

DPW(AG13(2a))/WMcL/NA.

**RECORD OF MILITARY COURT**  
(JAPANESE WAR CRIMINALS)

R45

Qno 169

AWC No. 2641

Accused: Lt UETOGE, Konosuke

Aust W.C. List Ser No.

Court, Place, RABAUL  
Date and 24 & 25 April 46  
Formation: 8 MD

Charge(s)	Plea	Finding
Murder at KOKOPO on or about 3 Apr 43 of Pte YEH FONG CHIEN, Pte WONG CHUAN, Pte CHANG BAN DANG, Pte CHEN DZAI CHUN, Pte MEI YU MOW, Pte LIU HWA, Pte LEE MING YU, Pte DJU MU SHEN, Pte CAEN GZAY, Pte HANG BAI REN and Pte WONG SWEI YU members of the Chinese Army	Not Guilty	Guilty

**Precis of Evidence:** Evidence was given against the accused by one Chinese officer ~~three Chinese~~ NCO's and a Chinese civilian (PW in Japanese hands) to the effect that the accused in company with two other Japanese soldiers and two Formosans came to the Chinese quarters and asked how many sick people were there. He was told by the Chinese officer that there were 11 with light illnesses. The accused who was speaking through an Interpreter said the sick men were to be moved to hospital. They were told to come outside and as they did not hurry the accused said "Hurry up or I will kill you here". The sick men were marched away and the witnesses for the prosecution followed and took up a position where the accused and his party could be observed. From a point about 20 paces distant they observed the deceased executed either by shooting or decapitation and that the accused took part in such executions. The defence of the accused was that he took no part in the executions but that he merely paraded the deceased for the purpose of their removal to hospital. (Over)

Sentence and Date: Death by hanging  
25 Apr 46

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused on 12 Aug 46. Accused executed by hanging at Rabaul on 13 Aug 46.

Petition: Petition lodged May 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....

Precis of Evidence (continued)

Evidence of a witness named Cpl NAKAIDE YOSHIKAZU was also called for the defence. This witness alleged that he in company with two other Japanese soldiers (now deceased) and two Formosans (whose names he does not know) carried out the executions. The evidence of this witness was vague and opposed to the evidence of the five Chinese called on behalf of the prosecution. It was submitted for the prosecution that the witness NAKAIDE (called for the defence) was shielding the accused. The Court was asked to infer from the evidence of the Chinese witnesses called in rebuttal of the evidence of the witness NAKAIDE that NAKAIDE's only knowledge came from what others had told him.



Common action!

7 death sentences for  
torturing one victim &  
death!

RECORD OF MILITARY COURT  
(JAPANESE WAR CRIMINALS)

R67 Aug 7

Paymaster WO HATAKEYAMA, Yosutaki, Eng PC AWC No. 2045, 2043, 2044, 2038  
TORIWUMI Tomeo, Paymaster CPO TOMINGA Gorozi 2042, 2041, 2040, 2039  
Accused: Navy CPO SANO Takeo, Paymaster CPO ITO, Aust W.C. List Ser No. ....  
Horoshi, Paymaster CPO SASAKI, Hazuma, Paymaster CPO CHIBA, Tsuneo  
Paymaster 1st Cl. SATO Heibei (Not guilty).  
Court, Place: RABAU  
Date and Formation: 1 & 2 May 1946  
8 MD.

Charge(s)	Plea	Finding
MURDER at NAURU Is. on or about 3 Dec 44 of a Chinese civilian NG LEE.	Not guilty	All accused guilty except SATO Heibei not guilty.

Precis of Evidence: The deceased NG Lee was employed by the Japanese at Nauru Is. as a gardener and the defence alleged that he was suspected of stealing pumpkins. He was tied to a phosphate basket and very cruelly beaten. He was then pushed into a well and forced to remain there for a period of about fifteen minutes. He was taken from the well and again tied up and cruelly beaten with a carrying pole. Whilst being beaten on the second occasion boiling water was poured over the legs of the deceased. This cruel treatment resulted in the death of the said N.G LEE. The accused HATEKEYAMA admitted beating the deceased. He stated that he did not intend to kill the deceased but considered that the theft of food was a serious matter and warranted severe punishment. With the exception of the accused SATO Heibei the other accused admitted having beaten the deceased.

Sentence and Date: All guilty accused sentenced to death by hanging.  
2 May 46.

Confirmation and by Whom: Findings and sentences confirmed by Lt-Gen V.A.H. Sturdee 23 Jul 46.

Promulgation: 14 August 1946 (accused HATAKEYAMA, Y. TORIWUMI, T. and TOMINAGA, G. executed at Rabaul 17 Aug 1946. Accused SANO, T. ITO, H. SASAKI, H. and CHIBA, T. executed at Rabaul on 21 Aug. 46).

Petition: Petitions submitted by all convicted accused against findings and sentences.

J.A.G.'s Report on Petition: Confirm findings and sentences and dismiss petitions.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....



AUG. 237.

AAF A117(a)

AUSTRALIAN MILITARY FORCES

RECORD OF MILITARY COURT  
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: S/M SHOJI Kuraji & others  
(see schedule attached headed "List of Aust W.C. List Ser No.....  
Accused Charged")

Court, Place, LABUAN

Date and 22, 23, 24, 25, 26, 28, 29, 30 & 31 Jan 46

Formation: 9 AUST DIV

Charge(s)	Plea	Finding
VIOLATION OF THE LAWS AND USAGES OF WAR in that they at KUCHING between 15 May 1942 and 12 Sep 1945 when members of the Borneo Prisoner of War & Internee Guard Unit engaged in guarding prisoners namely prisoners of war and internees did frequently assault and cruelly beat certain of the said prisoners in violation of the Laws & Usages of War.	All accused - Not Guilty	Accused TAKEDA, J. OKAMURA, Y. and FUKUSHIMA not guilty. Remaining accused guilty.

Precis of Evidence:

(See attached Precis)

Sentence and Date:

S/M SHOJI Kuraji	TO BE IMPRISONED FOR	ONE YEAR	-	31 Jan 46
S/M MATSUTAKA Katsushi	"	"	"XSEVEN YEARS-	"
Sjt KOGO Shigeru	"	"	"XTWENTY "	"
Sjt ASAKUSA Katsuji	"	"	"XFIFTEEN "	"
Interpreter Lt INAGAKI Tetsuo	"	"	"XTEN "	"
Interpreter Lt KUBO Akihiko	"	"	"XLIFE	"
Grd NAGATA Tomio (alias KYOGAWA)	"	"	"XFIFTEEN "	"
Grd KYOSE Norisuke	"	"	"XTEN "	"
Grd MATSUDA Takeishi	"	"	"XFIFTEEN "	"
Grd OKAMOTO Keinei	"	"	"XFIFTEEN "	"
Grd ISHIMOTO Yoshio	"	"	"XFIFTEEN "	"
Grd TSUDA Seiji	"	"	"XTEN "	"
Grd FUJIMOTO Yoshio	"	"	"XTHREE "	"
Grd TAGAWA Nobuyuki	"	"	"XTEN "	"
Grd SUZUKI Noboru	"	"	"XFIFTEEN "	"
Grd YASUMOTO Yoshio	"	"	"XTWENTY "	"
Grd HAYAMA Takeo	"	"	"XTEN "	"
Grd MATSUDA Buichi	"	"	"XSEVEN "	"
Grd ISHII Hideo	"	"	"XFIFTEEN "	"
Grd TAKAMURA Shoji	"	"	"XTEN "	"
Grd TOKUDA Masatake	"	"	"XFIFTEEN "	"
Grd MATSUBAYASHI Takeo	"	"	"XTEN "	"
Grd TAKAMI Tsuneo	"	"	"XFIVE "	"
Grd KIMURA Seiji	"	"	"XFIFTEEN "	"
Grd NAGAYOSHI Seiichi	"	"	"XTHREE "	"
Grd KAWAMURA Katsuo	"	"	"XTEN "	"
Grd KANEKO Shigemori	"	"	"XFIFTEEN "	"
Grd IMAGAWA Masamune	"	"	"XTWELVE "	"
Grd KATO Tadao	"	"	"XFIFTEEN "	"



Sentence and Date (continued)

Grd FUJIMURA Shigeru	TO BE IMPRISONED FOR	TEN YEARS	-	31 Jan 46
Grd TAKENAGA Shigematsu	"	"	" X FIVE "	"
Grd KOBAYASHI Teruo	"	"	" X TWELVE "	"
Grd NAGANURA Eiki	"	"	" X SEVEN "	"
Grd KASAMA Eiiji	"	"	" X SEVEN "	"
Grd OKOBAYASHI Takemitsu	"	"	" X FIFTEEN "	"
Grd FUJITA Yoshio	"	"	" X THREE "	"
Grd TOMIBAYASHI Teruo	"	"	" X THREE "	"
Grd YOSHIDA Koichi	"	"	" X SEVEN "	"
Grd OKAMOTO Shozo	"	"	" X THREE "	"
Grd SIGIYAMA Seichi	"	"	" X TEN "	"
Cpl KOIKE Yasushi	"	"	" X TEN "	"
S/M SHIMIZU Kanji	"	"	" X SEVEN "	"

Confirmation

and by Whom: Confirmed by Lt Gen V.A.H. Sturdee - 2 Apr 46

Promulgation: Confirmation of finding and sentences promulgated to each convicted accused on 13 Apr 46.

Petition: Joint petition lodged Feb 46 on behalf of all convicted accused against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and mitigate all sentences of those accused sentenced to over 3 years imprisonment to terms of imprisonment for 3 yrs.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....



LIST OF ACCUSED CHARGED

S/M	SHOJI Kuraji
S/M	MATSUTAKA Katsushi
Sjt	KOGO Shigeru
Sjt	ASAKUSA Katsuji
Interpreter Lt	INAGAKI Tetsuo
Interpreter Lt	KUBO Akihiko
Grd	NAGATA Tomio (alias KYOGAWA)
Grd	KYOSE Norisuke
Grd	MATSUDA Takeishi
Grd	OKAMOTO Keimei
Grd	ISHIMOTO Yoshio
Grd	TSUDA Seiji
Grd	FUJIMOTO Yoshio
Grd	TAGAWA Nobuyuki
Grd	SUZUKI Noboru
Grd	YASUMOTO Yoshio
Grd	HAYAMA Takeo
Grd	MATSUDA Buichi
Grd	ISHII Hideo
Grd	TAKAMURA Shoji
Grd	TOKUDA Masatake
Grd	MATSUBAYASHI Takeo
Grd	TAKAMI Tsuneo
Grd	KIMURA Seiji
Grd	NAGAYOSHI Seichi
Grd	KAWAMURA Katsuo
Grd	KANEKO Shigemori
Grd	IMAGAWA Masamune
Grd	KATO Tadao
Grd	FUJIMURA Shigeru
Grd	TAKENAGA Shigematsu
Grd	KOBAYASHI Teruo
Grd	NAGAMURA Eiki
Grd	KASAMA Eiji
Grd	OKOBAYASHI Takemitsu
Grd	FUJITA Yoshio
Grd	TOMIBAYASHI Teruo
Grd	YOSHIDA Koichi
Grd	TAKEDA Jiro (Not Guilty)
Grd	OKAMURA Yoshiaki (Not Guilty)
Grd	OKAMOTO Shozo
Grd	SIGIYAMA Seichi
Grd	FUKUSHIMA Kenji (Not Guilty)
Cpl	KOIKE Yasushi
S/M	SHIMIZU Kanji

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### PRECIS OF EVIDENCE

1. There were 45 accused presented on the charge referred to and they were members of the Borneo PW & Internee Guard Unit of the Japanese Army. Between 15 May 1942 and 12 Sep 1945 the accused were engaged in guarding Australian British and Indian PW & Internees. The place of imprisonment was KUCHING and the prison was known as LINTANG BARRACKS. It was in fact a compound separated from a number of other compounds in which PW & Internees were detained. In addition to a large number of Internees the PW included approximately 170 Australians, mainly offrs. Originally there were also 1200-1300 British other ranks and as a result of ill treatment and scarcity of food the number of British PW were reduced to 750 by 12 Sep 45. Some of the Australians died and there were deaths amongst the Internees also.
2. The evidence of the prosecution was partly verbal and partly documentary. The documentary evidence was contained in numerous statements made by former PW and in interrogations of the accused reduced to writing and signed by them.
3. The allegations made by the witnesses for the prosecution were that the assaults consisted of striking with fists and sticks, kicking in all parts of the body and instances of kicking in the testicles. The beatings and assaults were meted out to PW & Internees even though they were suffering severely from tropical diseases and they were compelled to carry out heavy fatigues. Sometimes the assaults were made by the accused in accordance with orders of superiors and at other times the accused meted out the punishment of their own accord. The conditions under which both PW & Internees were compelled to live were extremely bad and the food, mainly small daily issues of rice, was both of very poor quality and small in quantity. No medicines were made available and medical treatment was almost non existent.
4. The accused gave evidence in their defence. Numerous admissions were made of slapping PW & Internees but in general the accused denied the charges.



## RECORD OF MILITARY COURT

Capt SUZUKI Sohei

Med Sgt YAMAMOTO Tetsuo (JAPANESE WAR CRIMINALS)

S/M ICHIKAWA Koichi

Korean Gd. CHIBA Korin

" " HAYASHIKAWA Ryusoku (not guilty)

" " NAGAYAMA Takuro (not guilty)

Accused: " KIYOHARA Mashige

AWC No.....

Aust W.C. List Ser No.....

Court, Place, SINGAPORE

Date and 16, 17, 18, 19, 20 and 23 Jul 46.

Formation:

Charge(s)

Plea

Finding

1. (Against all accused) COMMITTING A WAR CRIME at LIENG KHAN FRENCH INDO-CHINA between 15 Apr to 28 Jul 1945 to wit inhumane treatment of PW causing deaths bodily injury, damage to health and physical and mental suffering of the said PW.	all accused not guilty.	Accused HAYASHIKAWA and NAGAYAMA both not guilty. All other accused guilty. The words "contributed to" are substituted for the word "causing" in the charge against accused SUZUKI and YAMAMOTO, and as against the accused ICHIKAWA and CHIBA the words "three PW" are substituted for all the words after the words "treatment of". 2nd Charge Not guilty 3rd Charge Guilty
2. (Against accused YAMAMOTO only). COMMITTING A WAR CRIME AT LONGH THANH FRENCH INDO-CHINA in Apr 1945 to wit in- humane treatment of PW thereby causing death of one of them.	Not guilty	
3. (Against accused CHIBA only) COMMITTING A WAR CRIME at TONCHAN Camp in June 1943 to wit inhumane treatment of PW thereby causing death of one of them.	Not guilty	

## Precis of Evidence:

1. The evidence for the prosecution was partly verbal and partly documentary. Verbal evidence was given by Capt H.J.RAE. The documentary evidence was contained in a number of affidavits made by ex PW. members of the British Army, the Australian Imperial Force and the Dutch Army, and written statements made by each of the accused.

2. First Charge. The accused SUZUKI was the Camp Commander at LIENG KHAN PW Camp in FRENCH INDO-CHINA between April 45 and Jul 45. The accused YAMAMOTO was the medical Sgt at the Camp and the remaining accused were on the Camp Staff. There were approximately 1000 PW in the camp consisting of British, Australian and Dutch PW. Of the 1000 PW approximately 300 were sick in the Camp hospital. The prisoners not in hospital lived in huts. The huts were crowded and leaked during wet weather. The bed covering was totally inadequate, for PW at night. The water supply was unhygienic and befouled by natives. There was a total insufficiency of utensils for boiling and purifying water. Food was poor in quality and quantity and consisted of (over)

Sentence and Date: Accused SUZUKI S and YAMAMOTO T - TO SUFFER DEATH BY HANGING 23 Jul 46.  
" ICHIKAWA K - TO BE IMPRISONED FOR 12 YEARS 23 Jul 46.  
" CHIBA K - TO SUFFER DEATH BY HANGING 23 Jul 46.  
" KIYOHARA M. - TO BE IMPRISONED FOR 15 YEARS 23 Jul 46.

Confirmation and by Whom: LT GEN V.A.H. STURDEE C.G.S. AMF 24/12/46

Promulgation: Confirmation of findings and sentences promulgated to each accused on the 20/11/47. Suicid SUZUKI, YAMAMOTO, and CHIBA executed on the 21/11/47 at CHANGI prison. Promulgated to KIYOHARA on the 2-5-47.

Petition: Joint petition lodged Aug 46 on behalf of each convicted accused against findings and sentences.

J.A.G.'s Report on Petition: Confirm findings and sentences and dismiss petition.

Action on Petition: Dismissed 24/12/46

Filed in Attorney-General's Department and Numbered.....



### Precis of Evidence (Contd)

rice, beans and carrots. PW were always hungry. At times PW were permitted to buy a cow from the natives with their own money. This they slaughtered to supplement food rations but the Japanese always took quantities of the meat and left a small portion for the PW. The Japanese received stocks of Red Cross supplies of food, clothing and medical supplies. These were under the control of the accused SUZUKI and the accused YAMAMOTO and they were consistently withheld from the PW medical officers and the PW themselves. When PW realised this was being done 4 Australians who were in hospital broke into the store and removed some of the Red Cross parcels. The PW involved were Gnr. D.M.KING, Pte T.M.JACKSON and Gnr.R.BENNETT. When the removal of the parcels was discovered the accused SUZUKI paraded the PW and threatened them with collective punishment if the men who stole the parcels did not confess. Eventually all the men confessed and were struck on the face and body by SUZUKI with his sword. From 1000 hrs on the day of their confession they were tied to the trees in such a position that they could not move their hands or feet. They remained there all night in bitter cold and they were clad in thin shirts and were without footwear. At 1000 hrs next day these PW were released and questioned as to the whereabouts of the goods removed. They were subjected to bashing and hitting and then tied to the trees again. The accused SUZUKI then came on to the parade ground and untied Gnr KING. The accused struck him across the face and knocked him down. The accused then threw KING to the ground several times, with a wrestling hold. KING was then taken to the front of the office and thrown to the ground again, and his hands and feet tied. The accused CHIBA then brought a kettle of hot water from the kitchen and an oil funnel from the garage. One of the accused guards sat on King's chest and holding open his mouth with the funnel the water was poured into his mouth. When the kettle was empty the accused CHIBA then bumped up and down on King's stomach till he vomited blood and water. Another kettle of water was produced and the torture continued until King became unconscious. This torture was then given to the other PW and the PW Bennett told where the parcels were hidden. The torture was given over two days and all of the accused except HAYASHIKAWA assisted therein. King then escaped and was not recaptured. The other PW were either tied to trees or tied up in the guard house for several days. The accused SUZUKI paraded all sick PW and forced them to carry out fatigues. The supply of drugs and medicines which were never sufficient were deliberately reduced in quantity by the accused YAMAMOTO. The accused SUZUKI stated that sick PW would carry out fatigues until KING was recaptured. As a result of the fatigues and the refusal by the accused YAMAMOTO to admit PW to hospital, 6 PW died.

3. The defence of the accused all of whom gave evidence was in substance a denial of inhumane treatment whilst it was admitted that conditions of the camp were difficult it was alleged by the accused SUZUKI that everything possible was done for PW. Each of the accused denied that they had taken any part in the water torture and alleged that it had taken place while they were absent on other duties and that if such torture was given it was carried out by PW Guards without any authority. In regard to the housing it was alleged that huts had been erected hurriedly but were not in the shape as alleged by the prosecution. The accused further contended that he took all necessary action for the purification of water. It was also admitted that Red Cross parcels had been received and it was claimed that whilst some had been issued to PW others were kept in stock pending anticipated arrival of a further large party of PW. As to the 6 men who died otherwise than from natural causes. It was claimed that a number of PW were suffering from malaria and dysentery and such was the cause of deaths.

4. Second Charge. The accused was found not guilty in respect of this charge.



5. Third Charge. In June 1943 the Burma Siam Railway was being constructed. The accused CHIBA was in charge of a small group which was responsible for the building of a bridge near TONCHAN SIAM. The accused was not in charge of the actual parties whilst working, but he was in effect a Camp Commandant in control of the Prisoners camp administration etc. The food was small in quantity and consisted mainly of rice and sometimes a little meat and fish. If meat or eggs arrived in the camp the accused would retain a large quantity and sell same to the Thais. The PW worked from daylight till dark and those who were sick remained behind. The accused would hold sick parades of those left in camp. He gave them PT exercises, made them stand to attention for long periods, and often he made them run about chasing them with a stick and beating them. Those PW who stood up to this treatment were sent on fatigues, and if they were returned being unfit for work the accused would give them fatigues of his own making. A PW named L/Bdr Jones who was suffering from pneumonia was forced to go to work in the morning. He returned to rest in the afternoon. When the accused saw him he made the PW stand to attention and he was beaten until he collapsed in the mud. Protests were made to the accused's superior officers and apparently the accused heard about it. Capt RAE and other PW officers were paraded and the accused abused them and struck them a number of blows. Capt RAE was struck about 20 blows in all. One Pte RIDDOCH of 2nd Gordon Highlanders was ill-treated by the accused on so many occasions that he would not go on sick parade. He was very ill and eventually was evacuated to hospital where he died. It was alleged that the ill-treatment and brutality of the accused kept RIDDOCH at work and his death from weakness followed as a result.

6. The accused CHIBA gave evidence in his own defence. He stated that he was stationed at the Camp in question for about a month only. He denied ill-treatment of PW as alleged.



RECORD OF MILITARY COURT  
(JAPANESE WAR CRIMINALS)

Ans 222

Accused: L/Cpl YAMANISHI Masato  
AWC No.....  
Aust W.C. List Ser No.....Court, Place, Date and Formation: --- Singapore 1 July 46  
1 Aust War Crimes Sec

Charge(s) Plea Finding

Committing a war crime in that he in the month of April 1945 at Rajouri in Siam cruelly beat NX56882 Sgt. HELLMRICH a member of the Australian Imperial Force thereby causing him bodily injury.

Not.  
Guilty

Guilty

Precis of Evidence: The evidence for the prosecution was documentary and consisted of 'Q' Forms completed and signed by Sgt. HELLMRICH and another Australian prisoner of war namely Pte. Taylor, G., also summaries of examination of the accused and other Japanese soldiers. The substance of the evidence for the prosecution was to the effect that Sgt. HELLMRICH was in charge of a working party of prisoners of war at RAJBURI Camp and during the lunch hour he reported to the accused that two other men were too sick to work. The accused made the Sgt. parade these men before him and in spite of the fact that they had been examined by a prisoner of war medical officer, the accused proceeded to conduct his own medical examination. The accused said that the men were fit to work and ordered them to stand at a position of attention outside the guard house for the remainder of the afternoon. Sgt. HELLMRICH protested and said the men were too ill to do so. The accused therefore turned on Sgt HELLMRICH and (Pte)

Sentence and Date: To be imprisoned for 5 years. 1 Jul 46.

Confirmation and by Whom: Maj-Gen L.H. COX, GOC Singapore District.

Promulgation: Confirmation of finding and sentence promulgated to the accused on 9 Aug 46.

Petition: — No petitions lodged

J.A.G.'s Report on Petition: —

Action on Petition: —

Filed in Attorney-General's Department and Numbered.....



struck him unmercifully for some five to seven minutes. The accused struck him with his fists and kicked him with his leather boots on the shins and legs resulting in severe cuts and bruises to the Sgt's head and legs. The Japanese Cpl in charge of the PW awarded Sgt Hellmrich 20 days compensation on full pay in order to recover from his injuries. The accused gave evidence in his defence. He admitted that he punched Sgt HELLMRICH about four or five times and kicked him on the shins about four or five times also. The reason for the beating was that the Sgt had told the accused a lie about the allegedly sick PW and when discovered assumed a threatening attitude. Rather than report the matter to a superior officer which would have resulted in a Court Martial and severe punishment the accused punished Sgt Hellmrich himself.

**RECORD OF MILITARY COURT**  
(JAPANESE WAR CRIMINALS)

R147 June 166

AWC No. AWC No.2920

Accused: Sgt Maj KAMINAKA, Tsunejiro

Aust W.C. List Ser No.

Court, Place, RABAU  
Date and 19 Jun 46  
Formation: 8th Military District.

Charge(s)	Plea	Finding
MURDER (see schedule attached)		

Precis of Evidence: The evidence adduced by the Prosecution was contained in atrocity - mal-treatment reports relating to each of the deaths of the Indians named in the charges, a written interrogation of the accused and a statement signed by Capt. PARISH. The substance of the evidence respecting each charge was as follows:-

1st Charge

The alleged murder was witnessed by 3 Indian PW. During a movement of Indians from PAROM to KURRINGE the deceased AUSA RAM was made to carry the baggage of the accused and another Japanese Sgt. Owing to weak state of health he was unable to do so and he was beaten with a stick by the accused until he became unconscious. He was left on the roadside and the following day he arrived at KURRINGE, in a serious state of health. The deceased died a few days later. Witnesses were convinced that death was due to the beating.

Sentence TO "SUFFER DEATH BY HANGING."  
and Date: 19 Jun 46.

(over)

Confirmation Finding and sentence confirmed by Lt-Gen V.A.H. Sturdee.  
and by Whom:

Promulgation: Confirmation of finding and sentence promulgated to the accused on 5 Nov 46 accused executed by hanging at Rabaul on 6 Nov 46.

Petition: Lodged 28 June 1946. against finding and sentence.

J.A.G.'s Report on Petition: Confirm findings and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....



2nd Charge.

Towards the end of July 1944 Sepoy NARJAIL SINGH owing to weakness was unable to work to the satisfaction of Japanese guards. He was ordered to work harder but was incapable of doing so. The accused assisted by Cpl MATSUMURA beat NARJAIL SINGH with a large stick. NARJAIL SINGH was carried back to the PW lines and as a result of the severity of the beating he died four days later. Three Indians witnessed the beating.

3rd Charge

About the middle of July 44 near PAROM NEW GUINEA the deceased Sepoy RAN SINGH asked the accused to allot him light duties as he was in a weak state and could not do heavy work. The accused and another Japanese beat the deceased until he fell to the ground. He was carried to his hut and died seven days later. There were 3 witnesses to the assault. It was contended that the beating resulted in the death of the deceased.

4th Charge

The deceased Sepoy DALIP SINGH was ordered to collect dry kindling wood from the jungle and on account of unfordable streams his return was delayed. The accused when given this explanation beat the deceased with a large stick causing severe head injuries. He died within a week. The deceased, it was stated, was in a fit condition and there was no doubt he died as a result of the head injuries and the beating. There were 4 witnesses to the assault.

5th Charge

In June 44 a party of Indians moved from HANSA BAY to PAROM. En route the deceased Cook KARTAR SINGH on account of weakness was unable to keep pace with the party and arrived at PAROM a week later. The deceased was suffering from Malaria, but in spite of this on his arrival the accused beat him with a stick until he became unconscious. The deceased was taken to his hut and appeared to become insane. He died 4 days later. A witness expressed the opinion that his mental state and subsequent death were brought about by the beating. There were 4 witnesses in connection with this charge.

6th Charge

In Aug 44 the deceased Sepoy GURBACHAN SINGH and S Sepoy SANA SINGH were severely beaten with sticks by the accused and L/Cpl SUZUE. The reason for the beating was that the deceased had failed to collect the specific number of coconuts whilst on fatigue. After the beating both deceased were unable to leave their beds and they died in about 6 days. Prior to the beating both the deceased were in a weak condition but were able to perform fatigues. The opinion was expressed that both deceased died as a result of the beating. There were three witnesses in connection with this charge.

7th Charge

In Nov 44 a number of Indians were moved under Japanese escort from PAROM to KURRINGE. The deceased, Water Carrier JOHLLI RAM and a witness were unable to keep pace with the main party and subsequently they were overtaken by the accused. The accused took the deceased's mosquito net and the deceased protested. The accused then beat the deceased with a stick until he became unconscious. The deceased was left behind and later he was found wandering in the jungle in a demented state. Four days later he was brought to KURRINGE and later he died. One witness stated that he was convinced that the deceased became insane as a result of the brutal treatment. There were two other witnesses in connection with this charge.

8th Charge

The deceased Sepoy SALIP SINGH and Sepoy UJAGAR SINGH were detailed as night sick attendants to a Japanese Lt who was suffering from dysentery and malaria. In the early hours of the morning the accused entered the Japanese officers hut and found that the officer had died during the night. The accused called Cpls



SHIMADA and NITANI and the three of them beat the deceased with large sticks. Both deceased died 4 or 5 days later. There were 5 witnesses in connection with this charge and it was considered that the deaths of both deceased resulted from the beatings. They were in fairly good health prior to the assault.

9th Charge

The deceased UJAGAR SINGH and MANGAL SINGH were detailed as orderlies to the accused. Later both the deceased were cooking food over a fire. The accused apparently thought they were creating smoke in order to signal to Allied planes. The accused attacked both the deceased with a big stick and continued striking them for about 5 minutes. The accused continued striking them on the head, and body even after they had fallen to the ground. Both the deceased died shortly after the alleged beating. The witness concerned in this charge stated that the deaths of both deceased were due to the severity of the beatings.

10th Charge

The deceased Capt T.S. PARMAR IMS was the senior Indian officer in No.3 Camp Indian PW at KURRINGE. In Nov 44 some Indians had committed minor offences and in consequence the accused beat the deceased severely with a thick stick. In the middle of Dec 44 the deceased was again beaten by the accused. Immediately after he entered the hut of a witness. He was in great pain and was weeping. He was holding his back and his hair had been torn out by the roots. The deceased said he was dying and also said that he had been beaten by the accused because he would not hand over a blanket which belonged to another Indian. Prior to this latter beating the deceased had been in fairly good health. He died on 3 Feb 45. The opinion was expressed by a witness that the beating was the cause of death. There were 3 witnesses in connection with this charge.

11th Charge.

In July 44 the deceased L/Naik BISHAMBAR DASS was employed as an orderly to the accused. He was observed by the accused washing cooking utensils in a stream which was out of bounds to the PW. The accused struck the deceased and a number of blows on the head and shoulder until he fell to the ground. The beating continued whilst deceased was on the ground. He was taken to his hut seriously ill and died about 9 days later. The deceased was suffering from beri beri prior to the beating but the opinion was expressed that the beating hastened the deceased's death. There were two witnesses in connection with this charge.

12th Charge.

In July 44 the deceased Sepoy KARA RAM refused to hand over his only shirt to the accused. The accused felled the deceased with a heavy stick and continued to beat him whilst he was lying on the floor. The deceased prior to the assault, was weak from the effects of beri beri. He died 6 days after the beating and the opinion was expressed that the beating hastened his death. There were 4 witnesses in connection with this charge.

13th Charge

The deceased SARDAR SINGH was suffering from dysentery and he was taken before the accused who asked the deceased what was wrong with him. The deceased told him and the accused ordered Japanese Cpl FUKUMOTO (now deceased) to throw him into the adjacent river as he was of no further use. The accused struck the deceased several times with his fist and under orders from the accused the Cpl beat the deceased with a stick. The deceased was then carried to the river and pushed into deep water. Some days later the deceased was brought back to camp by natives. On 7th or 8th Dec 44 the deceased died.



14th Charge

The deceased Sepoy AMAR SINGH was performing batman duties for the accused. The accused ordered the deceased to accompany him on a 5 mile journey. The deceased said he was suffering from beri beri and was unable to go. The accused struck him with a stick and the deceased was made to go. On the journey the deceased was unable to keep pace with the accused and the accused felled him with a stick and kicked him and stamped on his neck with the heel of his boot. The accused then threw him into a river but the deceased reached the bank and was found by 2 sepoy and they brought him back to camp. He died 3 days later. A witness expressed the opinion that death was due to the brutal treatment.

15th Charge

In July 44 the deceased LACHHMAN SINGH was beaten by the accused because he was unable to find any jungle vegetables. He was beaten on the head and body until he fell to the ground and the beating continued. The beating lasted for about 3 minutes. He died about a week after such beating. Although the deceased was suffering from malnutrition and occasional attacks of malaria, he was stronger than most PW. There was only one witness concerned with this charge.

The accused gave evidence in his defence. He denied knowing the majority of the deceased and stated that he had not beaten the Indians named whom he knew. A witness for the defence alleged that a number of Indians died from malnutrition, malaria dysentery and beri beri.



# SCHEDULE OF CHARGES

CHARGES	PLEA	FINDING
<u>MURDER</u>		
(1) Between PAROM and KURRINGE in NEW GUINEA in Nov 44 of Sep AUSA RAM	Not guilty	Guilty on all charges except alternative charge to 7th Charge and the alternative charge to 10th charge
(2) <u>MURDER</u> in that he at PAROM near BOIKEN in New Guinea in Jul 44, murdered Sep NARJAIL SINGH.		
(3) <u>MURDER</u> In that he at PAROM near BOIKEN in New Guinea in Jul 44 murdered Sep RAN SINGH.		
(4) <u>MURDER</u> In that he at PAROM near BOIKEN in New Guinea in Jul 44 murdered Sep DALIP SINGH.		
(5) <u>MURDER</u> In that he at PAROM near BOIKEN in New Guinea in Jul 44 murdered Cook KARTAR SINGH.		
(6) <u>MURDER</u> In that he at PAROM near BOIKEN in New Guinea in Aug 44 murdered Sep GURBACHAN SINGH and Sep SANA SINGH		
(7) <u>MURDER</u> In that he between PAROM and KURRINGE in New Guinea in Nov 44 murdered Water Carrier JOHLI RAM.		
<u>Alternatively</u>		
<u>ILL TREATMENT OF A PRISONER OF WAR</u> In that he between PAROM and KURRINGE in New Guinea ill treated Water Carrier JOHLI RAM, an Indian PW, by cruelly beating him.		
(8) <u>MURDER</u> In that he at PAROM near BOIKEN in New Guinea in Jul 44 murdered Sep DALIP SINGH and Sep UJAGAR SINGH.		
(9) <u>MURDER</u> In that he at PAROM near BOIKEN in New Guinea in Jul 44 murdered Sepoys UJAGAR SINGH and MANGAL SINGH.		
(10) <u>MURDER</u> at KURRINGE in New Guinea in Nov/Dec 44 of Capt PARMAR IMS.		
<u>Alternatively</u> <u>ILL-TREATMENT</u> AT KURRINGE in New Guinea in Nov/Dec 44 of Capt PARMAR IMS by cruelly beating him.		
(11) <u>MURDER</u> In that he at PAROM near BOIKEN in New Guinea in Jul 44 murdered L/Naik BISHAMBAR DASS.		
(12) <u>MURDER</u> In that he at PAROM near BOIKEN in New Guinea murdered Sepoy KARA RAM.		



CHARGES	PLEA	FINDING
(13) <u>MURDER</u> In that he at <u>KURRINGE</u> in New Guinea in Dec 44 murdered Hav. SANDARA SINGH.		
(14) <u>MURDER</u> In that he near <u>BOIKEN</u> in New Guinea murdered Sep AMAR SINGH		
(15) <u>MURDER</u> In that he at <u>PAROM</u> near <u>BOIKEN</u> in New Guinea murdered Sepoy LACHHMAN SINGH.		

DPW(AG13(2a))/WLOL/AR

**RECORD OF MILITARY COURT**  
(JAPANESE WAR CRIMINALS)

*Ans. 239.*

AWC No. 2250, 2252

Accused: **Capt YAMAOKA Shigeru**  
**Lt MATSUURA Toshisato**  
Court, Place, **RABAUL**  
Date and **24 & 25 May 46**  
Formation: **BND**

Aust W.C. List Ser No. ....

Charge(s)	Plea	Finding
MURDER in that they at NEW GUINEA in or about September 1944 murdered L/NK KARAN SINGH and Sep SOHAN SINGH	Both accused not guilty	Both accused guilty

Precis of Evidence: 1. The evidence for the prosecution was documentary and consisted of written statements made by Indians who had been PW in Japanese hands and statements in writing made by each of the accused. The deceased were members of the Indian Army and were also PW in the custody of the Japanese.

2. The substance of the evidence was to the effect that in Sep 44 a party of Indian Army PW including the deceased and the witnesses for the prosecution marched from BOIKHE to NOI in New Guinea. One evening when the party had stopped for the night the accused YAMAOKA searched all Indian PW and he found some bananas in the possession of the deceased. Next morning the accused YAMAOKA (who was accompanied by a Medical W/O) addressed the Indians and stated that if PW were found stealing fruit or vegetable from native gardens or trading clothing the culprit would be executed. The accused YAMAOKA then ordered the medical W/O to deal with the deceased. The medical

Sentence and Date: **BOTH ACCUSED TO SUFFER DEATH BY HANGING - 25 May 46**

Confirmation and by Whom: *May Gen W. C. Anderson Adj Gen A.M.F. 21/5/47.*  
*MATSUURA's sentence not confirmed*

Promulgation: *Promulgated to ~~MATSUURA on 12/10/44 and executed on 2~~*  
*the accused on the 27/10/47 and executed on the 28/10/47*

Petition: **Petitions lodged 5 June 46 by both accused against findings and sentences.**

J.A.G.'s Report on Petition: **Confirmed finding and sentence and dismiss petition respecting accused YAMAOKA. Finding and sentence respecting accused MATSUURA should not be confirmed and petition should be upheld.**

Action on Petition: *Dismissed 21/5/47.*

Filed in Attorney-General's Department and Numbered.....



W/O then tied the hands of the deceased KARAM SINGH and cut his throat. The deceased SOHAN SINGH then attempted to escape but was captured by natives and tied up. His throat was then cut by the medical W/O. There was no evidence of the burial of the bodies of the deceased.

3. Both the accused gave evidence in their defence. The accused YAMAOKA admitted that the deceased were executed by beheading with the sword by one Sgt Maj FUJITA who committed suicide at MOI. This accused further alleged that as the deceased had been guilty of thefts he had exercised his rights under Japanese Army Criminal Code and also that the Indian Leaders had repeatedly requested that the deceased should be executed. The accused MATSUURA in evidence denied that he took any part in the actual execution. He admitted that under instructions from the accused YAMAOKA he examined the bodies of the deceased about 15 minutes after such execution. He also alleged that he heard the Indian Commander make a request to the accused YAMAOKA that the deceased should be executed.

RECORD OF MILITARY COURT  
(JAPANESE WAR CRIMINALS)

R. 143 Ows 241

AWC No. 2919

Accused: Navy Civilian Employee YUNOME Kunio

Aust W.C. List Ser No.

RABAU

Court, Place,

Date and

Formation:

27 and 28 June 1946

8 MD

Charge(s)

Plea

Finding

MURDER at MALOL near AITAPE in  
NEW GUINEA on 24 October 1943 of  
REHARIN an Ambonese native.NOT  
GUILTY

GUILTY

Precis of Evidence: The evidence submitted by the prosecution was contained in a report from DPW & I, affidavits by Capt V.A.R. CHAPPLE, Capt E. Le Roy BOOTH, a written statement by the said Capt Chapple and a certificate of an Interpreter of the US Army named TAKASHI Teramae. The affidavit of Capt Chapple contained details of the interrogation of the accused. The substance of the contents of such interrogation is as follows. In October 1943 near AITAPE an Australian Sergeant and two Ambonese natives were captured by New Guinea natives and handed over to the Japanese. The New Guinea natives were rewarded with Japanese occupation money and lengths of clothing material. The accused in company with one HIROE interrogated the Australian and the natives, and the accused alleged that he acted as Interpreter. The Australian was interrogated for two or 3 days after his capture. About the beginning of Oct 43 one YASUNO sent a wireless telegram to HQ asking for

Sentence  
and Date:*To suffer death by hanging 28 June 1946.*

(over)

Confirmation

and by Whom:

Lt.Gen. V.A.H. STUDEE<sup>R</sup> C.G.S. AMF 16/9/46

Promulgation:

*Sentence commuted to 10 years imprisonment and promulgated to the accused on the 27/10/47.*

Petition:

Lodged July 46 against finding and sentence

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed 16/9/46

Filed in Attorney-General's Department and Numbered.....



Precis of Evidence (contd):

instructions regarding the Australian and the Ambonese natives and a reply was alleged to have been received from Vice Admiral KAMADA ordering the disposal of the prisoners. On the morning of the 24 Oct 43 the prisoners were taken to the sea shore. On arrival of the accused and the execution party a hole had been dug and a guard was surrounding the location. The Australian was executed by the said YASUNO with his sword and then the accused "was called by name and ordered to execute" the deceased. The other Ambones was executed by one MITSUBASHI. The accused admitted making an entry in his diary under date 24 Oct 43 reading as follows:

"This afternoon was for me an occasion to be remembered for a long time. I myself with my own Japanese sword beheaded an enemy soldier prisoner. This was a new experience for me. But I screwed myself to it. Anything can be done if one resolves to do it to the very best of one's ability. And I am convinced that given complete confidence I can carry out any task successfully. I really believe I was magnificent. Amongst the Japanese onlookers there were many who declared their admiration for my skill in making such an excellent stroke".

The accused also admitted that the photograph marked Exhibit No.4 annexed to the affidavit of Capt Chapple portrays him immediately prior to the execution of the deceased.

2. The substance of the defence of the accused was that he carried out orders of superior officers.



RECORD OF MILITARY COURT  
(JAPANESE WAR CRIMINALS)

Ans. 247

AWC No. 2120

Accused: Maj-Gen HIROTA Akira

Aust W.C. List Ser No.

Court, Place, Rabaul  
Date and 19, 20, 21, 24, 25, 26, 27, 28, 29, 31 Mar and 3 Apr 47.  
Formation: 8th Military District.

Charge(s)

Plea

Finding

Violation of the laws and usages of war in that he in New Britain between December 1942 and July 1945 while a commander of Armed forces of Japan at war with the Commonwealth of Aust and its allies failed to control the conduct of members of his command whereby they committed brutal atrocities and other high crimes against people of the Commonwealth of Australia and its allies.

Not  
guilty

Guilty

Precis of Evidence: 1. The evidence for the prosecution was in the main documentary. The substance of the evidence was that the accused was Commander of field supply depots in the Rabaul area during the relevant periods set out in the charge. The location of units under command of the accused was proved by maps and admitted by the accused. The prosecution alleged that the crimes committed by subordinates of the accused were

- (a) ill-treatment and murder of Chinese PW
- (b) ill-treatment of Indian PW
- (c) ill-treatment of natives of New Britain.

2. The prosecution produced statements in writing to prove that the Chinese were PW and that they did not at any time voluntarily serve in the Japanese Forces. In support of the allegation of ill-treatment and murder of Chinese PW by subordinates of the accused the prosecution (PTO)

Sentence  
and Date:

To be imprisoned for seven years.

Confirmation  
and by Whom:

Maj Gen W. M. Anderson Adj Gen A.M.F. 24/6/47

Promulgation:

Promulgated to the accused on 12-7-47.

Petition:

Lodged April 47 against finding and sentence

J.A.G.'s Report on Petition:

Confirm finding and sentence and dismiss petition.

Action on Petition:

Dismissed 24/6/47

Filed in Attorney-General's Department and Numbered.....



tendered the evidence of particular trials of such subordinates and such evidence was admitted by the Court. The evidence on such trials was submitted by the prosecution as proof of the murder of 52 Chinese PW and the ill-treatment of 14 Chinese PW. Further documentary evidence submitted by the prosecution was admitted in evidence to prove the conditions under which Chinese PW were compelled to work, the number of deaths of Chinese PW and the close proximity of the HQ of the accused to Chinese PW. Further evidence was given by a former Chinese PW to the effect that he overheard a conversation in a Japanese senior officers' mess. The substance of the conversation was that the accused said (inter alia) to other Japanese officers that he had pressed for the killing of all PW, that Gen INAMURA had agreed but the Navy would not agree. Verbal evidence was also given by certain Formosans as to a conversation between the accused and a Japanese named AIZAWA. In substance the accused admitted giving certain orders regarding Chinese PW but denied that he had given orders for their execution. A statement by Paymaster Sub Lt UETOHA was also put in in evidence to prove that there were in existence in 26 Supply Depot orders to execute sick Chinese PW.

3. In regard to the ill-treatment of Indian PW the prosecution tendered and the Court admitted in evidence, documents in support of such allegation. These documents showed that 3 Indian PW had been cruelly beaten by subordinates of the accused.

4. In regard to the ill-treatment of natives of New Britain the prosecution tendered and the Court admitted documents in evidence in support of such allegation. Such documents showed that ten natives of New Britain had been ill-treated and that one native died as a result thereof.

5. The accused gave evidence in his defence. In his defence he claimed that in regard to the murder of certain Chinese he had no knowledge or the opportunity of gaining any knowledge of the happening until after the occurrence and that he only heard of the fact after the cessation of hostilities. He further contended that at the date of the alleged murders he controlled the supply depot for the purposes of issue of requirements of troops and he had no control of the discipline of troops. In regard to the murder of other Chinese the accused alleged that the evidence in regard thereto was a pure fabrication and completely untrue. He submitted that such murders never took place and the Chinese invented this story because a Japanese tried for the crimes had only been sentenced to imprisonment for life. He further submitted that in regard to these murders they happened at times when he was not in actual charge of the Supply Depot and that he took control thereof at a later date. In regard to a third case of murder of Chinese, the accused denied having any knowledge of the incident until after his subordinate had been charged with the offence. In regard to a fourth case of murder of Chinese the accused denied all knowledge thereof and it was only after the cessation of hostilities that he learned of the happening. In regard to the ill-treatment of Chinese Indians and natives the accused alleged that at the relevant times he was only responsible for the issue of supplies and he was not responsible for the discipline of troops until a later date when the unit was completely organised.



**RECORD OF MILITARY COURT**  
(JAPANESE WAR CRIMINALS)

*Ans 231*

AWC No.....

Accused: Korean Guard KANEYAMA Yoshio

Aust W.C. List Ser No.....

Court, Place, SINGAPORE  
Date and 12 and 14 Nov 46  
Formation: 1 Aust War Crimes Sec

Charge(s)	Plea	Finding
COMMITTING A WAR CRIME in that he at 80 and 100 Kilo Camps in BURMA in and between the months of April and November 1943, in violation of the laws and usages of war, when concerned as a guard in the service of the Imperial Japanese Army, in the supervision of PW employed on the Construction of the BURMA-SIAM RAILWAY inhumanely treated PW.	NOT GUILTY	GUILTY

Precis of Evidence:

The evidence for the prosecution was documentary and consisted of affidavits made by former prisoners of war and a written statement made by the accused. The accused served as a guard in charge of prisoners of war at 80 Kilo Camp between the months of April and June 1943 and at 100 Kilo Camp between June and October 1943. The prisoners of war in these respective camps were working as labourers on the construction of the Burma/Siam Railway. The affidavits and documents put in evidence by the prosecution showed that in both these camps the accused viciously beat, assaulted and kicked many prisoners of war including those who were sick. In addition to kicking and striking them with his fists he used his rifle butt and bamboo sticks to beat his victims. Some of the victims of the brutality of the accused sustained severe bodily injuries.

Sentence and Date: TO BE IMPRISONED FOR 10 YEARS - 14 Nov 46

Confirmation and by Whom: Maj-Gen L.H. COX, Comd Singapore District

Promulgation: Confirmation of finding and sentence promulgated to the accused on 29 Nov 46

Petition: *No petition lodged*

J.A.G.'s Report on Petition: —

Action on Petition: —

Filed in Attorney-General's Department and Numbered.....



# RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

*Ans 23*

AWC No.....

Accused: S/M FUNATO Chikayuki

Aust W.C. List Ser No.....

Court, Place, SINGAPORE  
Date and 6 & 7 Nov 46  
Formation: 1 Aust War Crimes Sec

Charge(s)	Plea	Finding
COMMITTING A WAR CRIME in that he in BURMA in and between the month of December 1942 and January 1944 in violation of the laws and usages of war when concerned in the care and supervision of PW employed in the construction of the BURMA/SIAM RLY inhumanely treated PW	Not guilty	Guilty

The evidence for the prosecution was documentary and consisted of Precis of Evidence affidavits made by ex PW. The substance of the evidence was to the following effect. During the month of Dec 1943 and early in 1944 the accused was in charge of 100 Kilo Camp. This camp together with other Japanese Camps supplied PW as labourers for the construction of the Burma/Siam Railway. Generally the charge against the accused was that in his capacity as OC of the Camp he allowed sick PW to be sent to work and also permitted PW to be beaten by guards under his command. Usually the beatings were given with rifle butts and under the direct orders and in the presence of the accused. There were cases where the accused himself administered beatings. The accused gave evidence in his defence and a witness was called on his behalf. The accused in his written interrogations admitted beating PW. In evidence the accused alleged that the interrogations were wrong and denied that he in any way assaulted or ill treated PW as alleged. He further alleged that if any guards under his command ill treated PW it was done without his knowledge and against his orders.

Sentence and Date: TO BE IMPRISONED FOR 3 YEARS - 7 Nov 46.

Confirmation and by Whom: Maj Gen L.H. Cox, Comd Singapore District

Promulgation: Confirmation of finding and sentence promulgated to accused on 2 Dec 46.

Petition: *No petition lodged*

J.A.G.'s Report on Petition: —

Action on Petition: —

Filed in Attorney-General's Department and Numbered.....



RECORD OF MILITARY COURT  
(JAPANESE WAR CRIMINALS)

Cno-254

AWC No. 2964, 2967

Accused: Capt NOTO Kiyohisa  
C.P.O. WATANABE Teruo

Aust W.C. List Ser No.

Court, Place, RABOUL  
Date and 9 & 10 July 1947  
Formation: 8th Military District

Charge(s)	Plea	Finding
<u>COMMITTING A WAR CRIME</u> that is to say <u>MURDER</u> in that they in or about Oct 1943 at AITAPE murdered an Australian Prisoner of War and two Indonesian Prisoners of War.	Both accused Not Guilty	Both accused GUILTY

Precis. of Evidence: The evidence for the prosecution was mainly documentary consisting of affidavits and relevant portions of the proceedings of a previous trial by military Court at Rabaul of Civ Yunome Kunio. The substance of the evidence was to the effect that the accused NOTO Kiyohisa was senior staff officer on the HQ of 2 Special Naval Base Force and 8 Naval Development Unit. The accused Watanabe was commander of a guard detachment from 2 Special Naval Base Force, stationed at AITAPE. It was alleged by the prosecution that the three persons mentioned in the charge were captured by natives under the direction of personnel, of the accused NOTO's command, and were then taken to AITAPE and placed under the guard of Watanabe's detachment. Soon after their capture the prisoners were interrogated and a report of the interrogation was forwarded to 2 Special Naval Base Force which was at that time commanded by Rear Adm KAMADA Michiaki. After consideration of this report by what has been termed a "Military (over)

Sentence Capt NOTO Kiyohisa To be imprisoned for 20 years  
and Date: C.P.O. WATANABE Teruo " " " " 7 yearsConfirmation  
and by Whom: Maj Gen W.M. Anderson Adj Gen AMF 11/9/47.

Promulgation: Promulgated to both the accused on 27/9/47.

Petition: lodged on 22 July 47 by both the accused against the findings and sentences.

J.A.G.'s Report on Petition: Confirm the finding and sentence and dismiss petitions  
Suggests mitigation of the accused NOTO's sentence to 7 years.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....



7  
x alleged that some days later the accused NOTO

**Precis (continued)**

"Punishment Tribunal" comprised of KAHADA a staff officer and a civilian jurist, it was decided that the prisoners had been operating as spies and therefore KAHADA sentenced them to death. The prosecution also had been ordered by KAHADA to transmit to WATANABE the order to "Kill all Prisoners of War at AITAPE". This order was transmitted to WATANABE verbally through one W/O KATSUKI a barge commander. NOTO stated that at this time he had seen the signed order for the execution on a file but had not read it. On receipt of this order at AITAPE WATANABE in discussion with Civilian YASUNO decided that the prisoners would be executed by beheading and not shooting. On approx 24 Oct 43 the three prisoners were executed by YASUNO, Civilian YUNOME, and Civilian HITSUMASHI. Both the accused gave evidence in their defence and although they did not dispute the above facts they contended that the execution of the prisoners was lawful as they had first been tried by a proper court.

# RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

Ans 256

AWC No. 1265

Accused: Lt. SAKAKI Saburo

Aust W.C. List Ser No.

Court, Place, Date and Formation: NABUL  
5 and 6 Aug 1947.  
8 MILITARY DISTRICT.

Charge(s)

Plea

Finding

CONSIDERING A WAR CRIME that is to say  
that he at NABUL on or about  
18 March 45 murdered Col F.B. GILBERT,  
Mr D.H. SMITH, Mr N. SMITH, Mr DOYLE and  
Mr SAKAKI all British subjects and  
residents of NABUL

NOT  
GUILTY

GUILTY

Precis of Evidence: The evidence for the prosecution was in the main documentary whilst verbal evidence was given by a Japanese Civilian MATSUDA Shinsu.  
The substance of the evidence was to the effect that the accused was adjutant to Lt Col SAKAYAMA Hiroshi who was commander of 67 Japanese Naval Garrison Unit. Following the landing on NABUL by the accused's unit the five persons mentioned in the charge were interned and unless they were required for any specific work they were confined to the vicinity of a house in which they were then quartered. Early in March 45 Capt TAKAGUCHI Takano assumed command of the Japanese Garrison and SAKAYAMA assumed the appointment of Adjutant whilst the accused became senior assistant to SAKAYAMA and included in his duties was the responsibility for the administration of the European civilian internees.

It was alleged by the prosecution that on the day following the air raid on NABUL Island by Allied aircraft SAKAYAMA without consulting (contd)

Sentence and Date: To be imprisoned for 20 years

Confirmation and by Whom: Maj Gen W.M. Anderson Adj Gen AMF 6/10/47.

Promulgation: Promulgated to the accused on the 22/10/47.

Petition: Petition lodged 15 Aug 1947 for mitigation of sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....



# RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

Ans 256

AWC No. 1965

Accused: Lt. NAKAYAMA Saburo

Aust W.C. List Ser No.

Court, Place, Date and Formation: NADRAUL  
5 and 6 Aug 1947.  
8 MILITARY DISTRICT.

Charge(s)	Plea	Finding
COMMITTING A WAR CRIME that is to say NAKAYAMA in that he at NADRAUL on or about 18 March 45 murdered Col F.M. CHALMERS, Mr D.H. QUINN, Mr R. SINGH, Mr BOYLE and Mr BARNER all British subjects and residents of NADRAUL	NOT GUILTY	GUILTY

Precis of Evidence: The evidence for the prosecution was in the main documentary whilst verbal evidence was given by a Japanese Civilian SATOJIH Shimas. The substance of the evidence was to the effect that the accused was adjutant to Lt Col NAKAYAMA Hiroshi who was commander of 67 Japanese Naval Garrison Unit. Following the landing on NADRAUL by the accused's unit the five persons mentioned in the charge were interned and unless they were required for any specific work they were confined to the vicinity of a house in which they were then quartered. Early in March 45 Capt TAKASHI Nakano assumed command of the Japanese Garrison and NAKAYAMA assumed the appointment of Adjutant whilst the accused became senior assistant to NAKAYAMA and included in his duties was the responsibility for the administration of the European civilian internees.

It was alleged by the prosecution that on the day following the air raid on NADRAUL Island by Allied aircraft NAKAYAMA without consulting (contd)

Sentence and Date: To be imprisoned for 20 years

Confirmation and by Whom: Maj Gen W.M. Anderson Adj Gen AMF 6/10/47.

Promulgation: Promulgated to the accused on the 22/10/47.

Petition: Petition lodged 15 Aug 1947 for mitigation of sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....

Precis of Evidence

or obtaining authority from his commander ordered the execution of the 5 persons named in the charge. He then directed the accused to take the 5 civilians to a place near the waterfront where a hole had already been dug. On their arrival the civilians were lined up beside the hole and were killed either by shooting bayonetting or with a sword. The accused was present at the execution, which was carried out by members of his unit, and it was alleged by the prosecution that he took an active part in the execution by shooting one of the Europeans who had not been killed outright. It was also alleged that prior to the execution none of the Europeans was afforded any form of trial, and that the executions were unlawful. Later a report was submitted to the Commander of the Garrison that the Europeans had been killed during the Allied bombing attack.

The accused gave evidence in his defence and stated that the execution was carried out because it was feared that the Europeans would escape and join the natives in an attack on the Japanese Garrison. He also stated that he took part in the execution on the orders of his superior.



# RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

Cus. 253.

AWC No. 2963

Accused: Rear Adm OKADA Tanetsugu

Aust W.C. List Ser No.....

Court, Place, Rabaul  
Date and 23 & 24 Jun 47  
Formation: 8th Military District.

Charge(s)	Plea	Finding
First Charge :		
1. Committing a war crime, that is to say MURDER, in that he at AMBON on or about 26 Apr 45 murdered VX39756 Pte WADHAM T.F.J. of 2/21 Aust Inf Bn, QX10714 Spr MORRISON J. of 2/11 Aust Fd Coy, NX7039 Dvr SIMPSON R.A. of A.A.S.C. and NX2116 Cpl SOLOMON J. of A.A.S.C. Australian prisoners of war.	Not guilty	Guilty
2. Committing a war crime that is to say MURDER in that he at AMBON on or about 30 Apr 45 murdered VX19415 Pte SCHAEFER F.N. of 2/21 Aust Inf Bn.	Not guilty	Guilty

Precis of Evidence: The evidence for the prosecution was mainly documentary whilst verbal evidence was given by Capt SHIROZU Wadami and Capt KAWASAKI Matsuei. The documentary evidence was contained in a number of statements made by members of the accused's command.

First Charge : The prosecution produced evidence to the effect that the accused was Commander of 25 Naval Base Force, and that as such he issued orders for the execution of the Prisoners of War named in the charge sheet. It was alleged by the prosecution that the prisoners of war named in the charge were suspected of having stolen rations and were interrogated at the direction of Capt SHIROZU Wadami. A report of this interrogation was submitted to HQ 25 Naval Base Force, and on or about 25 Apr 46 Capt SHIROZU Wadami received orders from that HQ, which were alleged to have originated from the accused, to execute the prisoners of war mentioned in the charge sheet. This execution was carried out by members of Capt SHIROZU's command. ~~Three of the prisoners were executed by beheading and the other by bayonetting~~ (PTO)

Sentence and Date: To suffer death by shooting. 24 Jun 47.

Confirmation and by Whom: Maj Gen W. M. ANDERSON Adjutant General AMF 4/8/47

Promulgation: Promulgated to the accused on 29-47. Accused executed 3-9-47.

Petition: Lodged by the accused against finding and sentence on 7 Jul 47.

J.A.G.'s Report on Petition: First charge : should not be confirmed.  
Second charge: confirm finding & dismiss the petition.  
Consideration should be given to the appropriate sentence in view of the  
Action on Petition: advised non confirmation of the first charge.

Dismissed 7/8/47

Filed in Attorney-General's Department and Numbered.....

Precis of evidence (contd).

The accused gave evidence in his defence stating that he did not issue any orders regarding the execution of the aforesaid PWs or that he had any knowledge of any such order.

Second charge : Evidence was produced by the prosecution to show that the prisoner of war named in the charge had escaped from GALALA prisoner of war camp ANBON. This PW was interrogated on his recapture by the civilian interpreter IKEUCHI Masakiyo and a report of this interrogation was submitted by Capt SHIROZU to HQ 25 Naval Base Force. An order was conveyed to Capt SHIROZU by Capt KAWASAKI Matsuhai, senior staff officer of the accused, to the effect that the prisoner of war mentioned in the charge was to be executed. This order for the execution had been received verbally from the accused by Capt KAWASAKI. Capt SHIROZU then ordered Lt MIYAZAKI Yoshio a member of his command to arrange for the carrying out of the execution. The prisoner of war mentioned in the charge was executed by P.O. KURAKAMI Eizo on 30 Apr 45 without having been tried by a court-martial.

The accused gave evidence in his defence stating that he did order the execution of the aforesaid PW, but denied that he had received any interrogation report from Capt SHIROZU.



RECORD OF MILITARY COURT  
(JAPANESE WAR CRIMINALS)

Ans. 255

AWC No. 2938, 2940

Accused: Comd HATAKEYAMA Kunito  
Lt-Comd NAKAGAWA Kenichi

Aust W.C. List Ser No.....

Court, Place, Date and Formation: Rabaul  
14, 15 and 17 Jul 47  
8 MD.

Charge(s)	Plea	Finding
<u>First Charge</u> - Committing a war crime that is to say MURDER in that they at Soewakoda AMBOINA on or about the 5th Feb 42 murdered a number of unidentified Aust PW.	Not guilty	Both accused guilty of the three charges.
<u>Second Charge</u> - Committing a war crime that is to say MURDER in that they in the TAWIRI-SOEWAKODA area AMBOINA on or about the 6th Feb 42 murdered a number of unidentified Aust PW.	Not guilty	
<u>Third Charge</u> - Committing a war crime that is to say MURDER in that they at TAWIRI AMBOINA, on or about 20 Feb 42 murdered a number of unidentified Aust PW.	Not guilty	

Precis of Evidence: The evidence for the prosecution was in the main documentary, whilst verbal evidence was given by Interp IKEUCHI Masakiyo. The substance of the evidence was to the effect that the accused Comd HATAKEYAMA was Adjutant, and at the time administering command of 1 Kure Naval Special Landing Party, and the accused NAKAGAWA was a company commander of 1 Kure Naval Special Landing Party, during the course of the invasion of AMBOINA by a Japanese force under the command of R/Adm HATAKEYAMA (not to be confused with the accused of the same name) KOICHIRO. After severe fighting the Allied garrison of LAHA surrendered on 3 Feb 42 and the survivors which comprised mostly Australian troops and a few Dutch troops were taken prisoner and placed under Japanese guard in the barracks at LAHA airfield. Ensign SAKAMOTO who was in charge of the prisoners complained to R/Adm HATAKEYAMA that he was having great difficulties in controlling the prisoners of war under his command and that they were starting to desert and (P.T.O.)

Sentence and Date: Comd HATAKEYAMA Kunito to suffer death by hanging.  
Lt-Comd NAKAGAWA Kenichi to be imprisoned for 20 years.

Confirmation and by Whom: Maj Gen W.M. Anderson Adj Gen AMF 4/10/47 in the case of NAKAGAWA and commuted HATAKEYAMA's sentence to 20 yrs.

Promulgation: Promulgated to both accused on the 22/10/47

Petition: Petitions lodged by each of the accused on 30 Jul 47 against the sentence of the Court.

J.A.G.'s Report on Petition: Findings and sentences may be confirmed and petitions dismissed but suggest commutation of Comd HATAKEYAMA's sentence to 20 years' imprisonment.

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered.....



cause riots.

It was alleged by the prosecution that R/Adm HATAKEYAMA on receipt of this complaint ordered the execution of these POWs and this order was given to the accused NAKAGAWA through the accused Comd HATAKEYAMA. On approx 5 Feb 42 NAKAGAWA with approx 30 Japanese naval personnel, killed by bayonetting and beheading approx 50 POWs in a coconut plantation approx 200 yards from SOEWAKODA village.

On approx 6 Feb 42 the POWs became mutinous and hard to control and after an interrogation of the prisoners by Lt MIZOGUCHI he reported the 30 of them who appeared to be the ringleaders. R/Adm HATAKEYAMA on hearing this ordered the accused Comd HATAKEYAMA to execute these PWs also. This order was passed on to the accused NAKAGAWA who supervised the execution which was again carried out by members of his command in the same manner as the first massacre.

It was also alleged by the prosecution that on approx 17 Feb the remaining PW were again becoming mutinous and endeavouring to make contact with Allied Forces still operating on the Island. At approx this time Comd HAYASHI assumed command of 1 Kure Special Naval Landing Party. After this last incident of the POWs R/Adm HATAKEYAMA ordered Comd HAYASHI to execute the remaining POWs held at LAHA airfield. NAKAGAWA was again ordered to carry out this execution, and on approx 20 Feb 42, he supervised the execution of the remaining POWs which numbered about 220. This execution was carried out by members of NAKAGAWA's company in the same manner as the previous 2 executions.

Both the accused gave evidence in their defence, to the effect that all the executions had been carried out by them under orders from their superior officer, and that it was essential for the protection of the Japanese armed forces on AMBOINA that the prisoners of war be killed.



RECORD OF MILITARY COURT  
(JAPANESE WAR CRIMINALS)

Ans. 238

Capt SHIROZU, Wadami

1st Lt MIYAZAKI, Yoshio

Sub Lt SHIMAKAWA, Masaichi

Accused:

Court, Place, MOROTAI

Date and 16-19-20 Feb 46

Formation: MOROTAI FORCE

AWC No. 1257, 1238, 1253.  
 (Also charged before same court  
 Vice Admiral ICHISE, Shinichi  
 2nd Class PO ~~AKAKA~~ ~~Liberty~~ No. 1262  
 2nd Class PO KAKUDA, Iwao → 1223  
 were found NOT GUILTY)

Charge(s)

Plea

Finding

Committing a war crime that is to say  
 MURDER of a prisoner of war in that  
 they at or near GALALA AMBON on or  
 about 24 Jul 45 murdered VX25109  
 Pte BOYCE W.F. of 2/21 Aust Inf Bn  
 then a prisoner of war held by the  
 Japanese Armed Forces.

NOT  
GUILTYSHIROZU, MIYASAKI,  
SHIMAKAWA - GUILTY

Precis of Evidence: Evidence discloses that:

1. Pte BOYCE was arrested for stealing food from a dump and was confined for one week.
2. He stole at the most half a bag of rice, 5 or 6 tins of food, and a watch and some cigarettes.
3. Whilst in solitary confinement he was ill-treated, was very thin, suffering from bad tropical ulcers and was considered by Japanese as not normal.
4. On 23 Jul 45 Boyce broke out and was picked up in latrines within the camp half an hour after it was found he was missing.
5. Camp Comd SHIMAKAWA reported this to Vice Comd 20 Garrison MIYAZAKI. This report did NOT include details of BOYCE's condition.
6. MIYAZAKI after investigation reported to Comd 20 Garrison Shirozu on 23 Jul (Over)

Sentence  
and Date:DEATH BY SHOOTING  
20 Feb 46Confirmation  
and by Whom:

Confirmed by Lt Gen V.A.H. Sturdee.

Promulgation:

Confirmation of finding and sentence from Magistrate  
 on SHIMAKAWA on 15/5/46 and executed 16/5/47  
 SHIROZU and MIYASAKI on 24/9/47 and executed 25/9/47.

Petition:

Submitted by SHIROZU, MIYAZAKI and SHIMAKAWA against  
finding and sentence on 20 Feb.

J.A.G.'s Report on Petition:

Finding and sentence on Capt SHIROZU, 1st Lt MIYAZAKI  
and Sub Lt SHIMAKAWA may be confirmed.

Action on Petition:

Dismissed

Filed in Attorney-General's Department and Numbered.....



Precis of Evidence(Contd)

7. SHIROZU handed this report addressed to Vice Admiral ICHISE to staff officer 25 Naval Base Unit KAWASAKI.
8. SHIROZU received verbal orders from Kawasaki to "Execute BOYCE" one hour later.
9. SHIROZU who knew that a court martial had NOT been held passed this order to MIYAZAKI.
10. MIYAZAKI who also knew that a court martial had not been held, gave orders to SHIMAKAWA that BOYCE was to be executed and on his own initiative ordered that he was to be executed by bayonetting instead of by normal methods.
11. SHIMAKAWA a man of 44 years gave the actual order at the execution.
12. BOYCE was bayonnetted to death by TANAKA and KAKUDA on 24 Jul 45.
13. Courts martial of 4 South Seas Fleet and 25 Naval Base Unit did NOT deal in a single case concerning PW at this period.



AUSTRALIAN MILITARY FORCES

AAF A117(a)  
(Introduced Jan 46)  
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RECORD OF MILITARY COURT  
(JAPANESE WAR CRIMINALS)

03 complete  
Ans 65

Accused: Lt-Col YUTANI, Yujiro  
Sgt/Maj MIYATA, Masanori  
Sgt/Maj SHIRAISHI, Terumitsu (Not Guilty)  
Sgt OISHI, Herzaburo (Not Guilty)  
Sgt TAKAHASHI Takashi  
Sgt/Maj KASEZAWA, Toshinobu  
Court, Place, Sgt NAKAYAMA, Yoshio (Not Guilty)  
Date and DARWIN  
Formation: 15-29 Apr 46  
TIMOR FORCE

AWC No. 1915, 1932, 1928, 1925,  
1929, 1921, 1923, 1920,  
1922, 1919  
Aust W.C. List Ser No. ....  
Sgt KAGEYAMA Toshio,  
Sgt MATSUOKA, Yoshio (Not Guilty)  
Sgt/Maj ENOMOTO, Eizo (Not Guilty)

Charge(s)	Plea	Finding
(1) MURDER of TX3282 Cpl J.H.ARMSTRONG a PW at AIRNONA, KOEPANG, TIMOR about 12 Jun 43.	ALL NOT GUILTY	Both Charges: YUTANI, Y. - Guilty MIYATA, M. - " SHIRAISHI, T. - Not Guilty OISHI, H. - " TAKAHASHI - Guilty KASEZAWA T. - " NAKAYAMA Y. - Not Guilty KAGEYAMA - Guilty MATSUOKO Y. - Not Guilty ENOMOTO, E. - Not Guilty
(2) MURDER of Gnr MARTIN, British Army PW at AIRNONA, KOEPANG, TIMOR about 12 Jun 43.		

Precis of Evidence:

See attached.

Sentence and Date:	Lt-Col YUTANI, Y.	-	Death by Shooting
	Sgt Maj MIYATA, M.	-	Imprisonment 5 years with hard labour
	" " KASEZAWA, T.	-	" 5 " " " "
29 Apr 46	Sgt TAKAHASHI T.	-	" 4 " " " "
	" KAGEYAMA, T.	-	" 4 " " " "

Confirmation  
and by Whom: Confirmed by Lt-Gen V.A.H. STURDEE - 15 July 46

Promulgation: Confirmation of findings and sentences promulgated to the accused  
on 31 July 46. Accused YUTANI executed by shooting at Rabaul on  
1 Aug 46.

Petition: Submitted 30 Apr 46 by TAKAHASHI against finding and sentence of the  
Court. Submitted 30 Apr 46 by remaining accused found guilty against  
sentence of the Court.

J.A.G.'s Report on Petition: Petitions should be dismissed and findings and sentences  
confirmed and that no mitigation of the sentences be considered.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....



Precis of Evidence:

1. The admitted facts in this case are that the deceased who were prisoners of war in Japanese hands were taken by a truck to a point outside the village of Airnona Koepang Timor where they were executed by shooting. Their hands were tied and they were blindfolded. The deceased were not submitted to any trial and there was no reason for their execution except that the accused YUTANI had received orders from Division that "the two white prisoners and the Indonesian in the compound must be severely dealt with that means - put to death". The three accused YUTANI, MIYATA and KASEZAWA admitted taking part in the executions. YUTANI gave the orders for the execution of the deceased and the accused, MIYATA and KASEZAWA were present thereat and kept watch.

2. The remaining case for the prosecution rested on the evidence of two native witnesses (eye witnesses) and admissions made by certain accused to another native witness. The eye witnesses saw the deceased taken away in the truck to the place of execution and they identified certain of the accused as being in the truck when it moved off to the place of execution, and/or being with the party of soldiers and/or being present at such executions.

3. The admissions made by the witness Annin was to the effect that he was present at a meeting of certain accused when they were drinking at a Rest House. The substance of these admissions were to the effect that certain of the accused were present at the execution. The prosecution contended that although these admissions were not in themselves sufficient to convict the accused they corroborated the evidence of the other two native witnesses.

4. The case for the defence briefly consisted of

- (a) The admission by certain accused that they were concerned in the executions.
- (b) A general denial by the other accused as to their being present or in any way involved in the executions at all.

In regard to convicted accused who admitted participation in the executions it was submitted on their behalf that they were carrying out orders of superior officers. In regard to the remaining accused it was submitted on behalf of the prosecution that their denials were such that no credence could be given to them.

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## RECORD OF MILITARY COURT

(JAPANESE WAR CRIMINALS)

Capt YAMAMOTO, Hyotaro 2611, 2659, 2615, 2608,  
 Capt TORIGAI Keiji (Not guilty) 2604, 2600, 2603, 2601,  
 Capt ITO, Takio AWC No. 2606, 2613, 2607, 2605, 2612  
 WO WATANABE, Akira S/M HIROTA Motoi  
 Accused: WO OCHI, Hideo L/Cpl SHIRAGAWA Yasuichi  
 S/M ABE Keiji Cpl YOKOO Kiyoshio  
 S/M NOMI, Zenziro Cpl SAMUKAWA Hideichi (Not guilty)  
 Court, Place, RABAU Cpl URAGA Yoshio  
 Date and Formation: 3, 4 & 6 May 46 L/Cpl YAMASAKI Masami  
 8 MD.

Charge(s)

Plea

Finding

MURDER at KOKOPO on 19 Feb 44 of  
 Pte PINANGKAAN, Pte PARUNTU, Pte KOROMPIS,  
 Pte TOLOLOE, Pte CHRISTOFFEL, Pte PAAT,  
 Pte KAENG, Pte ROTIKAN, Pte SIWU and  
 Antony AROKIASWAMY.

Not  
guilty

All accused guilty  
 except Capt TORIGAI  
 Keiji and Cpl SAMUKAWA  
 Hideichi - not guilty.

**Precis of Evidence:** Nine members of Dutch East Indies Army and one Indian were PW under the control of the Japanese at KOKOPO. The uncontradicted evidence submitted on behalf of the prosecution was that all the deceased escaped from the Japanese and were recaptured. They were held in custody for a period of about 20 days and were then executed by shooting. All the convicted accused were involved in the executions. Other evidence was given on behalf of the Prosecution to the effect that whilst the deceased were in the PW Camp there was general unrest as the Japanese were treating the PW very brutally. On occasions they were beaten very mercilessly for very minor offences. The hours of labour were very excessive and the food was very small in quantity and poor in quality. After the deceased were recaptured and during their detention prior to execution they were not subjected to a trial by the Japanese. Two witnesses for the Prosecution were eye witnesses to the executions. The substance of the evidence of these two witnesses (two members of the Dutch East Indies Army) was that the deceased were ordered to sit down (Over)

Sentence  
and Date:

The convicted accused :-  
 Capt YAMAMOTO Hyotaro )

Capt ITO Takio )

WO WATANABE Akira )

The convicted accused :-

WO OCHI Hideo )

S/M ABE Keiji )

S/M NOMI Zenziro )

Confirmation  
and by Whom:

Lt-Gen V.A.H. STURDEE

L/Cpl YAMASAKI Masami

S/M HIROTA Motoi )

L/Cpl SHIRAGAWA Yasuchi )

Cpl YOKOO Kiyoshio )

Cpl URAGA Yoshio )

All 20 years Imprison-  
 ment - 6 May 46

- 15 years imprisonment

**Promulgation:** Confirmation and non confirmation of finding and sentences promulgated to respective accused on 6 Sep 46. Accused YAMAMOTO, ITO, and WATANABE executed at Rabaul by hanging on 7 Sep 46.

**Petition:** Petitions submitted by all the convicted accused - 17 May 46.

**J.A.G.'s Report on Petition:** Confirmation of findings and sentences and dismissal of petitions in all cases except accused YOKOO and HIROTA.

**Action on Petition:** Petitions of accused YOKOO and HIROTA upheld. Findings and sentences not confirmed.

Filed in Attorney-General's Department and Numbered.....



7

Precis of Evidence (contd) :

at the side of a trench and some of the accused opened fire on them with rifles and LMG. Some of the deceased were only wounded and immediately after the shooting the wounded as well as the dead were bayoneted.

The accused gave evidence in their defence. The accused YAMAMOTO admitted having ordered and being present at the executions. He considered the deceased to be members of the Japanese Army and that they were plotting rebellion. The remaining accused admitted being present at or taking part in the executions. They claimed that they were carrying out orders of their superiors.



AUSTRALIAN MILITARY FORCES

DPW(AG13(2a))/WMcL /AR.

AAF A117(a)  
(Introduced Jan 46)  
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RECORD OF MILITARY COURT  
(JAPANESE WAR CRIMINALS)

R7 Ans. 115

AWC No.....

Accused: Sgt TAGAI Torazo

Aust W.C. List Ser No.....

Court, Place, RABUL  
Date and 14,14,16,17 & 22 Jan 46  
Formation: 11 Aust Div

Charge(s)	Plea	Finding
1. TORTURE at RAMALI on or about 10 Feb 45 of Sister MEKTEL Sister CECILIA (both civilians) and other civilians.	Not Guilty	Guilty
2. TORTURE at RAMALI in or about March 1945 of CHING FU and SEETO SING both civilians.	Not Guilty	Guilty in regard to CHING FU only
3. TORTURE at RAMALI in or about Aug 45 of TOGOGO, TOMATERUM and TAMIAN (all civilians).	Not Guilty	Guilty in regard to TOGOGO & TAMIAN only
4. TORTURE at BITAGALIP about April 45 of TOKARI & TOTOLA civilians.	Not Guilty	Guilty in regard to TOTOLA only.

Precis of Evidence: 1. First Charge. The substance of the evidence for the prosecution was to the effect that on or about 10 Feb 45 the Japanese had accused the Sisters of the Romali Mission named in the charge and other Sisters of the Mission of "Anti-Japanese talk." After questioning the Sisters were ordered to kneel on the ground in three lines. The accused then placed a long pole at the back of the knees of the Sisters in the front rank and the accused and another Japanese named KITADA stood on each end of the pole for about a minute causing the Sisters to suffer extreme pain. This torture was meted out to the Sisters in the two other ranks and they were all kept in this kneeling position for about 3 hours. Some of the Sisters were crying with the pain and the accused said to the Sisters "Does it pain." In receiving an answer in the affirmative the accused said "That is only a small pain to what Christ suffered on the Cross." During the course of the illtreatment the accused placed his sword on the neck of  
(over)

Sentence and Date: TO BE IMPRISONED FOR TWENTY YEARS - 22 Jan 46

Confirmation and by Whom: Findings confirmed. Sentence mitigated to 10 years imprisonment and confirmed as mitigated by Lt-Gen V.A.H. STURDEE Acting Commander-in-Chief Australian Military Forces.

Promulgation: Confirmation of finding and sentence as mitigated and confirmed promulgated to accused on 12 Apr 46.

Petition: Lodged Jan 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm findings but sentence should be considerably mitigated.

Action on Petition: Findings confirmed but sentence mitigated to 10 years imprisonment.

Filed in Attorney-General's Department and Numbered.....



one Sister Theresa and told her that she would have three days in which to confess. As a result of fear this Sister was very sick for some time thereafter.

2. Second Charge. In or about March 1945 a Chinese civilian named CHING FU accidentally bumped into a Japanese soldier and he and SEETO SING who was present at the time were taken to the Japanese Military Police. After questioning by the accused and other Japanese soldiers who were present both the Chinese were made to kneel on the ground and a stick was placed at the back of their knees. The accused and another Japanese then stood on each end of the stick for about ten minutes. It caused the Chinese intense pain. They were also subjected to slappings and beatings with a cane by the accused.

3. Third Charge. In about Aug 45 the three natives named in the charge were taken to HQ of Japanese Military Police BITIGALUP (RAMALI) in connection with some tins of meat which had been stolen. The accused was present with other Japanese. Each of the natives were tied up and questioned by the accused. He beat the natives with a thick cane about 3 feet long. They were beaten on the head and body for about 10-15 minutes. They were then tortured by placing a stick at the back of their knees whilst in a kneeling position. The accused and another Japanese stood on the respective ends of the stick. This illtreatment continued for about half an hour. The natives remained tied up and next day in the presence of the accused and another Japanese they were beaten by natives named SILLI & SALI and a half caste named FELIX. It was a very savage beating. They were kicked and beaten on the head and body causing them to bleed freely. The beating and kicking lasted for about an hour. In addition to the beating and kicking the native named TOGOGO was suspended from a pole head downwards and water was poured into his mouth. The accused was also present during this torture.

4. Fourth charge. In about April 1945 the natives TOKARI & TOTOLA named in the charge were taken to Japanese HQ at BITAGALIP. TOTOLA was brought into a room and in the presence of a Japanese named KITADA and two natives named OTTO & SASABAK, he was severely beaten with a cane about an inch thick and three feet long. After the beating TOTOLA was made to kneel down and a stick was placed at the back of his knees. The accused & OTTO jumped up and down on the stick causing TOTOLA to cry out in pain. The accused then ordered SABAK to remove the stick. TOTOLA was then made to lie down and stretch out his arms and a stick was tied along the back of his arms and under his shoulders. The accused then ordered a cask of water to be brought in and cups of water were poured into TOTOLA's mouth. As a result his stomach was very swollen and he lay there until next morning until TOKARI was brought in. The native OTTO was ordered to tie the hands of both TOTOLA & TOKARI and they were suspended from a rafter with their feet about six inches above the ground. After being suspended for a considerable period the natives were put down and were imprisoned for three days.

5. The accused gave evidence in his defence and witnesses were called on his behalf. The substance of the evidence of the accused was to the effect that he was a Cpl Interpreter but had no powers of an NCO. He alleged that he interpreted the orders of a Japanese Sgt Maj KITADA who was responsible for the tortures and who was his superior. He admitted being present at certain times when the persons referred to in the charges were ill-treated but that he took no part in them and in the main carried out the orders of KITADA.



# RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Sgt. Maj KITADA Yoshihiko

Aust W.C. List Ser No.....

Court, Place, Rabaul  
Date and 19, 21 & 22 Jan 46;  
Formation: 11 Aust Div.

Charge(s)	Plea	Finding
1. Torture at Romali on or about 10 Feb 45 of Sister MENTIL Sister CECILIA (both civilians) and other civilians.	Not guilty	Guilty
2. Torture at Romali in or about March 1945 of CHING FU a civilian.	Not guilty	Guilty
3. Torture at Romali in or about Aug 1945 of TOGOGO and TAMIAN (all civilians).	Not guilty	Guilty
4. Torture at Bitagalip about Apr 1945 of TOKARI and TOTALA, civilians.	Not Guilty	Guilty

**Precis of Evidence:** First Charge: The substance of the evidence for the prosecution was to the effect that on or about 10 Feb 45 the Japanese accused the Sisters of the Romali Mission named in the charge and other Sisters of the Mission of "Anti-Japanese talk". After questioning, they were ordered by the accused to kneel on the ground and a long pole was placed at the back of their knees. The accused and a Japanese Sgt TAGAI Torazo stood on each end of the stick causing the Sisters to suffer extreme pain. After this treatment all the Sisters were allowed to leave except Sister THERESA and Sister CECILIA. The other Japanese TAGAI then drew his sword and placed it on the neck of Sister THERESA and told her she had three days in which to confess. This Sister was very frightened and as a result she was sick for some time thereafter. The accused told the Sisters that he had received orders that they were to be whipped but that it was considered "the stick treatment" was not so cruel. The accused was in charge at the time and TAGAI conveyed to the Sisters in "Pidgin" what the accused said. (PTO for remainder).

**Sentence and Date:** To be imprisoned for 30 years. 22 Jan 46.

**Confirmation and by Whom:** Findings confirmed - sentence mitigated to 10 years' imprisonment and confirmed as mitigated. Lt-Gen V.A.H. Sturdee Acting Commander-in-Chief A.M.F.

**Promulgation:** Finding and sentence confirmed as mitigated promulgated to accused on 12 Apr 46.

**Petition:** Lodged Jan 46 against finding and sentence.

**J.A.G.'s Report on Petition:** Confirm finding and mitigate sentence.

**Action on Petition:** Finding confirmed but petition upheld insofar as sentence concerned. Mitigated to 10 years' imprisonment.

**Filed in Attorney-General's Department and Numbered.....**



Second Charge : In or about March 1945 a Chinese named CHING FU bumped into a Japanese soldier and together with CHANG SHUI HING and SITO SING they were taken to the Japanese military police. After questioning both the accused and TAGAI, slapped and struck CHING FU and SITO SING very heavily with a cane. CHING FU was then made to kneel on the ground and a stick was placed on his legs at the back of his knees and the accused and TAGAI stood on the respective ends of the stick. This torture which lasted for about ten minutes and caused CHING FU to cry out in pain. At the time the accused was in charge of TAGAI and the other Japanese who were present.

Third Charge : In or about Aug 1945 the natives named in the charge were accused by the Japanese of stealing some tins of meat that were taken. They were questioned by the accused and TAGAI and the accused was in charge of the case. After the questioning TOGOGO was beaten severely by the accused and TAGAI with a cane. TAMIAN and another native named TOMATERUM who came in later were both thrashed by the accused and TAGAI. A string was then tied to the penis of TAMIAN and the string was pulled tightly. He was led out of the room by a native named OTTO. The accused was present at this time also. After that TOGOGO and TAMIAN were made to kneel and their hands were tied in front of them. A stick was then passed over their wrists and under their knees and the sticks were placed on two chairs causing the two natives to be suspended head downwards. Buckets were brought in two of which were filled with water and the other two were placed beneath the heads of TOGOGO and TAMIAN and natives poured water into their mouths. The orders for this ill-treatment were given by the accused. TOGOGO confessed to the stealing of tins of meat during the course of the beating and again during the water torture.

Fourth Charge : The natives named in the charge namely TOKARI and TOTALA were taken to Japanese Military Police HQ at BITAGALIP near KOKOPO in or about April 1945. The Japanese alleged that they had been stealing and spreading anti-Japanese propaganda. The accused and TAGAI were present and pursuant to orders both TOKARI and TOTALA were suspended by their hands from the rafters. They were kept in this position for about half an hour. The accused ordered that both natives should be suspended from the rafters. After they confessed to stealing, they were imprisoned for three days.

5. The accused gave evidence in his defence. In regard to the first charge he alleged that he had been ordered to administer a whipping to the Sisters but he decided to reduce the punishment to the "stick treatment". In regard to the second charge the accused alleged that CHING FU had disobeyed an order of a Japanese sentry and when he was apprehended, CHING FU requested him (the accused) to punish him rather than be punished by other Japanese. He was given "stick treatment" for about five minutes and then released. This was much lighter punishment than he would have ordinarily received. In regard to the third charge the accused admitted making enquiries regarding the theft of tinned meat but was not present when the natives were beaten or ill-treated. He also admitted that he heard one WO YAHIRO order TAGAI to beat the natives. In regard to the fourth charge, the accused alleged that TOTALA and TOKARI were brought before him on a charge of stealing and he ordered them to be taken to their quarters. Later he found them hanging from the rafters and ordered that they should be cut down immediately.



RECORD OF MILITARY COURT  
(JAPANESE WAR CRIMINALS)

R5 Aus 118

AWC No.....

Accused: Sgt Maj FURUKAWA Teizo

Aust W.C. List Ser No.....

Court, Place, Rabaul  
Date and 22 & 23 Jan 46  
Formation: 11 Aust Div.

Charge(s)	Plea	Finding
TORTURING a civilian in that he at New Britain from about Nov 43 to about Jan 44 tortured Father John MAYRHOFER a civilian.	Not guilty	Guilty

Precis of Evidence: About the end of Nov 43 Father John MAYRHOFFER of Ramali Mission was captured in the bush by members of the Kempei Tai and taken before the accused and another Japanese soldier who was not wearing badges of rank. The accused charged Father MAYRHOFFER with giving assistance to the Australians and Americans. He was beaten by both Japanese with a stick and given ten minutes in which to confess otherwise he would be shot. At the end of that period Father MAYRHOFFER was blind-folded after he had seen the accused load his revolver. He was then tied to a tree and the revolver was placed against his stomach and he heard the trigger being operated. The accused asked the prisoner if he wished to say anything and the prisoner said he wanted to pray. After a short while Father MAYRHOFFER was untied and taken to a nearby stream and made to remove his clothes and lie on the ground. He was then held down to the ground and a towel was held firmly over his head. The accused and (PTO)

Sentence and Date: To surrer death by hanging. 23 Jan 46.

Confirmation and by Whom: Finding confirmed. Sentence commuted to imprisonment for 15 years and confirmed as commuted by Lt-Gen V.A.H. Sturdee Acting C-in-C AMF.

Promulgation: 12 April 1946

Petition: Petition lodged Jan 46 against rinding and sentence.

J.A.G.'s Report on Petition: Confirm rinding and sentence

Action on Petition: Finding confirmed and petition upheld.

Filed in Attorney-General's Department and Numbered.....



other Japanese then poured water on the towel causing Father MAYRHOFFER to swallow a considerable amount of water. He screamed and struggled but the ill-treatment was repeated at intervals of minutes over a period of between one and two hours until he almost became unconscious. He was then given dry clothes. He was kept handcuffed until the end of Dec 43. The handcuffs caused swelling and infected sores on his wrists. He was questioned by the accused every morning and afternoon and subjected to beatings. On 13 Jan 44 Father Mayrhofer was freed from his bonds and taken in captivity to Kokopa. Evidence to the above effect was given by Father Mayrhofer and it was in substance corroborated by a native witness named MATAAFA.

2. The accused gave evidence in his defence. He alleged that Father Mayrhofer had given the Japanese substantial information of movement of enemy troops and was treated by him with every kindness. He denied the ill-treatment as alleged.



RECORD OF MILITARY COURT  
(JAPANESE WAR CRIMINALS)

R68 Ans 75

Accused: Lt MIYASAKA Denji  
Sub Lt KIYOHARA Naoyoshi  
Sub Lt ISHIE Satazo  
Ensign IIJIMA Tadashi.

AWC No. 2057, 2061, 2062, 2073.

Aust W.C. List Ser No.....

Court, Place, Rabaul  
Date and 2 May 46  
Formation: 8 M.D.

Charge(s)	Plea	Finding
MURDER at Ocean Is on or about 20 Aug 45 of persons unknown.	Not guilty	All guilty.

**Precis of Evidence:** Evidence for the prosecution was to the effect that all the native fishermen employed by the Japanese on Ocean Is were called together and informed by the Japanese that the war was over. The assembled natives were divided up into groups and taken to various parts of the Island by the accused and Japanese soldiers. The accused MIYASAKA was in charge of a party of about 50 natives. The other accused accompanied him and lined up the natives and the Japanese soldiers. The accused MIYASAKA gave the order to the other accused to issue the order to fire on the natives and such order was carried out. Previous to the execution the natives were bound and blind-folded. After the execution the dead bodies of the natives were bound and blind-folded. After the execution the dead bodies of the natives were buried in the sea by attaching weights to such bodies. In their defence it was submitted on the behalf of the accused that they were carrying out orders of superior officers.

**Sentence and Date:** All accused guilty and MIYASAKA sentenced to death by hanging  
2 May 46.  
Other accused - each 20 years' imprisonment. 2 May 46.

**Confirmation and by Whom:** Lt-Gen V.A.H. Sturdee.

**Promulgation:** Confirmation of finding and sentences promulgated to accused on 12 Aug 46. Accused MIYASAKA executed at Rabaul by hanging on 13 Aug 46.

**Petition:** Petitions by all accused against findings and sentences 14 May 46.

**J.A.G.'s Report on Petition:** Confirm findings and sentences and dismiss petitions.

**Action on Petition:** Dismissed.

**Filed in Attorney-General's Department and Numbered.....**



RECORD OF MILITARY COURT  
(JAPANESE WAR CRIMINALS)

Lt SAKATA, Jiro  
 Ensign YACHI, Sumio (Not guilty)  
 Ensign SHINOZAWA, Yoshiharu  
 W.O. KONNO, Hiroshi  
 Accused: Chief Petty Officer ARAI, KAKUZO  
 Chief Petty Officer ONO, Kaneichi (Not guilty)  
 Court, Place, RABAU  
 Date and 29 and 30 Apr 46.  
 Formation: 8 MD

AWC No. 2055, 2068, 2069, 2076,  
 2075, 2077.  
 Aust W.C. List Ser No.

Charge(s)	Plea	Finding
Murder at Ocean Is. on or about 20 Aug 45 of persons unknown.	Not guilty	YACHI and ONO not guilty. SAKATA, SHINOZAWA, KONNO and ARAI guilty.

Precis of Evidence: The evidence for the prosecution was to the effect that at the conclusion of the war with the Japanese a considerably number of natives were working for the Japanese on Ocean Is. The natives were informed of the cessation of hostilities and a number of them were later marched to the beach and shot by Japanese soldiers. The accused SAKATA admitted giving orders for the execution of the natives but claimed he was carrying out instructions received from his superior officer. The accused SHINOZAWA admitted tying the hands of the natives prior to the shooting and claimed he was carrying out the orders of his superior officer namely the accused SAKATA. The accused KONNO and ARAI both denied being present or taking part in the execution. Evidence was submitted to the effect that the accused KONNO had ordered the natives to sit down and face the East immediately prior to the executions and that the accused ARAI had blind folded the natives prior to the executions.

Sentence and Date:	Guilty accused SAKATA death by hanging 30 Apr 46.
"	" SHINOZAWA 15 years imprisonment 30 Apr 46.
"	" KONNO 7 years imprisonment 30 Apr 46
"	" ARAI 7 years imprisonment 30 Apr 46.

Confirmation  
 and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentences promulgated to each accused on 14 Aug 46. Accused SAKATA executed by hanging at RABAU on 15 Aug 46.

Petition: Petitions submitted May 46 by four convicted accused against finding and sentences.

J.A.G.'s Report on Petition: Confirm findings and sentences and dismiss petitions.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....



RECORD OF MILITARY COURT  
(JAPANESE WAR CRIMINALS)2056, 2060, 2065, 2063  
2059, 2070, 2067

Lt YAMAGUCHI, Nobjaki, Sub Lt HIRAKI Sakai AWC No.....  
Sub Lt TSUCHIIKE, Masataro, Sub Lt HANAWA, Eiji  
Accused: Sub Lt YOSHIDA, Itsuo, Ensign SUGINO, Aust W.C. List Ser No.....  
Tsuchinosuke, Ensign YASUDA, Harumi

Court, Place, RABAU  
Date and Formation: 1st May 46  
8 MD.

Charge(s)	Plea	Finding
MURDER at OCEAN IS. on or about 20 Aug 45 of persons unknown.	Not Guilty	All accused guilty

Precis of Evidence: The substance of the evidence called on behalf of the prosecution was to the effect that the accused YAMAGUCHI gave orders that a number of natives on Ocean Island were to be executed. A number of natives were assembled and divided into groups. They were marched under escort of Japanese soldiers to various sectors on the sea coast under command of the respective accused, with the exception of the accused YAMAGUCHI who was in command of all the parties. The accused YAMAGUCHI took up a position where some of the parties were within calling distance and others were in communication by telephone. The natives in the various parties were handcuffed and blindfolded. The accused YAMAGUCHI then issued to the other accused orders (in some cases by word of mouth and others by means of the telephone) to shoot the natives and in turn these accused gave orders to the Japanese soldiers under their respective commands to carry out such orders. In all approximately 70 natives were executed. The bodies were subsequently buried at sea. All the accused  
(over)

Sentence The accused YAMAGUCHI sentenced to death by hanging  
and Date: - 1 May 46.

The accused HIRAKI, TSUCHIIKE, HANAWA and YOSHIDA each sentenced to imprisonment for 20 years - 1 May 46.

The accused SUGINO and YASUDA each sentenced to imprisonment for 15 years - 1 May 46.

Confirmation Lt Gen V.A. H. STURDEE  
and by Whom:

Promulgation: Confirmation of finding and sentences promulgated to all accused (except accused YAMAGUCHI) on 30 Aug 46. Confirmation promulgated to accused YAMAGUCHI on 11 Oct 46. Executed at RABAU on 12 Oct 46.

Petition: Petitions submitted on 14 May 46 by all the accused.

J.A.G.'s Report on Petition: Confirm findings and sentences and dismiss the petitions.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered:.....



Precis of Evidence (contd)

admitted taking part in such executions and in their defence it was contended that they were obeying orders issued by a superior officer.



AUSTRALIAN MILITARY FORCES

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(Introduced Jan 46)  
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RECORD OF MILITARY COURT  
(JAPANESE WAR CRIMINALS)

R67 Aug. 82

AWC No. 2098

Accused: Civilian Employee SATO Hikoju

Aust W.C. List Ser No.

Court, Place, Rabaul  
Date and 8 & 9 May 46.  
Formation: 8 MD

Charge(s)	Plea	Finding
Murder at TRUK in or about Nov 1944 of IYOYEA and AKOKO, Nauruans.	Not Guilty	Guilty

Precis of Evidence: The deceased were employed by the Japanese as labourers for the NIK Farming Company. The accused was a civilian employee attached to the Japanese Navy. The deceased IYOYEA was arrested by Japanese and confessed that he had broken into the Farming Company's office with the intention of stealing some foodstuffs. The deceased stated that he had run away without taking anything. He was then beaten by the accused with a pick handle for a period of about 25 minutes until he was unconscious. A witness for the prosecution (a Nauruan named VINDON) was present and he was told to pour water on the deceased to revive him. The deceased was again beaten by the accused for a further period of about 10 minutes. Apart from the witness VINDON two other witnesses were present when the deceased IYOYEA was beaten. They were ordered by the accused to find and bring to him the deceased OKOKO. They found this man tied to a pole as though he had been carried on it. He was taken back to the accused who administered a beating with a pick handle for several minutes. The accused then ordered the (Over)

Sentence and Date: Death by hanging - 9 May 46.

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused on 30 Aug 46. Executed by hanging at Rabaul on 31 Aug 46.

Petition: Lodged May 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered



7  
Precis of Evidence (continued: witnesses to release the deceased OKOKO and told him to stand up. He was in a very weak condition and in attempting to stand up he fell to the ground and hit his head. Two of the witnesses were ordered to tie the deceased together and leave them there. Next day the deceased were permitted to be removed to their quarters by witnesses. The deceased OKOKO did not regain consciousness and died the following morning. The deceased IYOYEA died the following day. It was submitted to the Court that the deceased died as a result of the beatings and the injuries resulting therefrom.

2. The accused in his defence stated that the deceased had been beaten by another Japanese and two Koreans. He admitted that he had administered whippings of fifteen strokes to each of the deceased with his cane walking stick. Later he heard the deceased died from malnutrition but that he had not heard as a result of beatings.



RECORD OF MILITARY COURT  
(JAPANESE WAR CRIMINALS)

Accused: Lt MITSUBA, Hisaneo  
S/M TAKEI, Shizaki  
S/M SHIMIZU, Hisao  
Cpl ISHIYAMA, Kumakichi  
L/Cpl YASUSAKA, Masaji  
Court, Place, RABAU  
Date and 21 and 22 Mar 46  
Formation: 8 MD

AWC No. 2211, 2220, 2221, 2225, 2229.

Aust W.C. List Ser No.

Charge(s)	Plea	Finding
MURDER of Sgt WARIAM SINGH and L/Cpl HAZARA SINGH Indian Army at Parom in Aug 44.	NOT GUILTY	ALL GUILTY

Precis of Evidence: In Aug 44 the 2 deceased who were members of 19 Indian. Working Party quarrelled with and beat another Indian who spoke to Takei. TAKEI, ISHIYAMA and YASUSAKA then beat the two deceased senseless and half an hour later bound them and took them away. SHIMIZU joined the party carrying a rifle. Soon after the Indians were shot on the orders of Lt MITSUBA by SHIMIZU and YASUSAKA and TAKEI and ISHIYAMA were present at the shooting.

MITSUBA alleged the deceased were not POW but were in the same position as civilians attached to the Japanese Army. He admitted ordering the shooting but alleged it was justified. He alleged quarrelling among the Indians hindered collection of food and ordered the shooting to deter further quarrelling. No trial of the deceased was held and Mitsuba's allegation that he was authorised by Lt IZUMI, his superior, was denied by that officer.

Sentence and Date: MITSUBA - TO SUFFER DEATH BY HANGING  
All other accused - Imprisonment for 15 years

Confirmation and by Whom: Chief of General Staff - Lt-Gen V.A.H. STURDEE

Promulgation: Confirming of finding and sentences promulgated to all accused (except accused MITSUBA who committed suicide on 13 Apr 46) on 16 July 46.

Petition: Submitted 29 Mar 46 by all accused against finding and sentence of court.

J.A.G.'s Report on Petition: The Findings and Sentences should be confirmed and the petitions dismissed.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....



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RECORD OF MILITARY COURT  
(JAPANESE WAR CRIMINALS)

AWC No. 2000, 2002, 2003

Accused: Capt IKEBA Toma  
Lt. KATAGIRI Osamu  
Lt. HIRONAKA Teruma  
Court, Place, RABAU  
Date and 14 and 15 May 46  
Formation: 8 MD

Aust W.C. List Ser No.

Charge(s)	Plea	Finding
MURDER at TENINBAUBAU Bougainville in or about August 1944 of 9 Indonesians.	NOT GUILTY	ALL ACCUSED GUILTY

Precis of Evidence: The deceased were labourers and the defence alleged that they were volunteers for service in Japanese Army. The only evidence to this effect was that the deceased were captured PW and two of the accused namely Capt IKEBA Toma and Lt KATAGIRI Osamu stated they had been informed by 16th Army HQ that the deceased were volunteers. The prosecution relied on a written statement of Lbr BALLU SAMU which showed that a number of Amboinese who were employed as coolies were accused of stealing food. Fifteen of these Amboinese were selected for questioning and beaten until they admitted their guilt. When they refused to confess nine of them were selected and made to dig their own graves and then shot.

2. The accused gave evidence in their own defence and they admitted they made the decision to have the deceased executed and claimed that they were justified in so doing because a trial had been conducted and further that the executions were justified by a superior officer. (Over).

Sentence and Date: DEATH BY HANGING 15 May 46

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentences not promulgated to accused. Accused IKEBA executed by hanging at Rabaul on 13 Aug 46 in respect of Rabaul Court No.87. Accused HIRONAKA and KATAGIRI both executed at Rabaul by hanging on 13 August 46 in respect of Rabaul Court No.72.

Petition: Submitted by all accused against findings and sentences - 27 May 46

J.A.G.'s Report on Petition: Confirm findings and sentences and dismiss petitions.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered



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AUSTRALIAN MILITARY FORCES

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(Introduced Jan 46)  
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DPW(AG13(2a))/WMcL/AR.

**RECORD OF MILITARY COURT**  
(JAPANESE WAR CRIMINALS)

AWC No. 2240

Accused: Capt OKUBO Masao

Aust W.C. List Ser No.

Court, Place, Date and Formation: RABAU  
22 May 46  
8 MD

Charge(s)	Plea	Finding
MURDER of (1) SEPOY BINDRU RAM about Sep 44 at NEW GUINEA (2) SEPOY GARJU RAM about Nov 44 at NEW GUINEA	Not Guilty	GUILTY - Both charges

Precis of Evidence: 1. During the move from PAROM to MOI, New Guinea BINDRU RAM was unable to keep pace with the main body as he was weak from malnutrition and Japanese stores he was carrying were too heavy for him. L/Cpl SHINGETAKA beat him and he was left behind but arrived at MOI three days later and reported to SHINGETAKA who spoke to Lt OKUBE. SHINGETAKA then bound BINDRU RAM to a tree and passed a rope tightly around his neck thus strangling him. 2. About Nov 44 at KURRINGE No.1 Indian PW Camp SEPOY GARJU RAM was cutting grass to eat. L/Cpl SHINGETAKA questioned him as to why he was not out on fatigue and then beat him. GRAJU RAM was dazed and walked out into the jungle but was brought back. SHINGETAKA then bound GARJU RAM, passed a rope around his neck and hung him to a tree. The accused stated that SHINGETAKA reported that BINDRU RAM had died by accident due to his weakened condition and that GARJU RAM had died in similar circumstances. He reprimanded SHINGETAKA for his conduct but admitted that he had since been promoted to Cpl and Sgt.

Sentence and Date: Death by Hanging  
22 May 46

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE

Promulgation: Confirmation of finding and sentence promulgated to accused on 23 Aug 46. Accused executed by hanging at Rabaul on 30 Aug 46.

Petition: Lodged 30 May 46 against finding and sentence.

J.A.G.'s Report on Petition: Confirm finding and sentence and dismiss petition.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....



RECORD OF MILITARY COURT  
(JAPANESE WAR CRIMINALS)

AWC No. 2236, 2240, 2237

Accused: Maj KUDO, Masao  
Capt KOBAYASHI, Namio (Not guilty)  
" NISHIO, Toshihiro.

Aust W.C. List Ser No.

Court, Place, RABAU  
Date and 26-28 Mar 46  
Formation: 8 MD.

Charge(s)	Plea	Finding
MURDER of three Indian PW at SANGRIMAN about Jul 45.	Not guilty	Maj KUDO ) Guilty Capt NISHIO ) Manslaughter  Capt KOBAYASHI - Not guilty.

Precis of Evidence: Three Indian PW were alleged to have signalled Allied planes indicating Unit layout and topography. Capt NISHIO, one of the accused states that he interrogated the Indians who confessed and he reported to Maj KUDO.

Maj KUDO admits ordering the execution of the Indians without trial under authority 18th Army Emergency Punishment Order.

Capt NISHIO admits shooting the three Indians with a pistol and claims he acted under Maj KUDO's orders.

Capt KOBAYASHI was present at the execution in his capacity of Medical Officer.

Sentence and Date:	Maj KUDO, Masao	-	Imprisonment 10 years.
	Capt NISHIO, Toshihiro	-	" 7 "
	28 Mar 46.		

Confirmation and by Whom: Chief of the General Staff - Lt-Gen V.A.H. Sturdee.

Promulgation: Confirmation of finding and sentences promulgated to each accused on 21 Jun 46.

Petition: Submitted 8 Apr 46 against findings and sentences of the Court.

J.A.G.'s Report on Petition: Findings and Sentences should be confirmed.

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered.....



RECORD OF MILITARY COURT  
(JAPANESE WAR CRIMINALS)R30  
Aug. 49

AWC No. 2917

Accused: Col KIKUCHI, Satoru

Aust W.C. List Ser No.

Court, Place, RABAUL  
Date and 28-29 Mar 46  
Formation: 8 MD

Charge(s)	Plea	Finding
MURDER of a Chinese man at MASSOWA plantation about Oct 44.	Not guilty	Guilty

Precis of Evidence: In Oct<sup>19</sup> 44 a Chinese prisoner held by Japanese was beheaded by Sgt/Maj INAGAKI on a written order from Col KIKUCHI.

*claimed by the Defense* No court martial or other formal trial *had been* held but it was ~~alleged~~ that there had been an investigation by Inagaki of alleged war crimes and acts of hostility by the Chinese against the Japanese. *The*

*maintained* Accused admitted that he had ordered the death of deceased but, ~~alleged~~ there was sufficient evidence for him to be satisfied of the guilt of the Chinese and he had carefully examined that evidence.

He alleged that the serious war situation justified his order, though no court martial was held and that the investigation made by Inagaki and his decision constituted a summary trial which was legal under Japanese military law.

Sentence and Date: To suffer death by hanging. 29 Mar 46.

Commuted to 7 years' imprisonment. 8 Jul 46.

Confirmation and by Whom: Confirmed by Lt-Gen V.A.H. Sturdee - 11 Jun 46. Commuted to 7 years' imprisonment. 8 Jul 46.

Promulgation: Confirmation of finding and sentence as commuted promulgated to accused on 2 Aug 46.

Petition: Submitted 11 Apr 46 against finding and sentence.

J.A.G.'s Report on Petition: Finding and sentence should be confirmed and petition dismissed.

Action on Petition: Dismissed. Further petition upheld.

Filed in Attorney-General's Department and Numbered.



RECORD OF MILITARY COURT  
(JAPANESE WAR CRIMINALS)

AWC No. 2802, 2807, 2811

Accused: Capt NAKAMURA Moriyuki  
Lt FUKUHARA Shozo  
L/Cpl KASUYA, Shohei (not guilty)  
Court, Place, RABAU  
Date and 13 Apr 46  
Formation: 8 MD

Aust W.C. List Ser No.

Charge(s)	Plea	Finding
MURDER at NISHI ZAKIYAMA about 29 Nov 44 of two named Indian PW	ALL NOT GUILTY	KASUYA - Not Guilty NAKAMURA and FUKUHARA - Guilty

Precis of Evidence: Accused NAKAMURA admitted that he ordered the two Indians to be shot and FUKUHARA admitted he was in charge of the firing squad of which KASUYA was a member. The Japanese justified the killing by alleging that it was done after investigation had proved the deceased Indians had stolen rice and were attempting to desert.

The prosecution alleged that the Indians had been consistently starved, that the Japanese had themselves hidden two bags of rice and falsely accused the Indians of stealing it as a reprisal for their complaints of inadequate food.

Sentence and Date: Both guilty accused death by hanging - 13 Apr 46

Confirmation and by Whom: Chief of General Staff - Lt-Gen V.A.H. Sturdee

Promulgation: Confirmation of finding and sentences promulgated to both convicted accused on 31 July 46. Both accused executed by hanging at Rabaul on 1 Aug 46.

Petition: Submitted Apr 46 by both accused against findings and sentence.

J.A.G.'s Report on Petition: ~~Dismissed~~. Confirm finding and sentences and dismiss Petitions

Action on Petition: Dismissed

Filed in Attorney-General's Department and Numbered