arson, sedition or disturbing the peace." Ahead of these normal types of crimes were listed, among other offenses, the giving of false information or directions to Japanese and the damaging of roads, other public utilities, private works, such as buildings and houses, and even "clothing, provisions, fuel, vehicles or livestock."

Promulgation of the order was considered here to be further evidence of the plan of total conquest that the Japanese have laid out for the Philippine Islands, even while they are undertaking other campaigns to the south in their effort to control the Far East. Having won control of the cities and rich agricultural land in the Philippines, they obviously have set out to create every possible pretext of legality to exterminate or depress the Philippine population as a pre-

lude to their announced policy of colonization.

It was recalled here that the conquerors have begun to recruit forced labor groups from among Filipinos. Resistance to this activity would involve, under today's order, the penalty of death.