

MILITARY COURTS FOR THE TRIAL OF WAR CRIMINALS

D.J.A.G's Case No. BM/JAG/65109

Name of Accused (including Rank, if any)	Arm or Former Arm of the Service	Age	Date and Place of Trial
Sgt. Teruo YAMAGUCHI	Imperial Japanese Army		12, 13, 14, 19, 20 and 21 August 1946. JOHORE BAHRU
			Convened by
			GOC-in-C, Malaya Command.

CHARGES

1st Charge. COMMITTING A WAR CRIME in that he at Johore State Prison Johore Bahru between the 1st August 1944 and 17th November 1944 in violation of the laws and usages of war was concerned in the ill-treatment of HAJI MOHAMED NOOR bin ABDULLAH otherwise known as HAJI NOOR as a consequence whereof the said HAJI MOHAMED NOOR bin ABDULLAH died.

2nd Charge. COMMITTING A WAR CRIME in that he at Johore State Prison Johore Bahru in or about the month of May or June or July 1944 in violation of the Laws and usages of War did beat an unknown Chinese male as a consequence whereof the said unknown Chinese male died.

3rd Charge. COMMITTING A WAR CRIME in that he at Johore State Prison Johore Bahru between the 10 January 1943 and the 20th August 1945 in violation of the laws and usages of War was concerned in the ill-treatment of numerous people incarcerated in the said Prison as a consequence whereof many of the said people died.

President and Members of the Court (except Legal Member)	Judge Advocate/Legal Member
Lt.Col. H.E.R. SMITH. Maj. S.B. SAHAY. Capt. R.D. KOHLI.	R.A. BA/BL Ind Pnr Corps. 2nd Punjab. N/A

Pleaded	Finding
Not Guilty to all charges.	Guilty of all charges.

Sentence and Minute of Confirmation

Death by hanging.

Confirmed, GOC-in-C, Malaya Command,
25 September 1946.

When and where Promulgated :—

18 October 1946.

Date of Receipt	To whom sent	Date sent	Purport

(13)

MILITARY COURT FOR THE TRIAL OF WAR CRIMINALS.

ACCUSED

Sgt. YAMAGUCHI Teruo. of
The Imperial Japanese Army.
att Malaya Comd. Sigs.

PLACE & DATE
OF TRIAL

Johore Bahru.

12, 13, 14, 19, 20 & 21st
August 1946.

COURT CONVENED BY

G.O.C.-in-C. Malaya Command.

PRESIDENT

Lt.Col.H.E.R.SMITH

R.A.

MEMBERS

Maj.S.B.SAHAY.
Capt.R.D.KOHLI.

BA/BL Ind Pnr Corps.
2nd Punjab.

CHARGE

See charge sheet attached.

PLEA

1st Charge - Not Guilty.
2nd Charge - Not Guilty.
3rd Charge - Not Guilty.

FINDING

1st Charge - Guilty.
2nd Charge - Guilty.
3rd Charge - Guilty.

SENTENCE

21 Aug 46. Death by Hanging.

CONFIRMED

25 Sept 46. by G.O.C.-in-C. H.Q. Malaya
Command Command.

PROMULGATED

18 Oct 46.

REMARKS

19 Oct 46. Execution carried out at
Johore State Prison.

DISPOSAL OF
PROCEEDINGS.

To AG3 HQ ALFSEA 21 Nov 46
JAG of the Forces

DJAG ALFSEA
Case No.65109 JAG.

CHARGE SHEET.

The accused:-

Sergeant YAMAGUCHI Teruo
of the Imperial Japanese Army
attached to MALAYA COMMAND SIGNALS
is charged with

1st Charge

COMMITTING A WAR CRIME
in that he
at Johore State Prison Johore Bahru
between the 1st August 1944 and 17th
November 1944 in violation of the laws
and usages of war was concerned in the
ill-treatment of HAJI MOHAMED NOOR bin
ABDULLAH otherwise known as HAJI NOOR
as a consequence whereof the said HAJI
MOHAMED NOOR bin ABDULLAH died.

2nd Charge

COMMITTING A WAR CRIME
in that he
at Johore State Prison Johore Bahru in or
about the month of May or June or July
1944 in violation of the Laws and usages
of War did beat an unknown Chinese male
as a consequence whereof the said unknown
Chinese male died.

3rd Charge

COMMITTING A WAR CRIME
in that he
at Johore State Prison Johore Bahru
between the 10 January 1943 and the 20th
August 1945 in violation of the laws and
usages of War was concerned in the
ill-treatment of numerous people
incarcerated in the said Prison as a
consequence whereof many of the said
people died.

ABSTRACT OF EVIDENCE.

In the case of:-

Sgt. YAMAGAUCHI Teruo.

ABDUL KADIR bin CHANI will say that Yamagauchi was a member of the Kempei Tai and served at the Johore State Prison. Whilst he was there he interrogated many people and invariably beat and otherwise maltreated them.

HAJI NOOR was interrogated by Yamagauchi for a period of three months. At the interrogations Yamagauchi beat him all over the body. His body bore signs of considerable maltreatment when the witness saw him in the cells. Towards November 1943 Yamagauchi gave orders to this witness that Haji Noor was not to receive any food. This information the witness passed on to one of his subordinates DAHAWAN bin HASSAN. About two weeks after this order had been given Haji Noor died.

This witness will also say that in or about the month of May or June a Chinese was brought to the Gaol whilst this man was before the witness Yamagauchi hit the man across the left ribs and repeated this two or three times. The man fell down and Yamagauchi sent for the dresser VELOSINGHAM. Witness then sent to his office. Before he went, he noticed that the man on the ground had not moved. VELOSINGHAM later told the witness that the man had died. Witness will say that Yamagauchi was the only person who hit the man.

Witness will also say that on numerous occasions Yamagauchi ordered him not to provide food or medical attention to prisoners who were undergoing interrogation. That he himself was beaten by Yamagauchi for disobeying his orders.

MUSA bin ZAINAL will say that HAJI NOOR was interrogated by the accused for a period of about three months. Then orders were given by Yamagauchi that HAJI NOOR was not to receive any food. About a fortnight later HAJI NOOR died.

ABDULLAH bin ABDUL JABBAR will say that about May 1943 he saw a Chinese beaten by Yamagauchi, who beat him to a kneeling position. The witness was about 50 yards away when OTO told Yamagauchi that the man had died. This opinion was confirmed by the dresser VELOSINGHAM

DAHAWAN bin HASSAN will say that he received orders that were originated by the accused that HAJI NOOR was not to receive any food. About a fortnight after this order had been given HAJI NOOR DIED.

Witness will say that a number of people died as a result of interrogation by the accused but that he is unable to remember any of their names.

SINATHAMBY V. VELOSINGHAM will say that Yamagauchi often beat people with a stick about 4" by 4' long. That he often had to treat people after they had been beaten by the accused.

That on numerous occasions he was called by the accused to attend to persons in the interrogation room but that they were dead. That Yamagauchi ordered him on numerous occasions to make death certificate for these people stating that death was due to natural causes.

HARUN bin ABU BAKAR will say that he saw the accused giving HAJI NOOR the water treatment and that he also saw him beating NOOR with a stick about 4" by 4' long. That later he received a death certificate for the man NOOR.

REMEGINS Antony D'Cruz will say that he often saw the accused carrying out the electrical and water treatment. That he saw Yamagauchi beat a Chinese and hit about the left kidney. The man died instantly, the date was about mid-July 1943.

WONG PENG SENG will say that in March 1944 the accused punched and fisted him, threw him several times ju-jitsu fashion, and then gave him the water torture. The following day he was beaten very severely with a heavy stick.