

1521 A
Evidentiary document # 5205.

Police Station, Newmarket.
AUCKLAND.
25th October, 1945.

BRIAN MURICE JOHNS states:-

I am a duly qualified registered medical practitioner. I am registered in New Zealand, England and Malaya. I am Senior Surgeon, General Hospital, Singapore, a member of the Malayan Medical Service. I am an ex-civil internee of war, Singapore Area. I was born in New Zealand on 15th March, 1901. I am at present on leave in New Zealand and my address is 28 Dilworth Avenue, Remuera, Auckland.

(I was at my post in Singapore when the Japanese captured the town. Among others, I was interned on 26th February, 1942. Until the 6th March, 1942, I was confined in an old house on the waterfront at Singapore. On that date, all the civil internees, including myself, were marched seven miles to Changi Civil prison. The women and children were quartered in one section of the prison and the men in another section.

At all times, Japanese soldiers were in charge of the internees and prisoners, though the administration changed from time to time.

The following important persons were interned with me:-

Sir Shenton Thomas, Governor of Straits Settlements,
General McRae, Indian Medical Service,
Sir Percy McElwain, Chief Justice, Straits Settlements,
The Chief Justice of the Federated Malay Straits (I cannot recall his name),
Mr. Spits, Governor of Sumatra,
Mr. Charles Howell, Attorney-General of Straits Settlements, and
Mr. Hugh Fraser, Colonial Secretary.

On an average, there would be about 2,500 men and about 500 women and children in Changi Prison Camp. They comprised various nationalities, there being New Zealanders, Englishmen, Australians, Americans, Dutch, South Africans, Canadians, a Spaniard, a Rumanian, an Indian, several Chinese, and some Armenians. Altogether, there were about 27 different nationalities represented in the prison.

Conditions at Changi prison were not satisfactory. There was gross overcrowding, which was the chief complaint. The prison was only meant to hold 600 persons in all. At times, it contained over 3,000 persons of both sexes, which caused much inconvenience. However, the water supply, electric light and sanitation were satisfactory, as were the cooking facilities.

The cells in which some of the internees were confined were meant to hold one person only, but three internees were placed in each cell. There was one platform only to sleep on. The cells were small. I cannot remember the exact measurements. On account of the over-crowding, the cells could not contain everybody in the prison, so that the workshops and every other spare room was occupied by the internees.

[After repeated requests to the Japanese, we were allowed the use of the prison hospitals, one for women and children, the other for the men.

For about the first year, due mainly to our own efforts, we had sufficient food, and at that time I do not think any person died from starvation, though there was illness from malnutrition (the result of an unbalanced diet). This began to appear fairly early in 1942.

[On 10th October, 1943,] all internees in Changi prison were paraded soon after dawn in the main yard as if for a routine roll call. Soon after this, the Japanese military police arrived and armed soldiers picketed all doors. A number of internees were called out by name, labelled and segregated. The internees were then ordered back to their block yards where further labelling and segregation took place. Meanwhile (a search was made of the personal belongings of all internees. During this search, there was looting and wanton destruction by the Japanese. The investigation ended soon after dusk the same day and internees were allowed to return inside the prison. Many of them had had no food since 6 p.m. the previous day, and some suffered collapse, owing to the day long exposure to the sun without food.

In consequence of this investigation, 57 internees, including myself, were removed from Changi prison by the military police on or after the 10th October, 1943. With one exception, these were all interrogated at Japanese military police centres at Singapore. The course of the investigation revealed that the Japanese were trying to establish that there was a spy organization in Changi prison, which received and transmitted messages by wireless.

I was detained with others in a block of flats in Smith Street, Singapore. Altogether, I was interrogated by the Japanese about 26 times, and after one such interrogation I was beaten by the Japanese. I will refer to this incident later in my statement.

[I will first relate what happened to a Chinese lad named Lim.] I do not know his full name. He was employed in the Japanese office of the internment camp and was arrested and placed in the same cell that I was occupying. Although I did not actually witness his beating, the condition of bruising and open wounds when he was returned to the cell after interrogation, was, to my mind, conclusive evidence of the brutal treatment he had received. He was one of the first to be interrogated by the Japanese, and after several of such interviews he was so sick that he was unable to take any food whatever, and whenever I gave him water to sip he immediately vomited it back. In my opinion he was suffering from an intra-abdominal lesion, probably a ruptured liver. The whole of the back of his neck and upper part of his back and the whole of his buttocks were extensively bruised. This incident occurred between 11th October, 1943, and 17th October, 1943, on which day he was removed from the cell, to my mind, in a dying condition. All I could get from him was that the Japanese had told him that if he knew anything he must tell them about it. They did not ask him to speak or refer to any specific incident.

[I subsequently made enquiries,] and since hostilities ceased [I was informed] by several people, who I have reason to believe knew him, [that he died.] I cannot remember the names of the people who told me about Lin's death.

[Later, the 23rd November, 1943, while still in detention, I was summoned by the Japanese for interrogation.] The interrogation lasted for about two hours and the questioning related to an alleged wireless transmitting set which the Japanese informed me that Dr. Cuthbert Arthur Stanley, who was quartered with me at Changi prison, had confessed to being in possession of. As I was well aware that Dr. Stanley was not in possession of such a set, I denied any knowledge of it. I was merely informed that Dr. Stanley had confessed. They told me that they had found the set in the prison, but did not produce it when I asked to see it. I was informed that I was regarded as being perfectly innocent, but that I was aware that Dr. Stanley had the wireless set as I had warned him that it was dangerous to possess it. This was untrue. At that time, Dr. Stanley was confined in the Y.M.C.A., which was being used as a Japanese military police headquarters. [After questioning me for about two hours, the Japanese took me to a room in which I was told one or two of our people had been tortured by electric current. There were numerous wires lying about the room, but the apparatus was not working. I was then taken to another room on the ground floor.] This was in the block of flats in Smith Street. The room was fairly large with a concrete floor. [Hanging from the ceiling was a rope, to which my two hands were tied. I was then beaten by a large bamboo stick. The bamboo would be about two inches in diameter and about five feet long. It was an ordinary bamboo used to carry things on. I was then beaten over the buttocks, prodded with the end of the pole over all the bony points of the body, the knees, the thighs, and lower portion of the spine. The same pole was used to knock me down to my knees. It was then placed in a horizontal position behind the calves of the legs and the Japanese jumped on both ends of the pole. This went on for some time, after which the pole was placed between my crotch and I was jerked to the standing position. I was further beaten over the buttocks by a piece of broken floor board. This board was about two and a half feet long, one and a half inches wide and about one inch thick. I was also beaten with the buckle end of a belt.]

The Japanese also kicked me on the shins. After this form of treatment had continued for some time I fainted. When I recovered, my hands were untied and the rope tied round my waist. I was then swung round and round the room on the rope and struck with pieces of wood and kicked. I was later released and returned to my cell. During the course of the next twelve hours I fainted a number of times. My body was numb. [None of the other internees witnessed what occurred to me in the torture room, but one of them was sitting in the next room where the beating took place. He was Mr. John Dalton, radio sound engineer, manager of a theatre in Kuala Lumpur. He later informed me that he had heard all that went on during my beating. There were three Japanese concerned in beating me. They were:-

- (1) A Japanese military policeman. I have reason to believe that he held the rank of Sergeant Major. I do not know his name, but on the several occasions that I saw him before and after my beating he was wearing the arm band of the Japanese military police. I cannot supply any other evidence as to his identity, except that I would be able to identify him again if I ever saw him. This man did the questioning.
- (2) A Japanese interpreter: The interpreter was not wearing Japanese uniform whenever I saw him. He was dressed in Japanese civilian clothing. I do not know his name. As far as I can remember, he was an interpreter attached solely to the Japanese military police. I do not think I would be able to identify him again.
- (3) A Japanese soldier acting as beater up: This man took no part in the interrogation. He was merely a thug. He actually tied me up and beat me with the bamboo, though the Sergeant Major took a hand in beating me as well. I have no knowledge that would assist in identifying this man. I would not be able to identify him again.

I cannot say who was in charge of the military police or offer any information in assisting in establishing the identity of the Japanese responsible for authorising or performing the acts of brutality. As a matter of fact, every Japanese soldier resorted to violence as a matter of course.

As a result of my beatings, I do not feel that I have suffered any permanent injuries. For four months after my beating, I had a rope burn on my right wrist and it was about seven months before the skin sensation returned to that hand. I also lost sensation on the inside of both thighs, the direct result of the use of the pole between my legs.

After the beatings, it would be about the end of December, 1943, I contracted dysentery and I lay on the floor of my cell without any covering or medical attention for three weeks. After that, as a result of repeated requests by my cell mates, I was seen by a Japanese doctor, who merely ordered a mouth wash. I do not know his identity.

While I was confined in the detention cells, the other internees were taken out from time to time for questioning and would return showing unmistakable signs of beating and torture. I have seen my cell mates leave the cell quite fit and well and return from interrogation bearing obvious signs of physical torture.

I am unable to state whether the same Japanese beat up my cell mates and other internees in detention who beat me.

Mr. Cheatle, Singapore manager for Thomas Cooke and Sons, was one man whom I saw with open wounds on the front of both knees, and fresh cigarette burns on the lower parts of the thighs and back of the neck. Mr. C.C. Jackson, Malayan Transport Board, another cell mate, told me that the Japanese had wrenched his thumb and broken it. I was able to

verify that the thumb was fractured. Mr. John Hardman, of the Electrical Dept., at Johore, informed me that he had sustained an injury to the knee as a result of being thrown by Ju-jitsu throws by the Japanese when his hands were tied behind his back. An examination of the knee showed that there was an injury to a cartilage. Another case I personally examined was that of a young Indian lad named Raju, who had been employed as a clerk in the Japanese office of the internment camp. He had a fracture of the knee cap and also of the ulnar bone in one forearm. I actually saw the results of Japanese punishment in respect to the men mentioned. I did not see the tortures being inflicted. The victims used to tell me what the Japanese did. On May 1st, 1944, I was transferred to Sime Road camp, where I remained until the end of hostilities.]

During the whole of my internment and unknown to the Japanese, a complete record was kept by various camp officials of all incidents and a full report prepared. I was head Commandant at the camp for nine months and during that period I assisted to maintain that record. Whenever it was reported that an incident had occurred a report would be taken from the victim and make a written record of it. We used to obtain all the facts, and in some cases we actually obtained signed statements from the victims. Complete records were made of housing, feeding, stores and supplies and every act of brutality. It would be impossible, without referring to that record, to give a complete statement of every act of violence I witnessed.

After hostilities ceased, I do not know what happened to the men, my cell mates, who were beaten up by the Japanese, referred to in this statement.

So far as the camp record is concerned, a full report was prepared and I think it would be sent to the Home Secretary, or the Colonial Office.

(Signed) B.M. JOHNS 25.10.45.

statement taken and signature witnessed by the undersigned:

(Signed) A. RUSH
Sergeant. 25.10.45.

Certified True Copy

(Signed) A. HIGHET
Captain NZTS.
20.2.1946.

Date, Camp or Place.	Particulars of the Criminal Act or Violation	Names where known, description, rank appointment, unit, etc., of enemy personnel concerned and any other detail to fix their identity.	Names of witnesses
27 Dec 41 In the jungle about 14 miles from Ipoh	Source who was in "D" Coy 4/19 Hybad, was ordered to move with his Coy to a position 14 miles N.E. of Ipoh, where they were to patrol the area. While accompanied by 'D' Coys of the A and S. H. and 5/2 Punjab and about 2 or 3 miles from their starting point, they were attacked and dispersed by the Japanese, who after inflicting heavy casualties rounded up the stragglers, and in all about 75 men were captured, included 26 from 5/2 Punjab and the remainder from the 4/19 Hybad. None of the Argylls was captured, although some of them were killed in the engagement. Sources was among those captured. The captured men were stripped of all their clothes except their underwear, and were kept without food or water from 10.00 hrs until 18.00 hrs under Japanese guard when their hands were tied behind their backs and they were kept in three batches, each batch being about 50 yards away from the other. The same evening at about 2000 hrs Japanese soldiers commenced attacking them with bayonets and chopping the heads off those who cried loudly. Source was bayoneted twice on the small of the back and escaped by pretending to be dead and lying under some dead bodies.	Source had no idea as to the unit etc. to which the perpetrators belonged.	Following witnesses of whom to 4/19 Regt:- 1. Jem Kara Singh 2. L/Nk Ni Singh 3. Sep Bhoo Singh (now with Agra) 4. Sep Dha 5. Sep Jag (now with Agra) 6. Sep Pir

(INDIAN TROOPS)

The statement was recorded by me, read over to the source and admitted correct.

Number 11020 Name MUL CHAND Rank SEPOY
 Unit/Ship 4/19 Hyberabad Infantry
 Home Address Village: Pota P.O. Kanina Nabha State
 Date and place of Capture: 27 Dec. 1941 14 miles beyond Ipoh, Malaya.

(Signed) A.K. Thompson
 Major
 C.S.D.I.C. (I)

Certified true copy of original statement .

18th April 1946.

(Signed) P.S. LAMBE, Lt.-Colonel
AAG War Crimes
HQ ALESEA

1523

Evidentiary Document No. 5432.

SYNOPSIS OF EVIDENCE.

M A L A Y A

1. Massacre near IPOH

Prosecution Document numbered 5154, being the statement of Sepoy LUL CHAND is now produced for identification and the marked excerpts offered in evidence. This document relates that seventy five Indian soldiers when captured, were massacred by beheading and the bayonet. The witness was bayoneted himself but escaped with his life by lying under some dead bodies.

2. Murder of P/W at MUAH

Prosecution Document numbered 5241 being the Affidavit of T.C. TREVOR, is now offered for identification and the marked excerpts produced in evidence. This Affidavit states that on 3 February, 1942, six Australian soldiers, including the witness, having been captured by the Japanese, were at MUAH, in cold blood, fired upon by a bren gun. All the men were killed or died later, but the witness escaped.

3. Massacre of P/W at PAHIT SULONG

Prosecution Document numbered 5043, being the Affidavit of Lt. B. C. HACKNEY, is now tendered for identification and the marked excerpts offered in evidence. This Affidavit states that on 22nd, January, 1942, the witness, who was wounded, and a large number of men from other Units, were captured by the Japanese at Parit Sulong. The witness describes their treatment as follows:-

"(1) On many occasions a Japanese indicated to a wounded man to move along with the rest, although he was incapable of any movement. Upon his failing to move, the Japanese struck him with a rifle or kicked him, or actually bayoneted him or shot him.

(2) A Japanese drove his bayonet into a man wounded in the chest and thigh and pushed him along the road and again bayoneted him several times. The witness, although wounded, was prodded with a bayonet by a Japanese. The prisoners' watches, pens, pencils and other property except clothing were taken by the Japanese. Their clothing was removed during the search. One dead soldier was propped up by the Japanese and made an object of ridicule. About 150 nude and wounded prisoners, some with gaping, dirty and blood-clotted wounds, were hit, kicked, punched and prodded with bayonets, often in the open wounds, by the Japanese. Many were knocked unconscious by blows on the head with rifle butts.

(3) Eventually the prisoners were forced into a little shed or garage. The Japanese grunted and prodded them with bayonets until most of the prisoners had scrambled into the shed. Some were knocked unconscious and others killed. The terrific yells of wounded men in pain were continuous. The shed soon became a hell-hole full of tortured, groaning and delirious wounded soldiers. There was not enough room in the shed to put down one's foot without stepping on somebody. Water was not given to the prisoners. A large number were re-wounded by the Japanese. Others were bayoneted or shot. Requests for medical attention and water were ignored. Water was held by Japanese guards just out of reach of some of the prisoners and then thrown away. A wounded Indian soldier who had been knocked down by a Japanese and rendered unconscious was, on showing signs of regaining consciousness, bayoneted and heaved into a stream. When his blood-stained face emerged above the water, the Japanese shot him.

(4) Other ranks were tied up and maltreated. Some were bayoneted. Finally, they were all herded into a group and shot with rifles and machine guns. The Japanese removed the bodies, but not the witness who feigned death. Blood was running all over his face. A wound in his back left a small pool of blood on the ground. Some Japanese came and stood over him and one pushed him with his foot to make sure he was dead. Another kicked him in several places. The Japanese then brought tins of petrol and poured it over the prostrate prisoners, other than the witness, some of whom were still conscious. They then set fire to the petrol amidst screams and yells of pain and the prisoners were burnt to death. The witness could smell the burning flesh. He lay still until the Japanese departed. Many Japanese passed him and kicked him and some pricked him with their bayonets. One actually drove a bayonet into his side between his ribs. Another took his boots from him. Later the witness was able to free himself from his bonds and met a sergeant and another soldier who smelt strongly of petrol. They had been together when the prisoners were fired upon and they fell with the first burst of firing although neither had been hit. Petrol was thrown on them but they were not burnt. The soldier who was with the sergeant died the following day."

4. P/W in MALAYA.

A) Prosecution Document numbered 5085 being the Affidavit of L.J.W. SEEKINGS is now offered for identification and the marked excerpts produced in evidence. This Affidavit relates to the gross inadequacies of living conditions, food and medical stores in the Kuala Lumpur Camp during February - October, 1942. During the first three months, 166 men died of battle injuries and fever. No medical attention was provided by the Japanese.

B) Prosecution Document Numbered 5084, being the Affidavit of Capt. F. R. ADAMS is now offered for identification and the marked excerpts produced in evidence. This Affidavit refers to the conditions in Penang Gaol where the witness remained for some two months, five weeks of which was spent in solitary confinement in the condemned cell.

Men were beaten savagely for no apparent reason. Sanitary arrangements were vile and sick men refused admission to hospital.

C) Prosecution Document numbered 5024 B, the Affidavit of Maj. R. H. STEVENS, is offered for identification and the marked excerpts produced in evidence. This document states that in March, 1945, P/W were billeted in an overcrowded camp in JOHORE and that insanitary latrines caused a great deal of dysentery.

The prisoners laboured at making defence works for the Japanese and owing to the lack of precautions, several men were killed and injured by falls of earth. Hours of work were long and arduous since there was no proper air supply.

The witness was told that owing to the prisoners being engaged on security work, in the event of invasion, they would be killed.

Conditions for surgery were unfavourable at the camp and despite the existence of a large and well equipped hospital, six miles away, permission to evacuate cases there, was refused.

D) Prosecution Document numbered 5375, the Affidavit of B. G. MAPLEBACK is offered for identification and the marked excerpts offered in evidence.

This Affidavit states that the witness and three other men were taken prisoners near KULAI. They were roped together and driven some three miles at which point, two of the prisoners were ordered out of the truck and taken to a creek about 20 yards away. Here they were shot with a tommy gun in the presence of the witness. The bodies were left where they fell and the Japanese returned to the truck.

5. CIVILIANS IN MALAYA.

A) Prosecution Document numbered 5139, the sworn statement of CHEW SWAY LEOK is produced for identification and the excerpts marked therein, tendered in evidence. This statement relates that the witness and nine other Chinese were beaten with rifle butts into unconsciousness at Batu Bahat Police Station in February, 1942. On 1 March over 100 Chinese

and European civilians were put in lorries and taken in batches of thirty five into the jungle. They were machine-gunned and bayoneted. The witness waited until the Japanese had gone and then escaped.

B) Prosecution Document numbered 5141, the sworn statement of AHMAD BIN CHETEH is now offered for identification and marked excerpts produced in evidence. This document states that towards the end of 1943, while the witness was employed as a Sub-Warder in Penang Gaol, he saw a Japanese M.P. torture a Chinese woman of middle age.

"Wassio opened this woman's trousers and burnt the hair around her pelvic parts with a lighted piece of paper. Then Wassio tied a rope round her waist, and, after binding it round her wrists, attached the other end to a motor cycle. Then Wassio proceeded to drive the motor-cycle at a quicker pace than it was possible to run. The woman was pulled along the ground about ten yards and then lost consciousness."

The witness saw Chinese, Malay and Indian prisoners tortured and stated that three Chinese died after undergoing water torture.

C) Prosecution Document numbered 5142, the sworn statement of Miss YONG LEN MOI, is produced for identification and the marked excerpts thereof, offered in evidence. This document refers to the torture of the witness's grandmother who was suspended from the ceiling for an hour while heavy weights were thrown at her legs and feet. The witness further states that her grandmother was dragged along behind a motor cycle until unconscious, as described in the evidence of the preceding witness AHMAD.

The witness herself was beaten and burned in Penang Gaol where her grandmother later died as a result of her maltreatment.

D) Prosecution Document numbered 5143, the sworn statement of W. T. DAVIES and the statement of Mrs. A. C. KATHIGASU, exhibited thereto, is now tendered for identification and the excerpts marked offered in evidence. This document relates that the witness was taken to IPOH Police Station in August, 1943, where she was tortured and beaten in many ways, and accused of being a spy.

At Kempeitai HQ her child was suspended from a tree with a fire blazing underneath her, whilst the witness herself was tied to a post and beaten with a stick. The child was eventually released.

At Batu Gajah gaol the witness was imprisoned for life, after having been sentenced to death. Food was inadequate, the cells were verminous and filthy. There were no bed coverings and no facilities for bathing. The witness finally lost the use of her legs but has since recovered.

1524A

I, VX39006 Major John Kevin LLOYD of Army Headquarters
make oath and say:

1. I am an officer of the Australian Military Forces.
2. Annexed hereto and marked "B" is a true copy of an affidavit sworn by Terence Charles TREVOR on 11 Apr. 1946 which I have in my custody in the course of my duties.
3. The original affidavit cannot be made available immediately as it is required for trials of minor war criminals.

Sworn before me at MELBOURNE)

this 27 day of May 1946)

J. Lloyd /s/
Major

R. D. Crompton /s/ Capt
An officer of the
Australian Military Forces

On this eleventh day of April, One thousand nine hundred and forty-six, [Terence Charles Trevor, of 14 Ponsonby Pde, Seaforth, in the State of New South Wales, Woolclasser, makes oath and says as follows:-

1. As NX55521 Pte T.C. TREVOR of 2/30 Inf Bn I was attached to B Coy. Portion of my section, which included, besides myself, NX25556 Pte. J.R. BLAND, NX27464 Pte. F.G. COLLETT, NX26712, Pte COCHRANE, NX5906 Pte MULLIGAN and Pte E.W. SAMS, were cut off from the remainder of our Coy whilst returning from the GENAS Ambush.]
2. In an attempt to return to our Battalion lines, we became lost and wandered in the jungle and rubber plantations for approximately 14 days.
- [3. At about 0100 hrs on 1 Feb 42 we were captured by a Jap patrol. The patrol was also accompanied by a few Malayan natives.]
4. After being taken by the Jap patrol we were transported by a Sampan, we had previously commandeered, to Patrol HQ and then to LENGHA, where we spent the night in the local gaol. Here we were given food and next morning we were given bicycles and with a Jap and Malayan escort set out for MUAR, arriving there at approximately 1800 hrs on 2 Feb 42.
5. Here [we were handed over to a group of Jap officers quartered in the Sultan's Palace near the MUAR River.] The Jap Officer in command told us that we would be held as POWs and that we should have to work. We agreed to this and were given food and a place to sleep.
- [6. Next morning 3 Feb 42,] whilst helping to load a truck on which the Japs were about to proceed [to BATU PAHAT, we were told to line up in twos, and tied together with signal wire, wrist to wrist.
7. We were then led by the Jap Officer across a lawn and asked if we would like a pistol to commit suicide. We refused and we were then asked if we had anything to say. I said "that we should be held as POW" but this was ignored and the Jap Officer, with the words "You will soon see your mothers and fathers", left us.
8. On the opposite side of the lawn about 25 yds away a Jap soldier lay behind a Bren Gun which was pointing in our direction. The Jap soldier opened fire, watched by the Jap officers.
9. Pte Cochrane was hit and immediately fell to the ground. Ptes COLLETT and BLAND were then hit and fell to the ground, dragging me with them. The Jap continued to fire whilst we were lying on the ground and I could hear the bullets thudding into COLLETT who was lying alongside me. The Jap then ceased fire.
10. After a short time I raised my head but could see no sign of the Japs. I untied my wrists with my teeth and untied the others also. Pte COCHRANE was dead, Collett unconscious and the remainder wounded but still alive.

11. I dragged the other members of my party who were alive into the shade of some hibiscus trees nearby and made them as comfortable as possible. During the afternoon of that day BLAND and COLLETT died. MULLIGAN survived till the morning of 4 Feb 42. After Mulligan died, SAMS, who was wounded in the leg, and myself attempted to escape. We were pestered by Malaysians who followed us wherever we went but finally threw them off and spent the night in an evacuated native house in MUAR.

12. On 5 Feb 42 we were recaptured by different Japs and taken to Malayan HQ building in Muar. There we were told we were Prisoners of War.

13. I was of the opinion that these Japs were contemplating murdering SAMS and myself, but we were saved, I think, by the intervention of some Jap Staff Officers who arrived in two cars.

14. After a conference between the Jap Staff Officers and our captors, we were told by a Jap Sgt, that we were to be taken to KLUANG to a prison camp. We spent the night in a house adjoining Malayan HQ where I was able to dress Sams' wound.

15. On 6 Feb we were taken by the Jap Staff Officers in a car to Kluang where we met approximately 27 Aust POW and 2 British Brigadiers in the Kluang Gaol. One Brigadier's name I remember was PAYNTER.

16. On 7 Feb 42 we set out for KUALA LUMPUR. On 8 Feb 42 we arrived at Kuala Lumpur and were taken to PUDU Gaol where there were approximately 500 British and Aust Prisoners.

17. On 9 Feb 42 Pte SAMS died from tetanus and was buried in gaol grounds. After spending eight months at Pudu Gaol we were taken to Changi Gaol.

18. I was unable to discover the names of any Jap Officers or men responsible for murdering my colleagues and I was also unable to obtain anything that would help to identify their units.

19. The dates that I have before mentioned are absolutely correct and may assist in identifying Jap units in the area at that time.

SWORN by the abovenamed deponent,)
Terence Charles Trevor, at Sydney,) T. C. TREVOR /s/
this eleventh day of April, One)
thousand nine hundred and forty-six)

Before me L. SHEFFIELD J. P. (?)

Exhibit "B" - This is the document marked Exhibit "B" referred to in the affidavit of VX39006 Maj J.K. Lloyd sworn before me this twenty-seventh day of May 1946 as being produced and shown to him at the time of his swearing his said affidavit.

/s/ R. D. Crompton, Capt.
An officer of the
Australian Military Forces.

AUSTRALIAN WAR CRIMES COMMISSION.

Evidence taken at Sydney on 12 November 1945 before Mr. Justice Mansfield.

NK.71148 Lieut. Ben Charles HACKNEY, 2/29 Battalion, being duly sworn, give the following evidence:

My full number, name, rank and unit are NK.71148 Lieut. Ben Charles Hackney, 2/29 Battalion. My home address is 12 Benelong Crescent, Bellevue Hill, Sydney.

On the evening of 17 January 1942 2/29 Battalion made contact with the enemy at Bakri and from the morning of 18 January the battle was at its height. On 19 January 1942 we joined up with 2/19 Battalion some little distance south of Bakri. From Bakri we withdrew to Parit Sulong, where we were held up by a bridge and strong Japanese forces defending the bridge. We made a stand there from the morning of 21 January until we were captured the following day, and we had very heavy casualties.

The following is a summary of the happenings between 22 January 1942 and 21 March 1942 inclusive. I do not know the names of the Japanese responsible and I do not know of my own knowledge what unit it was that captured us at Parit Sulong, but I have heard subsequently from Col. Kappe that it was the Japanese Imperial Guards Division; these soldiers were bigger than the usual Japanese soldiers..

1. Many men comprising A.I.F. and Indian Army soldiers - the majority severely wounded, some of whom had been lying in trucks, vans etc., up to four days with necessarily limited medical attention and were subjected to the treatment briefly outlined below at PURIT SULONG by I.J.A. soldiers.

2. Prior to the closing in of IJA soldiers I myself had been wounded in four places making me incapable of walking and greatly restricting any movement.

- (a) a bullet through the left leg below the knee causing a fracture.
- (b) shell splinter in back.
- (c) shell splinter in outside of right calf.
- (d) shell splinter in rear of right knee.

3. These soldiers made up some of the casualties of the 65 Fd Bty (2/15 Fd Regt.); 4 A Tk Regt.; 2/19 Inf. Bn; 2/29 Inf Bn, and other units of the 45 Indian Bde, under which command these A.I.F. forces had been placed. These soldiers had been gathered together during

the days prior to and including the 22 January 1942, and were by 1200 hrs 22 January 1942 assembled - some in trucks, others lying about in various positions (many of whom because of wounds had been unable to gain the shelter of a vehicle) - on or about the roadway immediately NORTH of the PARIT SULONG Bridge.

4. Enemy fire of all types continued for some time to pour in from all directions upon the vehicles and personnel who had gathered along a short section of the road after an order had been given for all troops who were able to do so to vacate the position. Because of lack of unwounded soldiers and scarcity of arms and ammunition very little retaliation fire went out from this group in return for that of the enemy. Another officer and I operated for as long as ammunition was available a Bren gun from beneath a utility truck in order to in some way add to the comparative lack of fire from our position and to perhaps lengthen by at least a short period the time when the enemy would inevitably close in on our position, and thereby enable those who had been able to get away to have a better opportunity of travelling a fair distance before the Japs had use of the road and were able to push forward and perhaps prevent our men from gaining contact with our forces from whom we had been cut off for several days.

5. About 1430 hrs all fire from the convoy ceased and shortly afterwards from all directions especially WEST Japanese soldiers closed in on our positions. Indications amidst much unintelligible yelling, were made for our personnel to assemble at a point WEST of the road and over a parit which ran by the side of the road.

6. Some of the fit men - of whom there were very few - were allowed to assist the more unfortunate; others were compelled to move immediately to the assembly point and remain. This assembling was a slow process as many were incapable of movement. Men were lying about in all directions. Some dead, many seriously wounded who had been unable to gain any shelter whatever being incapable of any movement. Other unable to make much progress, had managed to crawl or drag themselves to one of the many vehicles and there lie exhausted.

7. The following are some of the acts committed by the Japanese during the process of assembling the men.

- (a) On many occasions a Jap approaching a wounded man, would indicate for him to move along with the rest; however, sometimes the soldier would be incapable perhaps of any movement whatever. Upon failing to do as the Jap indicated, the latter would immediately begin yelling and making signs - still no movement by the wounded soldier whereupon he would be bashed about with the rifle, kicked, and on some occasions eventually either run

through many times with the bayonet, or with the rifle close to his head - shot. This was the fate of a good many wounded men.

(b) Sometimes men hobbling towards the little bridge over the parit which led to the assembly place, and others who were crawling would have a Jap come up to them and he dealt a terrible blow, sometimes to the body but most always to the head, with the butt of the rifle. Some were knocked down, whereupon they would be kicked,

(c) The fate of others was to be hurried when they were already moving as fast as their wounds would allow, by some Japs using a variety of methods - some kicking, some often striking with their rifles and other times many prodding the men with their bayonets.

(d) One man badly wounded in the chest and thigh was making to the bridge very slowly by crawling and dragging himself along the ground. He was hit several times by Japs but was incapable of moving faster. A Jap drove his bayonet into the man and made as if to push him along the edge of the road. The man fell full length face downwards, whereupon the Jap thrust in his bayonet several times and then left him, moving off to some other unfortunate who would also be brutally treated to make him move faster.

(e) A Jap came to my position. He pushed another officer, who was with me and standing, away, then indicated for me to move also. I pointed out that I was unable to do so, whereupon he began kicking me; but even knowing what was wanted and with the urge to avoid this foul treatment, I was unable to stand. He then struck me several times with his rifle, then prodded me with his bayonet. Finally he let the officer come back but even with his help I was unable to walk, my left leg being useless and my right altogether too painful. The Japs started screaming again and began belting us both with his rifle butt. Eventually, with the aid of another, I managed to get along by swinging myself on their shoulders. When crossing the small bridge the three of us were struck many times by the Japs on both sides.

(f) By these various means all the prisoners were either herded into the area or killed by shooting or bayoneting, or left dying on the road.

(g) Upon approaching the bridge over the parit all personnel had to take off any equipment and throw on the road watches, pens, pencils - anything visible to the Japs except clothing.

(h) After crossing the bridge, almost everyone being hit as he did so with a rifle by one or all of the Japs who were on both

sides, all prisoners had to remove their clothing except their boots and socks and putties, which was thrown into a heap. The clothes were thrown amongst the prisoners after a considerable time had elapsed, during which they had been searched.

(i) one wounded man who had been placed by our own people upon a table form and put inside an office truck, was seen by a Jap. The table form was dragged out and left leaning against the back of the truck. The fellow had been dead for some time and become stiff. The body was then propped up in an upright position on the tabletop. situated in this position, it created enormous amusement to the Jap concerned and was an object of ridicule to many Japs afterwards.

8. When all had assembled the prisoners were made to sit in the nude in a circle within a ring of Jap guards. There were approximately 110 A.I.F. soldiers and 35 to 40 Indian Army soldiers.

9. Many Japanese troops were by this time moving along the road, some on foot, others on bicycles and many in lorries (both Jap and civilians). They were halted often and on these occasions many would come over to have a look at the prisoners - about 150 nude bodies, unshaven, dirty and blood clotted; some fresh and many reopened by movement and still bleeding freely. To the Japs the prisoners were of great interest, some showing mirth, others ill temper and wickedness; many hit or kicked (or both) and punched and prodded men with bayonets, often if possible kicking where a wound lay open, and so great was their satisfaction upon any visible evidence of pain that the dose was often repeated.

10. One Jap tormented prisoners by drawing his sword and wiping the blood off it by repeatedly dipping it in the water in the parit and drawing it over an officer's throat. Others he torments by making as though to run them through or cutting their throats.

11. All those on the outside of the group, and particularly those closest to the road were treated worst. I was one of those near the road having been amongst the last to arrive at the assembly point, and was, like others, kicked, struck and battered many times, most always with rifles and on some occasions with sword stabbars. The Japs most always used their rifle butts. The wound in my back attracted the attention of many who whenever possible took delight in kicking and belting the place where a wound was exposed..

12. Many prisoners were knocked unconscious when dealt terrific blows on the head with rifle butts.

13. The Jap in charge of the prisoners was dressed quite differently from the personnel of the guard, with dark coloured tunic, breeches, knee high boots, armed with pistol and sword with some braid at the hilt, and carrying a large map case. He gave orders to the guard.

14. The prisoners were forced into a little shed or garage which was altogether too small in view of the following circumstances and actions, as given below:

(a) The Japs grunted, yelled, kicked, hit and prodded with bayonets until most of the prisoners had scrambled into the shed.

(b) Some were knocked unconscious and others killed during the process.

(c) Some walked on top of the more helpless, wounded men were pushed and fell upon others and terrific yells of pain were practically continuous.

(d) Those closest to the opening were first to be put into the shed which soon became a stinking, scrambling hell hole full of tortured, groaning, delirious wounded soldiers.

(e) Those still fit were unable to do anything except for those immediately around them.

(f) The shed was much too small; fellows near the doorway, being hit, kicked and prodded scrambled in, endeavoured in vain to avoid hurting their comrades. There was not room even to put a foot down without stepping on some part of some body already with bodies above and below.

(g) Again and again fellows were forced in on top of others.

15. Many men were groaning most of the time and there were yells, repeated time and time again, by many for water. It was hours and hours and with some a day or more since they had had a drink, for water and those to issue it had been scarce during the four days of the progress along five miles of road. Water was not given to the prisoners.

16. Six officers were taken from the group and put together about six or seven yards away.

17. Requests were made at first and when these were ignored demands were made of the Jap in charge to provide medical attention and water for the prisoners and also smoking materials (of which much of the

prisoners own was lying in a heap nearby), but these were ignored. This Jap could read but refused to speak English.

18. A little later another move was made and again the prisoners were subjected to violence and terrific brutalities by the guards. This time all the ORs were put into two rooms off some coolie quarters. This was a long process; many had to be carried and, although not far, steps had to be climbed; the dead were not allowed to be left, their bodies too, had to be taken into these rooms. The worst wounded were again treated wickedly; they were expected to move as fit and when failing to do so were struck, kicked and punched. Many incapable of any movement without assistance were bashed on the head and some were killed by bayonetting and a few were shot. Altogether, a large number were wounded further by the Japs.

19. When all the ORs were in the rooms the doors were closed. The six officers were made to sit on the steps in front of one of these rooms.

20. Requests and demands for medical aid, water and smokes were again ignored and although these were made time and time again throughout the whole period, they were ignored by the Jap in charge.

21. Shortly afterwards an Indian soldier who had been hiding in one of the many vehicles (which were being inspected and searched by the Japs) was brought into the building. He had a bad wound on one hand, the top part of which had been blown away, and one leg of his trousers was saturated with blood as though he were bleeding from some wound in his thigh. He was immediately struck to the ground by a Jap and his pockets cleaned out.

22. The ORs who had been jammed into the small rooms were scrambling to the windows, groaning all the time, and yelling time and time again for water and to be let out.

23. The noise of battle was long gone; nowhere except in the far distance could be heard even a gun. Occasionally, an enemy plane flew overhead.

24. Still going down the road were lorry after lorry of Japanese soldiers and much artillery equipment. Very seldom now was there a halt but each time the convoy did stop Jap soldiers invariably came across to the building to see the prisoners.

25. Later, many staff cars came along, two of which were preceded by tank and motor cyclists and followed similarly. They halted in front of the place where the prisoners were and many Japs came over. They were met by the Jap in charge of the prisoners amidst much shouting,

saluting, and bowing by this Jap and the personnel of the guard. Other Jap soldiers in the area also gave their attention to the party which consisted of officers and some very senior ones

26. One of these new arrivals was outstanding and presumably the commander of the Japanese forces in the area - a short, stocky fellow. A body guard kept close with him always. He was well dressed, his sword hanging low and with a great amount of brown cord at the hilt, knee high boots and spurs all glistening. The attitude of the Japs to this officer was as though he was something far and above any of them, as though to them he was as a God.

27. He looked at the officer prisoners, who were made to move off the steps and stand; then mounted the steps, the body guard keeping very close, and looked through the window at the mass inside of one of the rooms.

28. Upon leaving the building he spoke to one of the officers accompanying him who in turn passed on what were apparently orders to the Jap in charge of the prisoners.

29. Leaving a couple behind this party then departed. Again came the yelling, bowing, and saluting. At first the tanks, then the cycles then the cars moved off, and after them were more cycles and tanks. Along the road wherever Japanese were to be seen, they paid their compliments to these two cars very reverently.

30. One of those remaining was asked to allow water to be given to the prisoners, many of whom were all the time yelling for it. A little Malay boy who had been with the convoy for some time was told by him to get some. On returning, however, the Jap in charge noticed the container and immediately hit it out of his hands and then kicked the kiddy.

31. He was asked about medical attention but said that Japanese medical men were too busy. Later asked for water, he said that if the Jap in charge said, "No", there was nothing he could do about the matter. When asked could the cigarettes be got from the heap of prisoners' belongings he replied, "Not yet."

32. Another group of Japs arrived and took many photographs and made notes. After this was completed, the cigarettes and water which had been held out by the personnel of the guard to the prisoners, some of whom had been let out of the rooms for the purpose of being photographed, but held just beyond their reach, were retained by the Japs and thrown away respectively, which made worse the feelings of the already near despairing men,

33. The Ors were again forced into the room.

34. The Indian soldier, who had been knocked down in front of the building, was showing signs of regaining consciousness. He began to sit up but the Jap in charge kicked him over again. He sat up again and this time was viciously kicked many times. For a while the Indian lay still, groaning and jabbering. The Jap yelled at him and took a rifle from one of the guards and bashed the Indian, then thrust the bayonet into him time and time again. Then he was heaved into the parit by the Jap thrusting the bayonet into his body and heaving. A few seconds and the terribly blood-stained, horrible face emerged above the water and the Jap levelled the rifle and fired. The head jerked but remained above water; there was another shot and this time the head disappeared.

35. The traffic going south was not so thick now and moving more freely, occasionally a motor cyclist or a car going north. There were still a few who left the road to see the prisoners or to poke about the vehicles inquisitively, some occasionally kicking a body to see if any life was left in it.

36. About sunset the guards began to move about the house. Machine guns were brought from where they had been resting between tours of duty and placed in front of the building.

37. The officers were then tied together by the following methods. Two guards approached the officers undoing as they came a small coil of rope which they took from their belts. The officers were then made to stand, two of them unable to do so without assistance and both incapable of walking. Both hands of each officer were tightly tied behind his back. After this, another length of rope was tied to the wrists, passed up under the chin and around the neck and then down again to the wrists, where it was pulled tight, thus forcing the hands well up the back and making the rope terribly tight against the throat. The second rope was not cut but was passed on to the wrists of the next officer, where a similar procedure was carried out; then again on to the next and so on, so that as well as making more secure the tying of each they were all linked together. During this process, the two Japs treated the officers unmercifully, jerking the ropes this way and that and many times lashing them severely about the head and body with loose lengths, often kicking ferociously at some part of the body that was swaying or stumbling - through the Japs own treatment - in the wrong direction for them to do whatever they wished. During this procedure I was kicked in the legs and lashed about the body and head, particularly the latter, many times, this being mainly because I was unable to stand properly and each time a rope was pulled I swayed this way or that, thus continually hindering these Japs in their work.

38. This done, the ORs were brought out from the rooms. One by one as they came down the steps they were tied brutally with their hands behind their backs; the first was then connected to the second but only from wrist to wrist, not over or around the neck as with the officers, then from the second to the third and so on, the first then being tied to the nearest of the small line of officers.

39. The supply of rope ran out and some Japs were bringing pieces of wire and with these were tying up many of the prisoners.

40. Complaints were made to the Japs in charge regarding this ill-treatment. Nearly every man was lashed, mostly about the head, and kicked by the Japs. Often a soldier who was more difficult to tie because of his wounds preventing his movement, was subjected to lashings (sometimes now with wire) and kicking. Occasionally, another guard seeing his fellow soldier beating a prisoner, would rush up and add to that prisoner's misery by striking him with his rifle butt.

41. This habit of one Jap coming to another when that other was ill-treating a prisoner, so as to add his efforts also, occurred very often.

42. The Jap in charge took no notice of the complaints.

43. It was necessary to move the first lot well away from the steps of the building to allow the others to come down from the rooms and be tied. They were shifted back towards the shed which before had been filled with prisoners. When the line of officers moved, one of them fell immediately. After being kicked in all parts of the body and being struck many times with rifle butts, he was cut free from the chain. I fell after very little movement. The Japs became more annoyed apparently because I was the second one to fall and I suffered similar ill treatment, but to a greater extent. I was kicked in all parts of the body and struck many times on the head and body with rifles. One kick split my right eyebrow which then hung down over the eye, the blood pouring over my face. After some kicks and hits the Japs would force the others along. In this way I was dragged a short distance. Then would commence again another reign of blows and then I would be dragged a few more feet. Eventually, the Japs cut me loose and left me lying upon the ground in a much worse, painful and aching condition than before. The wound in my back had been kicked many times, which kept it bleeding freely, as were all the other wounds and cuts I had received.

44. Towards the end, either the supply of rope and wire was exhausted or the Japs grew tired of tying the prisoners as a few numbering about 20, were left untied. The remainder were tied in groups of 20 to 25

each. The dead were left in the room.

45. The prisoners were then made to move along the front of the buildings towards, and then around, the south end. There were many who were unable to move at all, and others because of being tied, could not get the necessary assistance, so that many stumbled, some fell, causing others also to fall. These were then kicked and struck, and bayoneted, until as many as could do so were again standing, and then the line proceeded slowly, some still being dragged, of which a few occasionally raised themselves to their knees only to be again thrown off balance. Many of these were then freed from the line and left lying. The Japs grasped others and dragged them along, some were kicked, some struck, others deeply prodded with bayonets.

46. The prisoners were then herded into a group and the massacre which followed was to say the least most violent and wicked.

47. Rifles and machine guns belched forth a storm of death - a few fell, a group fell. After the first while a few remained standing - these were either struck by rifle fire or hit by a burst from a machine gun. Rifle and machine gun fire went toward any person who yelled. Firing was indiscriminate and many men had fallen not because of death but because they had either been pulled down by others falling, or because the indiscriminate firing had only added to the number of their wounds and the pain they suffered.

48. Some Jap soldiers then returned to the front of the building, and began taking away the bodies of those who had been cut free from the chains. These they dragged round the corner in the same direction as the others had been taken.

49. They left behind only one body; this being the furthest away from the bodies of the two officers who had previously been cut free from the chain. This was I. To me the fate of the prisoners was quite evident, and my only hope of escape was to endeavour to make the Japs believe that I was dead, and perhaps stand a chance of being left lying there. I knew that I should have appeared dead enough provided that I remained quite still. Blood had been running over my face from the wound in my eyebrow and also from a few cuts in my head which had bled freely. I was hatless; had not done my hair for ages; I was unshaven for more than five days; my hair was matted with blood and dirt; my neck and shirt top were very bloody; the wound in my back still bleeding and small pool of blood on the ground; my shirt torn to ribbons and saturated with blood below the wound and all along the side; my shorts were also bloodstained. My right leg from the knee down was also

bloody; the old bandage on my left leg was long since dirty and discoloured; one bayonet had gone through the bandage and entered the calf above the exit hole of the bullet; also above the back of my left boot another bayonet wound bled freely.

I lay quite still, very uncomfortable and aching as I was still bound securely and painfully tight; the rope still being around my neck prevented me from stretching my arms, my hands still being in the vicinity of my shoulder blades. Some Japs came, stood over me for a while, and as if to make sure one pushed me several times with his boot. I allowed my body to move quite freely in whatever direction it was forced. One or more of them then kicked me in several places. With this they left leaving a few behind to fire in the direction of any sound or whenever anyone moved.

50. Many Japs went to the road and returned bringing many of the tins of petrol which were carried on our vehicles.

51. They proceeded to pour this over the prisoners, many of whom were still conscious.

52. The prisoners were then set alight, and amid screams and yells of pain, fright, nervousness and delirium, burnt to death.

53. I lay outside the building unable to move even just a little to a less aching position. Whilst there the outburst of curses and yells that had accompanied the beginning of the firing and had since somewhat subsided, was not very long after revived again.

54. I could see the flickers of a fire which occasionally would burst out very brightly. The prisoners were being burnt, and many were screaming and yelling terribly. There came to me the smell of burning rag and then what was just as distinguishable the odor of burnt flesh.

55. I had managed to be 'dead' as far as some of the Japs were concerned and now was determined even more than ever before that no matter what pain I was suffering, how my body ached, or how uncomfortable or what cramps I had to endure, I would remain 'dead' until such time as the Japs departed.

56. Throughout the whole period Japs came from the road to see what was going on. In passing me sometimes I would only be pushed, other times completely ignored, and on other occasions individuals acted unmercifully. How many time I was kicked, battered with rifles by those Japs passing, I know not, but all the time I had to maintain that lifeless attitude.

57. Jap personnel for ages maintained a patrol about the area. Occasionally a shot or shots would be fired. Many times one or more of them in their wanderings came across my body; some just passed by, others would satisfy themselves by previously used methods - kicking and hitting mostly on the head. Some unfortunately used their bayonets most just pricking me in the back. On two occasions they were more than pricks; once the Jap jumped and grunted as he lunged forward but fortunately he was too far away and the bayonet entered my side between the ribs and apparently did no harm; the other when a bayonet point struck my right elbow making it useless for many days; one Jap decided he would have my boots, and caused me much pain whilst he roughly pulled them off my feet.

58. As time went on activity in the area became less and less, until eventually there was no sign or sound of any Jap about. I waited long after this before being certain that no one was patrolling. I knew that to be seen moving would be the end.

59. Much later, after I had forced myself from my bonds, which was a very painful and long and tedious task - and got some water, I was met by a sergeant and another soldier, both smelt very strongly of petrol - they had been with the group when fired upon and set alight.

60. Sgt. Croft told me that they were amongst the few who had not been tied, and had been together when the prisoners were fired upon, they had fallen with the first burst of firing - neither of them hit - and lay with the remainder. When the petrol was brought from the road they had both had some thrown on them. Then the group had been set alight. The fellow with Croft had yelled out and was immediately fired on. Sgt. Croft then got this fellow and himself free from the heap of men, had lain still and quiet close by until the Japs left the area.

61. The soldier, whose name I do not know, died when in the jungle a short distance west of Parit Sulong, on the following afternoon the 23 Jan. 42.

62. Sgt. Croft left me at first light on the morning of the 24 Jan 42, accompanied by an English soldier who had come to our position in the jungle in the early hours of 23 Jan 42 and who had been cut off from our forces when north of Parit Sulong.

63. Pto. O. Robertson of 2/19 Inf Bn is reported to have seen Sgt. Croft about two days later (approx 26 Jan 42). But as far as is known Sgt. Croft has not been seen since that date.

64. After spending 36 days lying in and crawling about the jungle at rubber plantation area between Parit Sulong and Batu Pahat, I was captured by Malay policemen and taken to Parit Sulong police station on the 27 Feb 42. I was still unable to walk, had suffered a great deal from my wounds, exposure, starvation and filth, and had become very weak and dirty and lost a tremendous amount of weight.

65. The following day 28 February 1942 I was handed over to Jap soldiers by the Malay Police and taken by some of these Japs to Batu Pahat where I was left for some time outside a building approx South of the town which was a Japanese HQ, convalescent Depot and hospital combined.

66. About sunset of that day a Jap came to me carrying a piece of rope. This he put round my neck with a slipknot. Calling for two Indians to keep me, I was taken about 150 yards to a guard room. On the way, if I at any time lagged back, the Jap gave the rope a severe pull which jerked my neck considerably and I was many times prevented from breathing as the rope pulled too tight on my throat.

67. Upon arrival at the guard room - which had an open front, the Jap came out and watched as I was being lashed to a post. With my back against it, rope was first wound around my throat and the post, then over my chest. More rope was brought, my hands tied behind my back, and the rope then wound round and round, until I was securely and tightly tied to the post from my neck to my feet.

68. The personnel of the guard then went past in single file, each either hitting, punching or kicking me as they passed on their way back into the guard room.

69. So I remained until well into the night. Several times the guard commander came out and looked at me. My beard greatly amused him and he would stand laughing as he plucked hairs out of it one by one. Each time a relief came out of the room I was punished in some way or other and again when the relieved ones returned. Generally by being smacked or punched on the face and chest or kicked.

70. On the afternoon of the next day, the 1 March 1942 I was taken by a Jap guard to a hospital. Here a Jap doctor refused to admit me and refused also medical attention, and said he would have to send me elsewhere as the hospital was too full.

71. I was taken to the BATU PAHAT Police Station and there put into a cell where there were 8 English soldiers who had been brought there a few days before, when captured a few miles out of that town.

72. One of these men was very ill and suffering greatly from bad wounds in shoulder and head.

73. During the following 15 days the numbers were increased to 22, some of whom were wounded. The following conditions existed.

- (a) Medical attention was refused each time requests for some were made.
- (b) Although asking many times for soap, only on one occasion was a very small piece provided. Everybody was very filthy and clothes dirty.
- (c) Food very inadequate - amounting to two small meals each day of about one third of a pint of rice.
- (d) One Jap often walked into the section of the gaol and calling on a man, punch him on the face and chest and finally with one terrific blow, mostly always to the face, knock the fellow back into the cell.
- (e) On two occasions a man was taken into a corridor and made fight the jap - receiving all the blows and not being allowed (under the penalty of much more severe treatment) to hit back.
- (f) Two Indian Army soldiers were sometimes put in front of some of these men and made strike them on the face.
- (g) Chinese who were locked in the gaol were often severely ill treated. One was put into a straight jacket after being beaten about the head and body by a pair of crutches (both of which were smashed into small pieces during these beatings;) and starved until he died.

74. On 17 March 1942 the 22 prisoners commenced a journey to KUALA LUMPUR.

75. Upon arrival at KUALANG railway after spending the night of 17/18 March at AYER HITA we were taken across the rails and made clean out a filthy dirty cattle truck. After this all were put inside and the door closed. After some time during which the truck was shunted back and forth several times, it was attached to a goods train and set off northward.

76. On arrival at GEMAS, we walked to the police barracks. Everyone was weak and myself still unable to walk without assistance.

77. The following morning 19 March 1942 we were taken early to the railway station and put into an open coal truck the bottom of which was covered thickly with coal dust and refuse.

78. It was unbearably hot in the open truck during the day, and some of the men became very ill and bilious.

79. From KUALA LUMPUR railway station we were taken to PUDO GAOL in that town arriving about 0130 hrs 20 March 1942. An untidy, unshaven, filthy dirty, partly clothed, unrecognisable group in tattered garments and mostly barefooted (some suffering a good deal from wounds and illness, and all very weak from starvation and exposure).

80. Soon after my arrival there I weighed myself and found that I was 8 stone 7 pounds having lost 5 stone 3 pounds (or 73 pounds) since going into action 63 days previously.

This is the tenth and last page of the evidence of MX 71148
Lieut. Ben Charles HACKLEY, 2/29 Battalion.

I certify that the above evidence is true and correct.

Taken and sworn before me at)

Sydney on 12 November 1945)

/s/ A. Mansfield)

Commissioner)

B.C. HACKLEY

Lieut. MX 71145

2/29 Bn. A.I.F.

IN THE MATTER OF JAPANESE WAR CRIMES AND
IN THE MATTER OF KUALA LUMPUR CAMP MALAYA.

A F F I D A V I T.

I P 31600 Laurence, John William, SEEKINGS, of the 2nd Battalion Cambridgeshire Regiment, with permanent home address at 55, Kneesworth Street, Royston, Herts, make oath and say as follows:-

1. I arrived at KUALA LUMPUR camp on February 1 1942 and remained there until the camp was closed, at the end of the second week in October 1942. The senior officer (British) was Colonel HARTGAN of the Royal Chertsey Rifles, Indian Army. He handed over later to Colonel FITZPATRICK of an Indian Army unit. The camp interpreter was Major O.B.M. North of the 3/17th Dhobra Regiment.
2. KUALA LUMPUR was apparently used by the Japanese as a collecting centre for allied prisoners who were captured in Malaya. In February 1942 about 250 British prisoners were accommodated there; by April strength increased to about 700.
3. Accommodation for British other ranks consisted of a compound about 40 yards square, officers were put into what was formerly the female ward of KUALA LUMPUR prison. Accommodation was very cramped and all ranks had to sleep literally shoulder to shoulder. The female ward was a building inside the compound, and the whole camp occupied a portion of KUALA LUMPUR gaol. As a result of many protests the Japanese allowed us, in March, to use a small room in the prison for the sick. In April we were given a wing of the prison and the use of the prison hospital. In May we were handed over the whole of the prison and from that time accommodation was satisfactory.
4. Food consisted of rice only, together with an issue of salt and drinking water which we got from the main water supply in the prison. This food was very inadequate and remained so despite the later addition of a small issue of green vegetables at the beginning of September. By that time officers began to receive pay from the Japanese which enabled them to purchase food from outside the prison. British other ranks had received working pay during this period but this was insufficient to purchase enough food to make the Japanese army issue up to an adequate quantity.
5. During the first 3 months the death rate among the prisoners was 10% and about 166 men died; most of these cases were battle injuries and men suffering from fever and battle exhaustion. The Japanese provided no bandages, no medicines and no medical attention whatever. The only equipment in our hands was what we were able to buy secretly through local inhabitants.
6. I do not know who the Japanese commandant was when we entered the camp but until May as far as I recall the camp was in charge of a Japanese sergeant. After that date Lt. MIZUTANA (spelled phonetically) took over.

This man was responsible for our rations being about onequarter under weight. We succeeded in securing the Japanese ration scale for prisoners of war, and weighed such food as we received and checked it against this scale. When we complained to MIZUTANA the scales were tested in his presence. They were found to be correct and were promptly impounded by MIZUTANA.

7. The Japanese interpreter was a civilian employed by the Japanese Army by the name of TANAKA (spelled phonetically); this man on the whole was co-operative and helpful. British officers were not forced to work but British other ranks were employed daily from about 0900 hours till 1800 hours in various jobs including collecting scrap metal, repairing bridges and assisting in the Japanese supply dumps and they received pay for this work.

8. When the camp was closed in October 1942 the camp adjutant, Captain Anthony Gardner of the Loyals took the camp records to CHINGI. I do not know what happened to them.

SWORN by the said Laurence John)
SEEKINGS at 6 Spring Gardens in) (Signed) J.W. SEEKINGS.
the City of Westminster this)
Tenth day of January 1946)

Before me,

(Signed) O.G. MASON
Captain.
Legal Staff.

Office of the Judge Advocate General,
LONDON, S.W.1.

I certify that this is a true copy of the original affidavit.

(Signed) RDL KELLY
Legal Staff.
Office of the Judge Advocate General.

Certified true copy of original affidavit.

18th April 1946.

(Signed) R.B. LAMBE, Lt.Colonel.
AAG War Crimes. HQ ALFSEA.

1527A

P. 1

IN THE MATTER OF JAPANESE WAR CRIMES AND
IN THE MATTER OF THE ILLTREATMENT OF
BRITISH PRISONERS OF WAR AT PENANG, MALAYA.

A F F I D A V I T.

I, Captain Peter Rainier ADAMS, 1/8 Punjab Regiment, with permanent home address at 20, Napier Gardens, Kent, make oath and say as follows:-

1. I was captured in Penang on 19 December, 1941, and was taken to the civil gaol there on the same day where I remained until I was transferred to the gaol at TAIPING about the beginning of February 1942. 2nd Lieutenants M. GOULD and DOMINY of the 2/1 Gurkhas and F. PATTISON of the Leicestershire Regiment were also taken to the gaol with me. The four of us and about 60 British other ranks were confined in one room which only allowed a space of one yard per man. No beds or furniture of any kind was provided and we had to sleep on the bare stone floor.
2. Our food consisted of about 12 ounces of rice a day, with an infinitesimal amount of vegetables and without any salt.
3. The sanitary arrangements consisted of one, or at the most two, lavatories for all of us. These were in the same room in which we had to eat and sleep and very soon the drains became blocked. This resulted in there being a continuous vile stench in the room.]
4. I was the senior officer in the room apart from the first day when Maj. E.R. ANDREWS, 1/8 Punjab Regiment, was there. He was taken away the following day and was sent to the mainland. There did not appear to be any Japanese officer in the gaol and we were guarded by the Japanese soldiers, Sikh policemen and Malay warders under the command of a Japanese NCO. We were frequently visited by a Japanese 2nd Lieutenant whose name I do not know, but whom I took to be an Intelligence Officer as he frequently interrogated me and had also something to do with the local broadcasting service. We were also occasionally visited by the Japanese commander of the island whose name I do not know either.
5. Sick men were not allowed to leave the room and had to be attended to there. Despite frequent requests by me to Japanese 2nd Lieutenant and the Japanese commander of the island that the sick men should be allowed to go to hospital the Japanese refused to allow this. No attention was paid by them to complaints regarding any other matters such as food, sanitary conditions, etc.
6. One day CSM ROBERTS of the Leicestershire Regiment was taken out of the room by the Japanese guard. He was brought back within an hour in a very faint condition. He showed me his injuries which consisted of bruises and weals. He told me he had been beaten by a Japanese in front of the Sikh and Malay warders, several of whom had also beaten him afterwards on Japanese orders.]

7. While I was in this room I was frequently asked by the Japanese 2nd Lieutenant to broadcast for the Japanese. When I refused to do so he did not threaten me in any way or attempt to use physical force.

8. After I had been in this room about 3 weeks, 2nd Lieutenant GOULD and I were taken away and put in solitary confinement in two condemned cells opposite each other. We were kept there for about 5 weeks. Our food was much the same as we had been issued with before. Very often when the guards brought us our food they refused to open the door to put it in. This meant that we had to take it through the bars of the cell and this necessitated turning the dish sideways so that any liquid in it ran out. Our latrine buckets remained in our cells all day and all night except for five minutes per day which we were given to empty them.

9. One day within the first two weeks of our being placed in solitary confinement 2nd Lieutenant GOULD was taken away by a Japanese guard. A few hours later he was brought back and he told me that he had been taken to Broadcasting House where he had been beaten up. He described this beating up to me as follows: First of all he was slapped in the face. He was then knocked unconscious with a blow from an iron bar on the back of the head and brought round by having water poured over him. Next he was beaten with the iron bar on the back and finally he was blindfolded and orange sticks were pushed under one of his nails. He said that all this had been done on the orders of the Japanese 2nd Lieutenant who was present throughout. He showed me through the bars of his cell the weals on his back, the large lump on the back of his head and a red mark under one of his fingernails.]

10. After being in solitary confinement for about 5 weeks 2nd Lt. GOULD and I together with the remainder of the prisoners in the gaol were transferred to TAIPING Gaol. 2nd Lieutenants DOMINY and PATTISON also spent the last two weeks of our stay at PENANG in solitary confinement in the condemned cells.

SWORN by the above-named Peter Rainier)
Adams, at 6 Spring Gardens in the city)
of Westminster, this Fourth day of) (Signed) P.R. ADAMS.
March, 1946.)

Before me,

(Signed) A.M. BELL-MACDONALD,

Major, Legal Staff.

Mil. Dept. Office of the Judge Advocate General.

Certified true copy of original affidavit.

18th April 1946.

(Signed) R.B. LAMBE, Lt. Colonel.

MAG War Crimes, HQ AIFSEA.

International Military
Tribunal for the Far East.

THE UNITED STATES OF AMERICA AND OTHERS

V

ARAFI, Sadao and others.

(I. ROY HALFORD STEVENS of 46 Princess Street, Kew in the State of Victoria formerly VX39043, Major R.H. STEVENS of 2/12 Field Ambulance, make oath and say:-

1. In March 1945 the Japanese sent several working parties from Kiangi to Johore. I was sent with them as Senior Medical Officer to establish a hospital for the care of these parties. We were billeted in a condemned barracks extremely overcrowded.
2. Daily rations consisted of 6 to 7 ounces of rice, 4 ounces of tapioca root and 2 ounces of maize, which had all the grain eaten out by weevils, and potato tops. In addition an average of half ounce of fish per man weekly was supplied. We received a very small amount of American Red Cross supplies amounting in all to one tin of bully beef per man.
3. As to sanitation the Japanese insisted on a pan system being used because they sold the night soil to natives as manure. This pan system caused a good deal of dysentery as a result of infection by flies. Representations to the Japanese to allow us to put in bore holes were refused.
4. Prisoners of war were engaged in defence works for the Japanese making tunnels by mining into the side of hills for use as machine gun posts in the event of invasion. No safety mining precautions were exercised by the Japanese with the result that several were killed and injured by the fall of earth. Work was extremely hard continuing for 10 hours in a stifling atmosphere as there was no proper air supply.
5. We were informed by the Imperial Japanese Army that as these men were engaged on security work, in the event of invasion by our forces we would be a nuisance and as we had information which might be valuable we would be immediately disposed of if a landing was made.
6. The average loss of weight per man whilst in this camp was about five pounds per month and these men had been stabilized at a very low level before going to Johore.
7. Whilst at this camp several acute abdominal cases necessitating urgent surgery occurred. Conditions were most unfavourable for major surgery at this camp, while at Kiangi about 6 miles away there was a large hospital with adequate surgical facilities. Although it was pointed out

to the Imperial Japanese Army authorities that the results of surgery under the conditions prevailing was very doubtful permission to evacuate cases to Kiangi was refused. In one case of acute appendicitis the Japanese in charge of camp granted permission for removal of the case to Kiangi but on arrival at Kiangi admission there was refused by the Japanese in charge and the case had to be returned to Johore and operated on under the extremely unfavourable conditions there.

8. Four days before the surrender the attitude of the Japanese changed completely, rations were increased and medical supplies that had previously been withheld were made available.]

Sworn at Kew in the state)
of Victoria this the -)
day of October 1946.)

(Signed) R.H. STEVENS.

Before me,

(Signed) P. RETCHFORD, J.P.

1529A

Evidentiary Document No. 5375.

The International
Military Tribunal
for the Far East.

THE UNITED STATES OF AMERICA AND OTHERS

V

ARAKI, Sadao and others

A F F I D A V I T.

I, Benjamin George MAPLEBACK of 449 Dean Street, Albury, in the State of New South Wales, make oath and say:-

1. Prior to discharge I was VX37271 L/Cpl. Benjamin George MAPLEBACK of 2/29 Bn. and was taken prisoner of war on 12 March 1942 near KULAI in Malaya.
2. I was captured with Lieut. COOTES, Cpl. MANNERS, and Pte NICHOLLS all of 2/29 Bn. by a party of Malays and Chinese and we were taken to a rubber plantation about 6 to 8 miles north-west of KULAI. After we were there about three hours a party of 7 Japanese arrived in charge of an NCO wearing a sword and pistol. We were there each bound by the hands with rope and attached to each other by rope.
the
3. The Japanese NCO drew the attention of the other Japanese to sores on the legs of Lieut. COOTES and grinned. At this a Japanese soldier with a tommy gun raised it and appeared to be going to shoot Lieut. COOTES and then he lowered the gun at a word from the NCO.
4. We were then placed in a truck and driven towards KULAI. While on the way the Japanese NCO noticed sores on the legs of Pte. NICHOLLS and drew the attention of the others to them. He then drew one of our bayonets and started to beat all of us with it, particularly Lieut. COOTES and Pte. NICHOLLS whom he hit on their sores and also jabbed with the point of the bayonet.
5. After travelling about three miles the truck stopped at a bridge and the rope connecting us with Lieut. COOTES and Pte. NICHOLLS was cut and they were ordered out of the truck and taken to a creek about 20 yards away, where they were shot by the Japanese with the tommy gun. We all saw them shot. The Japanese then came back to the truck leaving the bodies of Lieut. COOTES and Pte. NICHOLLS where they fell.]

Sworn at Albury, in the)
State of N.S.W. this the)
30th day of September 1946)

Before me,

(Signed) WIL JOBUSON, J.P.

(Signed) B.G. MAPLEBACK.

~~5139~~ 1530A

Statement.

[Summary of examination of CHEW SWAY LEOK (male) Chinese (Teochew) living at 11, Jalan Soldah, Batu Pahat, 43 years of age, duly sworn states:

On the 27 February 1942 at about 1000 hrs., I was called to the Batu Pahat police station to register. Ten of us, all Chinese, were then taken to the office of the Chief police officer, where we were asked our names, nationality and occupation. This was all recorded and we had to give our thumb print as signature. We were then asked if we had done any charitable work for China. We replied "Yes". The Head Japanese Military police then said "You Chinese have been donating thirty cents per head per month to China to buy ammunition to kill at least three Japanese. We replied "Yes". After this we were released; at the same time we were ordered to bring in five Chinese each who had also helped China, within 24 hours or we would again be detained. We did not produce these men so we were arrested and our hands tied behind our backs. We were then beaten with rifle butts until we were unconscious. We were then revived by water, and beaten again. At about 2300 hrs, 28/2/42, we were thrown into a lorry and then to the police station and locked in a cell, the ropes tying our wrists was cut with a knife. It was not until 0300 hrs, 1st Mar. 1942, that we all regained consciousness, this was owing to the loud beating of a gong. We asked for water and were given some to drink.

At dawn, 1st March 1942, the Japanese Military Police ordered CHOO YONG CHWEE, the senior police detective to go and arrest some more Chinese and bring them to the police station. He went out and brought some back. At the same time some Malays brought in some European civilians. Altogether there was about 100 persons. The Japanese police then got a lorry and transported us in batches of about 35 to the jungle on the PONTIAN ROAD. Some of us were dropped at 2½ mile and the remainder at the 5th mile. Those at 2½ mile had their hands tied behind their backs with wire. We were then lined up, machine gunned and bayonnetted. The Japanese, thinking we were all dead, left the spot.]

I heard a cry from behind and it came from one of my friends, who had a stomach wound with his intestines hanging out. I asked him to help untie the wire from my wrists, he did so, and passed out soon afterwards. I escaped and walked to SENGGARAN where I stayed for two nights.

I then returned to the 3rd mile (SAM CHONGO) to a hut, belonging to myself, caught a dog, killed it and removed its lung and made medicine to cover my wounds.

At MUAR I went to a doctor, who wanted to amputate my arm; I did not want this, so ran away and went to MALACCA where I went to a friend, named TAN SOON HENG, living at a place called BACHANG, 2½ miles from Malacca, he gave me medicine, food and money. I then went on to Kuala Lumpur and remained there until 29th September 1945, when I returned to Batu Pahat.

[Of the people shot on 1st March 1942, 56 were Chinese and about 60 were white civilians.]

The white civilians were buried at the 3 and 4½ mile. They are still there untouched, the place is marked on rubber trees. I produce five photos of wounds on myself. Two photos of the 5th mile Pontian Road. Two photos of the 2½ mile Pontian Road. Three cartridge cases taken from the scene of the murder of 5th mile. One bullet taken from the murder scene at the 2½ mile. One statement written in Chinese. One list also in Chinese of some of the dead. I have also spectacles, rings and fountain pens of the dead in my possession.

(Signed) CHEN SWAY LEOK.

Interpreter.

I certify that I duly translated the above summary to the witness in his own language, prior to his signature which appears above.

(Signed) LIM LIANG CHUAN.

Taken down by me this 12th day of March 1946.

(Signed) E.A. CHARD. LT. R.N.V.R.

Detailed to examine the above by the Commander-in-Chief, Allied Land Forces, South East Asia.

Certified True Copy of original affidavit.

18th April 1946

(Signed) P.S. LAMBE, Lt. Colonel
AAG War Crimes
HQ AFSEA.

Torture of Madam COI KEH HONG in PENANG GAOL.FORM OF STATEMENT

Summary of examination of (Name): AHMAD BIN CHETEh.

(Occupation):- EX-POLICE CONSTABLE DURING BRITISH RULE.

(ADDRESS):- 252, PERAK ROAD, PENANG.

duly sworn states, I am 32 years of age of BRITISH-PROTECTED nationality and born at:- PENANG (MALAY).
My permanent home is 252, PERAK ROAD, PENANG.
I am at present confined in PENANG GAOL.

During the Japanese occupation I served as a Sub-warder at Penang gaol. Towards the end of 1943, I saw an M.P. WASHIO, assisted by an interpreter, inflict torture on a Chinese woman during the course of her being interrogated. She was about middle-age, and had recently been arrested. Wassio opened this woman's trousers and burnt the hair around her pelvic parts with a lighted piece of paper. Then Wassio tied a rope round her waist, and, after binding it round her wrists, attached the other end to a motor-cycle: then Wassio proceed to drive the motor-cycle at a quicker pace than it was possible to run. The woman was pulled along the ground about ten yards and then lost consciousness. They carried her into the office, and I saw no more of her. I never saw her in any of the cells during my subsequent periods of duty. She must have died as a result of the torture or been taken away from the prison.

On many occasions in 1943 and 1944 I saw Wassio apply different types of torture on various Chinese, Malay and Indian prisoners. On three occasions in late 1943 and early 1944 I saw Wassio apply the water torture to Chinese prisoners, and on all these three occasions the Chinese died as a result of the water torture. Wassio was definitely the man responsible for the killing of these three Chinese, who died in the prison yard straight after the water torture. I know that they were dead, because the bodies became blue and stiff. I cannot say what were the names of these three Chinese who died.

(Sgd.) Ahmad

Sworn before me (signature) (description)
Special Investigator.

F. W. WARD, Capt. (rank)
This 21st day of Feb. 46.

Detailed to examine the above by the Commander-in-Chief,
Allied Land Forces, South East Asia.

(Authority:- ALFSEA War Crimes Instruction No. 1, para 7).

Examined by me with the original Affidavit and I
certify this to be a true copy.

(Sgd.) R.B. Larube
Lt. Colonel

18 April 46

AAG War Crimes HQ ALFSEA

FORM OF STATEMENT

Summary of examination of :-

YONG LEN MOI (Miss)

Occupation:- Dress-making.

Address :- 183 PENANG ROAD, PENANG.

duly sworn states, I am 19 years of age, of STRAITS-BORN CHINESE nationality and born at Penang.

My permanent home is 183 Penang Road, Penang.

I am at present living at -do- -do-

I was arrested, on the 29th October 1943 by a party of Japanese M.P.'s and officials, amongst whom was WASSIO and an interpreter called KWEH TIONG HIN. My grandmother, by name Madam OOI KEH HONG, had previously been arrested on 21st October 1943.

On being arrested, I was placed in the same cell as my grandmother, who had been in good health at the time of her arrest, although now she was ill and she told me that she had been beaten daily between the time of her arrest and my own arrest. On the evening of my arrest Wassio beat me with a stick, and burnt my arms and back with cigarette ends.

Two weeks after my arrest I saw my grand-mother tortured by Wassio and Kewh Tiong Hin. Wassio tied my grand-mother's hands behind her back, and suspended her from the ceiling for about an hour, at the end of which she was unconscious. While my grand-mother was thus suspended, Wassio three heavy iron weights at her legs and feet.

TIED

On one occasion, at which I was not present but was informed by my grand-mother, the latter said that she had been tied behind a motor-cycle, and dragged along the ground until she was unconscious.

Gradually, through periodic beating by Wassio and due to the inadequate feeding, my grand-mother became very weak, her arms being so crippled by the beating that she was unable to lift them. Eventually internal troubles commenced as the result of her torture, and her left hand became paralysed, and my grand-mother died on 19th August 1945, in the same cell as I was occupying in PENANG Gaol.

(Signed) YONG LEN MOI (in Chinese script)

Interpreter.

I certify that I duly translated the above summary to the witness in her own language, prior to his signature which appears above.

(Signed) S. D'ORVILLE.
Interpreter.

Sworn before me this 25th day of February 1946.

(Signed) F.W. WARD

(Rank) Capt.

(Description) Special Investigator.

Detailed to examine the above by the Commander-in-Chief,
Allied Land Forces, South East Asia.

(Authority:- ALFSEA War Crimes Instr. No. 1, para 7).

Examined by me with the original affidavit and
certified to be a true copy.

18 April 1946.

(Signed) P.S. LAMBE
Lt. Colonel
AAG War Crimes HQ ALFSEA

1533A

I, William John Davies, an officer of His Majesty's Forces at HQ, ALFSEA, having been duly sworn state;

On the 18th February 1946 at IPOH, Malaya, I acted as prosecuting officer at the trial of Sgt. YOSHIMURA Ekiro, of the Japanese Kempai Unit, who was charged with illtreating civilian residents of IPOH.

part of the abstract of evidence in this case were relevant portions of written statement by Mrs. A.C. KATHIGASU. During the trial the accused changed his plea from Not Guilty to Guilty and the abstract of evidence was submitted to the court under R.P. 37 B. The Court asked for the original statement of Mrs. A.C. Kathigasau to be handed in. I handed in the original statement including the irrelevant portions. A true copy of the said statement is annexed hereto and marked exhibit "A" and signed by me.

sworn before me

(Signed) W.J. DAVIES
Maj. R.A.

this 18th day of April 1946.

(Signed) CHARLES PILL, Capt. R.A.
An officer detailed to examine the above by Commander-in-Chief, Allied Land Forces, South East Asia.

I, Mrs. A.C. KATHIGASU nee SYBIL DALY of 141 Brewster Road, Ipoh, make the following statement:-

I was arrested on the 1st August 1943 in Papan at 9.30 and taken to Ipoh Central Police Station that same night. A week later I was charged for treating; providing foodstuffs, and supplying medicines, clothing and money for the members of the Anti-Japanese Campaign (but the Japanese have always called us Communists).

I daresay that my arrest had a lot to do with professional jealousies and this added more fuel to the fire when the C.I.D. who were spying on me for the past six months, obtained proofs from several of our members who were arrested previously and had turned traitors, by pointing me as the one who treated them.

A letter from Headquarters fell into their hands made matters worse. I was branded as a spy owing to several questions in that letter which I had to report to Headquarters regarding Jap Military Movements in town.

In all the tortures that I went through not once did I betray any of my members or Europeans hiding up the hills - so I invented a story saying that I was forced to treat them under the threat of being shot, and that all questions asked in the letter was answered with the words "I don't know". I stuck to this to the last.

Here are the list of my tortures:-

- (1) Water.
- (2) Needles pricked in between my finger-nails.
- (3) Iron rods were heated in the fire, and then applied on my legs and back.
- (4) Slaps and clenched blows were rained constantly on my face.
- (5) I was made to stand in the middle of the room with Japs in the formation of four at each corner of the room kept banging arm-chairs on my head until I collapsed on the floor.
- (6) Canes from one inch to three and a half inches were used to thrash me, many were broken or split in several pieces.
- (7) Pinching my arms and legs was another favourite pastime of the Japs till they were quite sore, swollen and very painful.
- (8) Canes with blunt ends were thrust into the sockets of both my knee-caps and the Japs began twisting the cane.
- (9) A long cane was placed between the fingers of both my hands, with one Jap holding the tips of my fingers and another supporting my elbows, while two other Japs hung on either ends of the cane playing a see-saw stunt thereby tearing the flesh in between my fingers.
- (10) I have been ju-jitsued a few times.
- (11) Kicking me with their heavy boots was their daily greeting which lasted throughout each statement.
- (12) I was hung up by one leg, head downwards for several hours at a time.
- (13) I stayed in the Central Police Station for 3½ months and was fed

on 4 tahils of tapioca in the evening and a coconut-shell of sago congee mixed with a few grains of rice in the morning.

All these tortures were administered by the Japs alone and as they were constantly changed I cannot remember them nor do I know their names. I was always carried back to my cell in a very dazed and collapsed condition.]

As regards M.P. YOSHIMURA I was taken by him to M.P. Headquarters at Gopeng Road 3½ months after from the Central Police Station charged with listening to radio news at Papan. After admitting the radio charge I was asked to answer questions again regarding the help and services rendered to the Anti-Jap campaign. Since M.P. YOSHIMURA could get nothing more further in the matter he used the most painful torture on me - as I had to choose between duty and honour and the life of my child.

[My child was hung from a tree about 10 to 12 feet in height, with a fire blazing under her, while I was tied to a post, and lashed with a big stick which broke in two. YOSHIMURA was shouting at me to speak out and speaking out meant death for thousands of people up in the hills. My child answered for me "Be very brave, Mummy. Don't tell. We will both die, and Jesus will wait for us in Heaven above". On hearing these words, I asked YOSHIMURA that he can cut those ropes and burn my baby. I told him that my answer is no, and I would never tell. All I can remember is as they were cutting the rope, God answered my prayer. Some Jap Officers took pity and ordered my child to be taken down. She was sent home and I was sent back to my cell. I stayed over a month at the M.P. Headquarters where I was sent to Batu Gajah jail.

[My diet consisted of small cups of compressed rice with few grains of salt, and 2 tumbler tubes of water in 24 hours. No bath and change of clothings. The cells were full of vermins, fleas and bugs. The night soil bucket which consisted of a kerosene tin was emptied when it pleased them to do so. My legs were gradually becoming weaker from the police station and after my arrival at Batu Gajah jail, I lost the use of my legs up till today. I was tried and recommended to be sentenced to death, which was commuted later to penal servitude for life. The food was thoroughly rotten right through, and six months ago I was put into a dark cell by the Jap Superintendent, NAKAMURA, who put me on M.P. diet and one suit of clothes, which I wore till my release. No bath nor any sort of covering was given and I was made to feel the bitter cold at night. This was because I refused to stitch puttees and socks for Nippon soldiers fighting at the Burma front.

I have read this statement and it is true.

(Sgd.) SYBIL KATHIGASU.

(Witnessed) SPELDWINDE.

This is exhibit "A" referred to in the sworn statement made by me this 18th day of April 1946 being a true copy of the original statement of Mrs. A.C. Kathigasus.

(Sgd.) W.J. DAVIES

Maj. R.A.

Before me,

(Sgd.) CHARLES PILE, Capt. R.A.