

MILITARY COURT FOR THE TRIAL OF WAR CRIMINALS

ACCUSED

S/M ITO JUNICHI of the Imperial Japanese
Army attached to 42 Cdo (Lt)

BR.505

PLACE AND
DATE OF TRIAL

HONG KONG.

7th & 9th December 1946

COURT CONVENED BY

COMMANDER LAND FORCES, HONG KONG.

PRESIDENT

LT.COL C.F.BALL. Dept of JAG. India.

MEMBERS

MAJOR. M.I. ORMSBY. West York.
MAJOR. H. BARKER. Seaforth Highlanders.

CHARGE.

COMMITTING A WAR CRIME, in that he, at TSUN WAN
on or about the 17th August 1945, when a member
of the Kempeitai, was, in violation of the laws
and usages of war, concerned in the killing of
YEN (otherwise spelt YUAN) YEE KWAN and another
unknown Chinese, both civilians at that time in
his custody.

PLEA

Not Guilty

FINDING

GUILTY

SENTENCE

9th Dec 46

Death by hanging

CONFIRMED

15th Sept 47

By G.O.C. Land Forces, Hong
Kong.

PROMULGATED

16th Sept. 47

REMARKS.

Death Sentence carried out at Stanley Prison
Hong Kong on 23rd Sept 47.

DISPOSAL OF
PROCEEDINGS

TO AGS GHQ FARLEF 13 Oct, '47
JAG of the Forces

DJAG FARLEF
Case No 65162 JAG.

ABSTRACT OF EVIDENCE

In the case of:-

Sgt. Major ITO Junichi

The accused was Officer i/c of the TSUN WAN KEMPEITAI STATION situated in the New Territories of the Colony of HONG KONG from February, 1945, to the date of the Japanese surrender.

A statement by Major HIRAO YOSHIO, Commanding Officer of the KOWLOON KEMPEITAI, will be produced stating that on the Japanese surrender orders were issued to the KEMPEITAI to release all prisoners then held in custody. At that time accused was still Officer i/c of the TSUN WAN STATION. He was assisted by two KEMPEITAI named Sgt. OTSU SUSUMU and L/Cpl TSUKAHARA ICHIRO.

L/Cpl. TSUKAHARA will testify that on the 17th or 18th August, 1945, when the order to release prisoners was received, Sgt. OTSU SUSUMU (not in custody), remarked: "It is not good to release Communists and we must get rid of him", - (meaning one YEN (otherwise spelt YUAN) YEE KWAN). "He must be shot". YEN was at that time detained at the TSUN WAN STATION as a suspected Communist. The same witness will testify that after Sgt. OTSU said this, accused took the said YEN YEE KWAN and another suspected Communist, then also under detention at the same Station, out from the prison and killed them in the presence of witnesses by shooting them through the head with a revolver. They were buried together in the fields behind the Station. This witness, accompanied by an officer of the War Crimes Investigation Team in HONG KONG and Chief Inspector WARBURTON, O. i/c Cemeteries, HONG KONG, visited TSUN WAN on 8th July, 1946, and pointed out the spot where the bodies of the said YEN YEE KWAN and the other suspected Communist were buried. Corroborative evidence of this visit will be furnished by Chief Inspector WARBURTON. A Sanitary Foreman named CHEUNG KWOK HING who arrived at the spot shortly after Chief Inspector WARBURTON, will say that in November, 1945, he had dug up two dead bodies from the same spot at the request of a Chinese lady.

Mrs. NG YUET HANG, widow of the late YEN YEE KWAN, will give evidence that she was the lady who instructed the said CHEUNG KWOK HING to exhume the said dead bodies in September, 1945, and that one of the bodies was that of her late husband YEN YEE KWAN. The dead body was identified by a gold tooth found among the remains of the deceased.

A nephew of the deceased named YUEN CHIU MING who is a dentist and who was present at the exhumation in November, 1945, will give evidence that he recognized the gold tooth as one which he had made and fitted for the deceased.

The said gold tooth will be produced in Court as an exhibit.

In a written statement made by accused after he had been duly cautioned, he admits that he personally killed the said YEN YEE KWAN and another Chinese named GAI on the 17th August, 1945, with a revolver and that they were buried in the spot where they were executed.