

BR 362

MILITARY COURT FOR THE TRIAL OF WAR CRIMINALS

ACCUSED

- (1) Sgt. Maj. KUMAGAI Hachiro.
  - (2) Sgt. Maj. TAMURO Noriharu.
  - (3) Sergeant. KANAZAWA Seichu.
  - (4) Sergeant. NOMOTO Kinji.
  - (5) Sup/Pte. FUJI Hanji.
- of the Imperial Japanese Army,  
att. 12 Group. Indian Pnrs.

PLACE AND  
DATE OF TRIAL

Rangoon. 16, 19, 21, 22, 23, 25, 26,  
28, 29, 30 & 31st Oct, '46, and  
1, 4, 5, 6, 8, 9, 11, 12, 13, 16,  
18th & 20th Nov, '46.

COURT CONVENED BY

G.O.C. Burma Command.

PRESIDENT

Lt-Col. M.C. WALSH.

2 Punjab Regt.

MEMBERS

Major. G.C. LALA.

I.A.O.C. BA.  
(Advocate India)  
4th P.W.O. Gurkha  
Rifles.

Capt. S.D. HALL.

CHARGE

COMMITTING A WAR CRIME in that they at  
SHANYWA, BURMA, on or about the 10th August  
1945, were in violation of the laws and  
usages of war concerned in the killing  
of HLA PE, PO TO, OHN KYAING, U THA KIN,  
SAN HLA GYAW, NGA YAH and U TUN MYAING,  
persons in their custody.

PLEA

Each accused - Not Guilty.

FINDING

Each accused - Guilty.

SENTENCE

20 Nov, '46. 1st Accused - Death by Hanging.  
2nd Accused - Imprisonment for  
life.  
3rd Accused - Death by Hanging.  
4th Accused - Death by Hanging.  
5th Accused - 10 years Imprison-  
ment.

CONFIRMED

24 Feb, '47.

By G.O.C. Burma Command.  
1st Accused - Sentence commuted  
to imprisonment for 15 years.  
3 & 4 accused - Sentence commuted  
to imprisonment for 12 years.  
5th Accused - 5 years' Imprison-  
ment remitted.  
2nd Accused - NOT CONFIRMED.

PROMULGATED

14 Mar, '47.

REMARKS

DISPOSAL OF  
PROCEEDINGS

To AG3 GHQ SEALF

11 APR '47

JAG of the Forces

DJAG SEALF Case No.65145 JAG.

**ABSTRACT OF EVIDENCE**  
**in the case of**  
**Sgt Maj KUMAGAI & others**

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The accused were at all relevant times members of a Kempeitai unit with Headquarters at MOULMEIN.

An expedition consisting of accused KUMAGAI TAMURO, KANAZAWA, NOMOTO and FUJII and others went to SHANWA at the beginning of August, 1945.

The expedition had divided into four parties and travelled by different routes eventually assembling on the 10th August 1945 at SHANYWA, a few people having been arrested on the way.

The first party was commanded by KANAZAWA, the second party was commanded by TAMURO the third party by an unknown Japanese and the fourth party by KUMAGAI.

On assembling at SHANYWA, Kumagai took charge and gave certain orders upon which certain members of the party dispersed eventually reassembling at the house of the Headman with more prisoners. The prisoners were questioned inside the house and some 30 or 40 were kept together outside.

At about 1400 hours the Japanese brought two groups - one of 4 and one of 3 - of prisoners out of the house to the open ground.

The group of 4 were led to one side and lined up and told to sit down. One man refused and NOMOTO stabbed him on the chest with a bayonet. Four Japanese then went ten feet behind the group and fired - each firing - each firing at and killing one of the victims.

The group of three were then taken to the left of the four corpses and similarly shot by three Japanese.

The seven bodies were identified as HLA PE, PO TO, OHN KYAING, U THA KIN, SAN HLA GYAW, NGA YAH and U TUN MYAING. U TUN MYAING was still alive and was taken to his house but later died.

KUMAGAI gave the orders during both shootings. TAMURO was 2 i/c of the party.

The following identifications of Japanese who did the actual shooting have been made :

<u>Witness</u>	<u>FIRST GROUP</u>	<u>SECOND GROUP</u>
TAN KIN CHOON	NOMOTO, FUJI	TAMURO, KANAZAWA, NOMOTO
MG PAN	NIL	NOMOTO, KANAZAWA, FUJI
MG SAN MYA	NOMOTO, KANAZAWA, FUJI	NOMOTO, FUJI
MG HLA PE	NOMOTO, KANAZAWA, FUJI	NOMOTO, FUJI
U TUN OHN	NOMOTO, FUJI	TAMURO, KANAZAWA, NOMOTO

One of the parties was commanded by TAMURO and he arrested TU MYAING, U THA KIN and SAN HLA GYAW.