

62. 454

MILITARY COURT FOR THE TRIAL OF WAR CRIMINALS

ACCUSED Maj. Gen. TANAKA Ryosaburo of the Imperial Japanese Army attached to 1 Devon.

PLACE AND DATE OF TRIAL HONG KONG. 8, 9, 10, 21, 22, 23, 24, 25, 26, 28, 29, 30 April and 1, 5, 21, 22 May 1947.

COURT CONVENED BY Commander Land Forces, HONG KONG.

PRESIDENT Lt. Col. R.C. LAMING Dept of JAG India
Barrister-at-law.

MEMBERS Major J.T. LORANGER JAG Branch Canadian Army
Capt. K.R. BUSFIELD RAC

CHARGE
1st CHARGE COMMITTING A WAR CRIME, in that he at Hong Kong, between the 17th and 28th December, 1941, as Commanding Officer of the 229th Regiment of 38th Division of the Imperial Japanese Army, was in violation of the laws and usages of war, concerned in the inhumane treatment of Prisoners of War by troops under his command, which inhumane treatment consisted of killing some and illtreating others.
2nd CHARGE COMMITTING A WAR CRIME, in that he at Hong Kong between the 17th and 28th December, 1941, as Commanding Officer of the 229th Regiment of the 38th Division of the Imperial Japanese Army, was, in violation of the laws and usages of war, concerned in the inhumane treatment of Surrendered British, Canadian and Allied Troops, by troops under his command, which inhumane treatment consisted of killing some and ill-treating others.
3rd CHARGE COMMITTING A WAR CRIME, in that he at Hong Kong, on or about the 19th December, 1941, as Commanding Officer of the 229th Regiment of the 38th Division of the Imperial Japanese Army, was, in violation of the laws and usages of war, concerned in the killing of Medical Personnel, who had been taken into custody at SALESIAN MISSION, SAU KI WAN.

PLEA Each charge - NOT GUILTY.

FINDING 1st and 2nd charges - GUILTY.
3rd charge - NOT GUILTY.

SENTENCE 20 years imprisonment. 22 May 1947.

CONFIRMED 30 July 1947. By G.O.C. Land Forces, HONG KONG.

PROMULGATED 5th August 1947.

REMARKS

DISPOSAL OF PROCEEDINGS To AG3 GHQ FARELF 2 Sep 47
JAG of the Forces _____

DJAG FARELF.
Case No. 65220

ABSTRACT OF EVIDENCE

In respect of the accused :- Maj.Gen. TANAKA Ryosaburo.

The accused Maj.Gen. TANAKA Ryosaburo was at all material times the Commanding Officer of 229th. Regiment of the 38th. Division of the Imperial Japanese Army. He took part in the Landing in the Island of Hongkong on 18th. December 1941 which eventually lead to the capture of the said Island on 25th December 1941. As the troops advanced on different routes the accused himself followed accompanied by his HQs' Staff. During the Course of operations as he moved from one place to another in the Island, he was in regular communication with his entire Command and personally received reports from his battalion Commanders.

Between 17th. & 27th. December 1941 Various atrocities were committed within the area of operations by the troops under the accused's command. Across the route of advance of his troops and wherever they happened to be, prisoners wounded or otherwise were murdered in cold blood. The order was "All captives must die".

The events which give rise to the first charge occurred at various places in Hongkong and at various times between 17th and 27th. December 1941. The following are noteworthy:

- a) 5th. A.A. Battery was stationed in SAIWAN and at approximately 2100 hours on 18th. Dec 1941 the Battery was surrounded and the men surrendered. Between 25 and 29 of them were herded into a Magazine or Pill-Box. Two or three hours later they were told that they could leave. As they came out of the Magazine or pill box they were all bayoneted.
- b) About 0800 -1000 hours on 19 Dec 1941 Rfn. A.K. PRYCE and Sgt. CUZNER were captured on the main road below, LYE MUN BARRACKS. They were made to push field stretchers up the road to a point in line with Mt. PARKER. Eventually they were taken to a field kitchen where they were bayoneted on orders from a Japanese Officer. Sgt. CUZNER died while Rfn A.K.PRYCE survived.
- c) C.S.M. F.W.HAMLE and three members of Royal Canadian Rifles were taken prisoner at "EUCLIPPE". They were badly beaten with their hands bound behind their backs they were taken to a grass bank facing the sea. There were pools of blood on the top of the bank with a dozen bodies at the bottom. All of them were shot there.
- d) Approximately at 0700 hours on 26th Dec 1941, LAI KWONG saw three Europeans soldiers lead out of a house by Japanese soldiers. The Japanese shouted and the prisoners whereupon raised their hands above their heads. A Japanese bayoneted them all. Next morning the bodies were thrown down a well.
- e) At the RIDGE an Emergency Ordnance Station was set up. On night of 20th Dec 1941 a group of soldiers, including Pte. C.T.DICKS was ambushed by the Japanese and they eventually took shelter in a civilian villa. On 22nd Dec 41 this group surrendered. Six prisoners were lined up against a stone railing and shot.

It will be in evidence in support of the second charge that at all material times the SILESIAN Mission SAU KI WAN was used as (a) First Aid Post of Royal Canadian Army Medical Corps (b) A civilian First Aid Post operated by St Johns Ambulance, and the Auxiliary Nursing Service (c) Medical Store of the RAMC. The SILESIAN Mission was marked with Red Cross Sign and all the St Johns Ambulance Personnel wore distinctive badges and uniforms with red cross badges on their sleeves.

At dawn on the 19th December 1941, the personnel at the mission surrendered. All the women including a Dr. TSANG FUK CHO were marched away. The remainder of the personnel were marched up the west side of Mt. PARKER. Apart from a Capt BANFILL all were lined up along a "nullah" and bayoneted or shot.

The following witnesses will appear at the trial :-

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| 1. TSO HIM CHI | 5. Maj. JAMES T.N. CROSS |
| 2. CHAN YAM KWONG | 6. Miss L FEARSON |
| 3. LAI KWONG | 7. Dr. TSANG FUK CHO |
| 4. Col. L.T. RIDE CBE | 8. WOULFE FLANAGAN |
| | 9. Capt E.C. WATSON |

Affidavits and statements made by the following will also be produced in evidence by the Prosecution :-

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| 1. Sjt | DAVID IVES BOSANQUET | |
| 2. Rfn. | A.K. PRYCE | R.C.R. |
| 3. CSM | F.W. HALME | RASC |
| 4. Lt. | W. MARKEY | RAOC |
| 5. Lt. | C.D. JOHNSTON | R.C.R. |
| 6. Pte | C.J. DICKS | RCOC |
| 7. Cpl | RAYMOND JOSEPH HERBERT | |
| 8. Lt Col | JOHN N.B. CRAWFORD. | |
| 9. Pte | JAMES W. FOWLER | |
| 10. L.M. | CANIVET | RCOC |
| 11. Capt | S. BANFILL | RCAMC |
| 12. 2/Lt. | OSLER THOMAS | |
| 13. Cpl. | N.J. LEATH | RAMC |
| 14. Miss | M. SUFFIAD | |
| 15. Maj.Gen. | TANAKA RYOSABURO. | |