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MILITARY COURT FOR THE TRIAL OF WAR CRIMINALS

<u>ACCUSED</u>	1. Col. WATANABE Tsunahiko 2. Capt. IWATA Mitsugi 3. 2/Lt. GOBA Itsuto All of the Imperial Japanese Army attached to Malaya Command Signal Regiment.
<u>PLACE AND DATE OF TRIAL</u>	KUALA LUMPUR. 22, 23, 24, 25, 26, 29 30 September and 1, 2, 6, 7, 8, 9, 13 October 1947.
<u>COURT CONVENED BY</u>	G.O.C. MALAYA COMMAND.
<u>PRESIDENT</u>	Lt.Col. H.E.R.SMITH R.A.
<u>MEMBERS</u>	Major C.P.McILVENNA Border. Major BEAUMONT - CLARKE RIF Major G.A.KING MC Middlesex Regiment.
<u>CHARGE</u>	See attached charge sheet.
<u>PLEA</u>	Each accused - Each charge - Not guilty.
<u>FINDING</u>	Each accused - Each charge - Guilty.
<u>SENTENCE</u>	13th October 1947. 1st accused - Death by shooting 2nd and 3rd accused - Death by hanging.
<u>CONFIRMED</u>	27th December 1947. By G.O.C. HQ MALAYA DISTRICT.
<u>PROMULGATED</u>	1st January 1948.
<u>REMARKS</u>	Death sentence imposed on all accused was carried out at KUALA LUMPUR on 2nd January 1948.
<u>DISPOSAL OF PROCEEDINGS</u>	TO AG3 GHQ FARELF <u>15 Jan 48</u> JAG of the Forces _____

DJAG FARELF

Case No.65272 JAG.

CHARGE SHEET

The Accused

Col. WATANABE Tsunahiko.
Capt. IWATA Mitsugi.
2/Lt. GOBA Itsuto.

of the Imperial Japanese Army
attached to
are charged with

First CHARGE

COMMITTING A WAR CRIME

In that they

At the rear of the English School,
KUALA PILAH, MALAYA, at about 1630
hours on the 11th March 1942, were,
in Violation of the Laws and Usages
of War, concerned in the killing of
civilian residents of MALAYA aforesaid
including the families of LIM KIM SUA,
LIM KIN TIEN, ONG GEONG FAH and KHOO
GEE KIM.

Second CHARGE.

COMMITTING A WAR CRIME

In that they

At the rear of the English School,
KUALA PILAH, MALAYA, on or about the
15th March 1942, were, in Violation of
the Laws and Usages of War, concerned
in the killing of about 24 male Chinese
who had been taken into custody at
Senaling, MALAYA aforesaid.

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Third CHARGE
Against Col.
WATANABE
Tsunahiko and
Capt. IWATA
Mitsugi only.

COMMITTING A WAR CRIME

In that they

At or in the vicinity of PARIT TINGGI,
MALAYA, on or about the 16th March
1942, were, in Violation of the Laws
and Usages of War, concerned in the
killing of many residents of and of
the area around PARIT TINGGI aforesaid.

1947.

Commanding

.....
(Signature or initials
of Convening Officer)

1947

Commanding.

ABSTRACT OF EVIDENCE

In the case of

Col. WATANABE Tsunahiko
Capt IWATA Mitsugi
2/Lt.GOBA Itsuto.

At the material time, first accused WATANABE was O.C., of the 11th Regiment of the 25th Army. The Regiment was then stationed in Negri Sembilan as Garrison Troops with HQs., in Seremban.

The Commander of the 2nd Battalion of the above Regiment was one Capt. NISHIMURA Toichi (deceased). The Second accused IWATA was the O.C., of the 7th Company of this Battalion. This Company was then stationed in Kuala Pilah and the third accused GOBA was an officer of this Company.

On the 6th or 7th of March 1942, WATANABE called a conference at his HQs., at Seremban and the officer commanding the 2nd Battalion and O.C.s of 5th, 6th, 7th and 8th Companies attended this conference. In this conference, WATANABE read out to the assembled officers instructions to the effect that the Seremban Area was a hot-bed of Communist activity and in order to combat this, each Company was allotted a certain area of responsibility. WATANABE issued instructions to the Company Commanders that any Chinese found in their areas were to be summarily executed.

On return from Regimental HQs., IWATA passed these orders on to his subordinates including GOBA, the third accused.

Following this, at about 6 A.M. on the 10th March 1942 IWATA and GOBA arrived at Senaling village with about seventy other Japanese soldiers. They then assembled the members of the families of LIM KIM SUA, LIM KIN TIEN, ONG GEONG FAH and KHOO GEE KIM, numbering altogether 26 and got them to board a lorry.

The lorry was then driven to Kuala Pilah and all the persons arrested in Senaling were detained in the Jap Garrison HQs located in the English School at Kuala Pilah. Further arrests were made in course of the day and efforts were made by local citizens to intercede on behalf of the arrested persons and to secure their release. These efforts proved ineffective, except in the case of two persons only. By noon-time of the same day, two pits, one large about 8' x 6' x 2' and a smaller about 4' x 3' x 2' had already been dug, in close vicinity of each other, in the plantation behind the English School. Shortly after 4 P.M. the following day, all the arrested persons, men, women and children were taken out of the School towards the pits. They were roped together in groups of 2 or 3 and their hands were tied behind them. When they came near the graves, they were separated into 2 groups and were made to stand on the edge of the pits. The Japanese then started bayonetting them and cutting them with swords. The third accused GOBA was seen plunging his sword at the back of one of the male persons, after which the said male person fell face forward into the pit. Two or three days later the pits were found half-filled and arms and legs of several victims were exposed.

At about 6 or 7 a.m. on 15th March 1942, IWATA and GOBA, accompanied by about 30 or 40 Japanese soldiers returned to Senaling. IWATA ordered all the people of the village together and made a speech through an interpreter, in course of which, he said that there was no hope of the four families arrested earlier, returning. Later he gave written permission to a Malay to auction the goods belonging to those four families. IWATA then enquired about the 76 odd Chinese who were homeless and were living in the market. On IWATA's orders, all these homeless Chinese were assembled together and were marched in file to the English School at Kuala Pilah and detained there. They were subsequently divided into two groups, one of married men with their families and the remainder. The married men with their families were marched away and released but the remainder, about 24 male Chinese were marched up the hill to a rubber plantation, by IWATA with his drawn sword in his hand. A hole had already been dug in the plantation, measuring about 25 feet long, 5 feet broad and 1 foot deep. The arrested Chinese were then brought up, two at a time and bayoneted. Accused GOBA was seen organising and directing this killing.

On or about the 16th March, the accused with a party of Japanese troops visited the village of Parit Tinggi. Several hundred residents of the village, men, women and children were arrested and marched in different groups to various places near the village where they were bayoneted and their bodies thrown into holes already dug. IWATA was present at the killing and was seen giving orders and directing the massacre.

Accused IWATA and GOBA have made a statement each, which will be produced in evidence.

The following persons will appear as witnesses for the Prosecution :-

1. LIM KIM SHIT
2. LIM KWEE
3. GAN HONG
4. TEE YEE JOO
5. KARUPPAN
6. MOHD ZIN BIN HAJI ABDUL RAHMAN
@ MAHAT JIN @ MAZIN @ MOHD BIN HAJI DARAMAN
7. NG CHUA
8. LEE LOH
9. SIOW TECK
10. LEE MEOW
11. LOK WING
12. BALA SINGH
13. INDER SINGH
14. NAHAR SINGH
15. LAI FOONG LING
16. YONG CHIN FAH
17. CHAN HOE CHEONG
18. PAK KUAY
19. CHAN AH NGAN
20. CHEON WAN
21. KWAN TO SIN
22. SIEW FOONG
23. FOONG MOI MOI