

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Ans-217.

AWC No...2213.....

Accused: ^K
Lieut IMAMURA Mazuhiko

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

Court, Place, **Rabaul**
Date and **12 Jun 47**
Formation: **8th Military District.**

Charge(s)	Plea	Finding
First Charge. Committing a war crime that is to say, ill-treatment of prisoners of war in that he in New Guinea in or about Sep 43 ill-treated Subedar Chint Singh, Sepoy Bawa Singh and Sepoy Piara Singh all Indian prisoners of war, by beating the said Subedar Chint Singh with a stick and by beating the said Sepoy Bawa Singh and Sepoy Piara Singh on their wrists and arms with a stick and by cutting their hair and forcing tobacco into their mouths contrary to their religious observances.	Not guilty	Not guilty (See over for remainder of charges, pleas and findings)
Second Charge. Committing a war crime that is to say ill-treatment of prisoners of war	Not guilty	Not guilty

Precis of Evidence: The evidence for the prosecution was in the main documentar which consisted of statements which had been produced in previous war crime trials. The substance of the evidence was to the effect that the accused had ill-treated Indian prisoners of war by beating them with sticks. The prosecution also alleged that the Indians mentioned in the 5 charges were at all relevant dates prisoners of war and as such were entitled to the privileges of prisoners of war.

2. The accused gave evidence in his defence stating that he had never at any time ill-treated prisoners of war. One Cpl TOKURA Keijiro also gave evidence for the defence as to the good character of the accused.

Sentence
and Date:Confirmation
and by Whom:

Promulgation:

Petition:

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

Action on Petition:

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

Second Charge (contd)

	<u>Plea</u>	<u>Finding</u>
in that he in New Guinea in or about 1943 ill-treated Sepoy HOSHIAR SINGH an Indian prisoner of war by beating him with a stick and kicking him.	Not guilty	Not guilty

Third Charge.

Committing a war crime that is to say ill-treatment of prisoners of war in that he near BOIKEN in or about Apr 44 ill-treated Capt HIRPAL CHAND and Subedar CHINT SINGH Indian PWs by beating them with sticks.	Not guilty	Not guilty
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Fourth Charge.

Committing a war crime that is to say ill-treatment of a prisoner of war in that he at RAINBOA in or about Aug 44 ill-treated Jemadar KATIAL SINGH an Indian PW by beating him on the head, face and body with a stick and by tying him to a tree for a period of two days.	Not guilty	Not guilty
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Fifth Charge.

Committing a war crime that is to say ill-treatment of PW in that he at Yawa in or about January 1945 ill-treated Jemadar LACHMAN SINGH and Lance Naik ANGREZU RAM, Indian PW by kicking them.	Not guilty	Not guilty
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RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

Aus. 214

AWC No. 2121

Accused: Gen IMAMURA Hitoshi

Aust W.C. List Ser No.

Court, Place, Rabaul
Date and 1, 2, 5, 6, 7, 8, 9, 12, 13, 15 & 16 May 47
Formation: 8th Military District.

Charge(s)	Plea	Finding
Violation of the laws and usages of war in that between November 1942 and September 45 being a commander of Japanese Armed Forces in New Guinea, New Britain and other Islands within the area of command unlawfully disregarded and failed to discharge his duty as such Commander to control the members of his command whereby they committed brutal atrocities and other high crimes against the people of the Commonwealth of Australia and its allies.	Not guilty	Guilty

Precis of Evidence: The evidence for the prosecution was in the main documentary. The only oral evidence was that given by one Subedar CHINT SINGH a former Indian PW. The substance of the evidence was to the effect that Indian and Chinese soldiers had been brought to Rabaul and were unquestionably PW. Numerous statements containing evidence of war crimes committed by Japanese officers and men who were subordinates of the accused were put in evidence. These statements showed that 39 Indian soldiers, more than 31 Chinese soldiers, a British PW, 9 Dutch PW and 9 Indonesians had been murdered by the Japanese named in such statements. In addition, evidence was also submitted in statements showing that Chinese civilians and natives had been ill-treated and tortured and some deaths had resulted from such ill-treatment or torture. In addition there was documentary evidence of two Japanese Warrant Officers and an NCO torturing a Chinese woman under revolting circumstances and the mutilation of the bodies of Australian prisoners and Australian soldiers.

(PTC)

Sentence and Date: To be imprisoned for 10 years.

Confirmation and by Whom: Maj Gen W. M. Anderson. Adjutant General A.M.F. 9/7/47

Promulgation: Confirmation of finding and sentence promulgated to the accused on 26/7/47.

Petition: Lodged 28 May 47 against finding and sentence.

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

Action on Petition: Dismissed 9/7/47.

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

2. The accused gave evidence in his defence and seven witnesses were called on his behalf. For the defence it was alleged that Indian Chinese and Indonesians were not PW but were attached to the Japanese Army in the nature of civilians. It was further alleged that even though a number of the atrocities were committed by Japanese troops attached to the HQ, of the accused, and in the vicinity of his HQ, he was not aware of such crimes until after the surrender of the Japanese Army.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

R29
Ans. 193

AWC No. 2338

Accused: Lt-Gen KAWAKUBO, Shizumo

Aust W.C. List Ser No.

Court, Place, Rabaul
Date and 30 Mar 46.
Formation: 8 MD.

Charge(s)	Plea	Finding
A VIOLATION OF THE LAWS AND USAGES OF WAR in that he in May 1945 when Commander 51 Div Group improperly confirmed the sentence of death upon two natives of KANBANBURU viz POPAKU and MORAN well knowing that such natives had not been afforded a proper trial	Not guilty	Not guilty.

Precis of Evidence: The evidence for the prosecution consisted of written statements made by Sgt ARAI Kenji, Capt SHINOHARA, Eitaro Capt SHOJI Takeyasu, Capt NEMOTO Toyoji and the accused. The execution of the natives named in the charge arose out of the failure of the natives of a certain village to supply the Japanese with SAC SAC. The Japanese made enquiries at the village as to why SAC SAC was not being sent in and they were attached by the natives. After certain natives had been questioned the natives POPAKU and MORAN being the ringleaders were arrested. It was alleged that the accused sent Capt SHOJI with orders for Capt SHINOHARA to convene a Court Martial at BRANBA for the trial of the natives. The order contained the names of the President and Members of the Court. The natives were called before the Court and were questioned. Eventually the Court sentenced the natives to death. A report on the trial was sent to the accused and the sentence was confirmed by the accused, he ordered the execution to be carried out. It was alleged that the trial lasted for about 4 hours and (over)

Sentence and Date: Not guilty - 30 March 46.

Confirmation and by Whom:

Promulgation:

Petition:

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

Action on Petition:

Filed in Attorney-General's Department and Numbered.

it was admitted that the accused had no defending officer or advocate. The accused stated that he convened the Court Martial because he wanted the natives to have as fair a trial as possible. There was no evidence called by the defence and the defending officer submitted that there was no case to answer.

17

AUSTRALIAN MILITARY FORCES

AAF A117(a)
(Introduced Jan 46)
HQ AMF Use Only

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

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Accused: Lt MURAI Koichi
WO ADACHI Takeji
Sgt/Maj TAKEI Shizaki
L/Cpl MAEDA Bishin
L/Cpl TOKURA Keijiro
L/Cpl HIBINO Kazuo

Court, Place, RABUL
Date and 22 & 23 March 46
Formation: 8MD

AWC No.....

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

Charge(s)	Plea	Finding
MURDER in that they at AIN in Oct 44 murdered Pte KIRPA RAM and Pte HARNAM SINGH of the Indian Army	All accused not guilty	All accused not guilty

Precis of Evidence: 1. The evidence for the prosecution was documentary and and consisted of declarations made by members of the Indian Army. The substance of such declarations was as follows:- The accused MAEDA on 21 Oct 44 made a search of certain Indians and in the pockets of the deceased namely KIRPA RAM and HARNAM SINGH he found some rice. On the following morning the accused TAKEI, HIBINO & MAEDA came to the quarters of the deceased tied their hands with their turbans and took them to a place near the ration store. Later witnesses saw these accused beat and kick the deceased until they fell into the stream which was close to where they were standing. The deceased lay there in a semi-conscious condition partly covered with water. A party of Indians including the witnesses moved to another location and all the accused remained behind. When the Indians were moving out and were about 100 yds from the old camp they heard three rifle shots. Next morning the accused TAKEI addressed a party of (over)

Sentence and Date: NOT GUILTY - 23 March 46

Confirmation and by Whom:

Promulgation:

Petition:

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

Action on Petition:

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

Indians which included the witnesses. He said "If you steal we will shoot you as we did Pte KIRPA RAM & Pte HARNAM SINGH when we found them with some rice." The accused were identified by means of photographs. Each of the accused gave evidence in their defence. They denied the charge and accounted for their movements at the time of the alleged murder and stated that they were not in the vicinity thereof. In some factors the evidence of some of the accused was corroborated by other accused.

AUSTRALIAN MILITARY FORCES

AAF A117(a)
(Introduced Jan 46)
HQ AMF Use Only

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

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

M 37 Aug. 1948

AWC No.....

Accused: Sgt Maj MORIMOTO Kiyomitsu

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

Court, Place, MOROTAI
Date and 5 Feb 46
Formation: Morotai Force

Charge(s)	Plea	Finding
COMMITTING A WAR CRIME that is to say murder of PW in that he at KAATEN in or about the month of August 1945 murdered F/Sgt F.G.B. HUTTON and Sgt A.A. LOCKYER both members of the RAAF and then PW held by the Japanese Armed Forces.	NOT GUILTY	GUILTY of the charge except that the words "an unidentified member of the RAAF" are substituted for the words and letters L/Sgt F.G.B. Hutton.

Precis of Evidence: 1. In about the month of August 1945 - an Australian aircraft (B24) made a forced landing at TOMOHON and three members of the crew survived. It was observed that two members of the crew were taken into custody and were placed in the cells at KEMPEI TAI HQ at KAATEN. There were also Japanese soldiers confined in the nearby cells for committing breach of Japanese military laws. Early one morning the accused woke all the personnel in the cells and announced that the Airforce prisoners would be killed that night. Evidence was adduced that the execution were to be carried out secretly so that the Indonesians would not know what was taking place. Japanese guards gave this evidence and they also stated that they helped to dig the graves. The PW were brought out singly from the cells. The first PW was bound, chloroformed and buried in a grave. The second PW was chloroformed, strangled and buried. The accused was in charge of the PW & took an active part in both murders. He helped to administer the chloroform and assisted in the strangling. After the burials the execution party returned

Sentence to KEMPEI TAI HQ and a feast of fish and wine was held.
and Date:

TO SUFFER DEATH BY SHOOTING - 5 Feb 46

Confirmation and by Whom: Lt-Gen V.A.H. STURDEE - Acting Commander-in-Chief.

Promulgation: Confirmation of finding and sentence promulgated to accused on 30 Mar 46, accused executed at Morotai on 31 Mar 46.

Petition: Lodged Feb 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.....

Accused: Maj-Gen ENDO Shinichi

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

Court, Place, MOROTAI
Date and 29, 30 and 31 Jan 46
Formation: 7 Aust Div

Charge(s)	Plea	Finding
Committing a war crime, that is to say, in violation of the laws and usages of war, neglecting to ensure that Prisoners of War captured and held by the Japanese Army in the Area under his command were treated in accordance with the said laws and usages of war, in that he, whilst Commander of the Japanese Army Force in the Northern Celebes, including Talaud Islands, between the months of December 1944 and September 1945 neglected to issue or enforce any, or any proper or sufficient, orders or instructions, or to take any steps, to provide for the (see back hereof)	NOT GUILTY	GUILTY

Precis of Evidence:

1. The accused on 22 Sep 44 took over command of that area of the Northern Celebes which was north of the Equator. He was also commander 57 Independent Mixed Bde which had its HQ at MANADO. The Staff Officer to the accused was Lt-Col KOMURA. Between the months of Dec 44 and Sep 45 nine members of the Royal Australian Air Force were shot down in the Northern Celebes. They were interrogated and signals containing the results of such interrogation were sent to the HQ of the deceased and received by Lt-Col KOMURA. The prosecution alleged that the capture of these airmen must have come under the notice of the accused. Evidence was called to show that these airmen were executed. With the exception of three these airmen were put to death by bayonetting. Of the three, two were chloroformed and one was strangled.

(Over)

Sentence TO BE IMPRISONED FOR 5 YEARS
and Date: 31 Jan 46Confirmation Lt-Gen V.A.H. Sturdee, Chief of General Staff
and by Whom:

Promulgation: Confirmation of finding and sentence promulgated to the accused on 13 Apr 46.

Petition: Lodged 6 Feb 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.....

Charge continued:

treatment in accordance with the laws and usages of war, of Prisoners of War held by the Forces under his command, by reason of which neglect numbers of the said Prisoners of War were unlawfully killed by members of the said Japanese Army Force under the command of the Accused. Particulars of the said Prisoners of War and the dates and places of their said killings are as follows:

23 Mar 45 at Talaud Islands: (Flt/Lt L. Hann
(WO P. Walters
(Flt/Sgt L.N. King
all of the Royal Australian Air Force.
On or about 3 Mar 45 at KAK- (F/O K. Packham
ASKASEN, Northern Celebes: (Flt/Sgt David Benson
(Sgt R.L. Jones
all members of the Royal Australian
Air Force.

On or about 27 Jul 45 at
KAATEN, Northern Celebes : Flt/Sgt J.V. Orgill
a member of the Royal Australian
Air Force.

In or about the month of
August 1945 at KAATEN, (Flt/Sgt F.G.B. Hutton
Northern Celebes : (Sgt A.A. Lockyer
both members of the Royal Australian
Air Force.

Precis of Evidence (contd)

The prosecution alleged that these airmen were murdered without a trial and the murders were brought about by the fact that the accused neglected to issue proper and sufficient orders regarding these prisoners, or if he did issue proper orders he neglected to see that his orders were carried out. Apart from these two factors the accused failed to take any steps to see that the Hague Convention was carried out.

2. The accused gave evidence and witnesses were called on his behalf. The accused alleged that he had given orders that prisoners of war were to be treated with kindness and that he delegated his powers to officers under his command and he assumed that his orders were being carried out.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Ans 183

AWC No. 2230

Accused: Navy Civilian ~~IMABARA~~ Sotanzo

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 22 and 23 Jan 46
Formation: 8 MD

Charge(s)

Plea

Finding

1. MURDER at NAWATANAI NEW IRELAND on or about 15 Jan 1943 in company with Navy Civilians HAGA and HANAKURA and other Japanese of LEONG CHANG a resident of NEW IRELAND.

ACCUSED
NOT GUILTY
ON BOTH
CHARGES

ACCUSED GUILTY
OF BOTH CHARGES

2. CONFISCATION OF PROPERTY in that he at NEW IRELAND in or about June and August 1943 in company with Navy Civilians HAGA and HANAKURA confiscated property owned by SEACH CHAN, BERNARD CHAN, PHILIP CHAN (KAYU) MARTIN CHAN and others all residents of NEW IRELAND.

Precis of Evidence:

1. The evidence for the prosecution was partly verbal and partly documentary. The verbal evidence was given by SEACH CHAN, PHILIP CHAN, and MARTIN CHAN. The documentary evidence consisted of written statements made by natives named BOSHI, LAHNU and SUSIAP and written interrogations of the accused.

2. In regard to the first charge it was alleged that the accused was the Japanese official in charge of the District Office at NAWATANAI and this fact was admitted by the defence. On or about 15 Jan 43 the Chinese from adjoining districts assembled at NAWATANAI pursuant to orders from the Japanese. The accused and the Japanese named HAGA (referred to in the charge) were present. HAGA addressed the Chinese and told them that the deceased LEONG CHANG was to be shot because he disobeyed Japanese
(over)

Sentence
and Date:

TO BE IMPRISONED FOR 4 YEARS - 25 JAN 47

Confirmation
and by Whom:A.
Lt. Gen V. H. Studdie C.G.S. AMF 21/3/47

Promulgation:

Confirmation of finding and sentence promulgated to the accused on 9/4/47

Petition:

Lodged Feb 47 against finding and sentence.

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

That the finding in respect of the first charge be NOT confirmed and that the finding in respect of the second charge be confirmed. He is of the opinion that imprisonment for 12 months

Action on Petition:

would be a proper sentence in this regard.

Dismissed 21/3/47

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

RECORD OF MILITARY COURT (JAPANESE WAR CRIMINALS)

Ans 183

AWC No. 2034

Accused: Navy Civilian SASAKI Sotanzo

Aust W.C. List Ser No.

Court, Place, RABAU
Date and 22 and 23 Jan 46
Formation: 6 MD

Charge(s)

Plea

Finding

1. MURDER at HAHAMAI NEW IRELAND on or about 15 Jun 1943 in company with Navy Civilians HAGA and HAHAMAI and other Japanese of LEONG CHAI a resident of NEW IRELAND.

ACCUSED
NOT GUILTY
ON BOTH
CHARGES

ACCUSED GUILTY
OF BOTH CHARGES

2. CONFISCATION OF PROPERTY in that he at NEW IRELAND in or about June and August 1943 in company with Navy Civilians HAGA and HAHAMAI confiscated property owned by SIMON CHAN, BERNARD CHAN, PHILIP CHAN (KAYU) MARTIN CHAN and others all residents of NEW IRELAND.

Precis of Evidence:

1. The evidence for the prosecution was partly verbal and partly documentary. The verbal evidence was given by SIMON CHAN, PHILIP CHAN, and MARTIN CHAN. The documentary evidence consisted of written statements made by natives named DASHI, LAHNU and SUSIAP and written interrogations of the accused.

2. In regard to the first charge it was alleged that the accused was the Japanese official in charge of the District Office at HAHAMAI and this fact was admitted by the defence. On or about 15 June 43 the Chinese from adjoining districts assembled at HAHAMAI pursuant to orders from the Japanese. The accused and the Japanese named HAGA (referred to in the charge) were present. HAGA addressed the Chinese and told them that the deceased LEONG CHAI was to be shot because he disobeyed Japanese

(Over)

Sentence
and Date:

TO BE IMPRISONED FOR 4 YEARS - 23 JAN 47

Confirmation
and by Whom:

Lt. Gen. A. H. Studdie C.G.S. AMF 21/3/47

Promulgation:

Confirmation of finding and sentence promulgated to the accused on 9/4/47

Petition:

lodged Feb 47 against finding and sentence.

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

That the finding in respect of the first charge be NOT confirmed and that the finding in respect of the second charge be confirmed. He is of the opinion that imprisonment for 12 months would be a proper sentence in this regard.

Dismissed 21/3/47

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

Precis of Evidence: (contd)

orders and had also told native boys not to work for the Japanese. HAGA also told the Chinese that they had to be present at the execution of the deceased. The Chinese were then taken to the place of execution where a hole had been dug and later the deceased was brought to the scene in a truck. A Japanese naval party accompanied him and they carried out the shooting of the deceased. Prior to the execution HAGA addressed the deceased but the witnesses were not able to hear what was said. The accused and HATAMURA were also present but no evidence was tendered as to who was in charge of the naval party or who gave the orders to the party to carry out the shooting. After the execution the body of the deceased was thrown into the hole by natives and these natives then filled in the hole.

3. In regard to the second charge the prosecution alleged that on or about the 15 June 43 the Chinese resident in the district around HATAMURA were assembled and made to hand over lists of goods and chattels owned by them. They were then placed in prison where they remained for periods up to 14 days. When they were released they returned to their homes and found that certain of their belongings had been taken. Later after their return the accused HAGA and HATAMURA returned to the homes of the Chinese and removed another quantity of their belongings.

4. The accused gave evidence in his defence. He denied that he took any part in the execution of the deceased and alleged that the deceased had been tried by a Japanese named Yamada of the Civil Administration and the execution was carried out pursuant to the orders of civil administration. As far as the second charge was concerned the accused alleged that the confiscation of the goods as alleged was carried out by civilian administration and he was present when such goods were confiscated in his capacity as Officer in Charge of the District Office at HATAMURA.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 827, 852

Accused: Capt TAKAKUWA, Takuo
Capt WATANABE, Genzo

Aust W.C. List Ser No.

Court, Place, LABUAN
Date and 3, 4 and 5 Jan 46
Formation: MOROTAI FORCE

Charge(s)	Plea	Finding
First Charge: MURDER between SANDAKAN and RANAU, BRITISH NORTH BORNEO, between 29 May 45 and 26 Jun 45 when offrs of the Borneo PW Unit, wilfully and without lawful cause or excuse caused to be killed numerous unknown PW.	NOT GUILTY	GUILTY
Second Charge: MASSACRE Third Charge:) at or near RANAU, BRITISH Fourth Charge:) NORTH BORNEO on or about (abbreviated) 1 Aug 45 when offrs of the Borneo PW Unit, wilfully and without lawful cause or excuse, caused to be killed unknown PW to a total number of thirty-three(33) or thereabouts.	NOT GUILTY	GUILTY

Precis of Evidence: These offrs were in charge of guards on the trek of approx 500 Australians and 100 British PW from SANDAKAN en route to RANAU - distance of 165 miles. At a conference TAKAKUWA gave orders that PW dropping out unfit should be shot and organised the march accordingly. 288 PW stretcher cases were left behind and the camp, including medical stores, was completely destroyed by fire prior to the move. PW on the march were supplied with only 4 lbs rice per man for the journey. WATANABE kept records of PW who fell out and either died of illness, were shot or escaped. Sgt Maj TSUJI who moved in rear in charge of the disposal party supplied the figures each day to WATANABE. Approx 183 survivors arrived at RANAU on 26 Jun 45 including 142 Australians. By the 1 Aug 45 only 33 PW were left incl six who were at RANAU prior to 26 Jun 45. On 1 Aug 45 TAKAKUWA called a conference and issued orders for the shooting of the remaining PW. WATANABE and the three NCOs in charge of parties selected guards and WATANABE instructed NCOs to carry out TAKAKUWA's orders. All PW were shot.

Sentence and Date: Capt TAKAKUWA, Takuo - TO SUFFER DEATH BY HANGING
Capt WATANABE, Genzo - TO SUFFER DEATH BY BEING SHOT
5 Jan 46

Confirmation and by Whom: Finding and Sentence confirmed by Acting C-in-C - 27 Feb 46

Promulgation: Confirmation of finding and sentence promulgated because WATANABE on 15 MAR 46 because TAKAKUWA on 5 APR 46. Because WATANABE executed by shooting at MOROTAI on 16 MAR 46. Because TAKAKUWA executed by hanging at Rabat on 6 APR 46

Petition: Submitted 18 Jan 46 against Finding and Sentences of the Court

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

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No. 733

Accused: Capt HOSHIJIMA, Susumu

Aust W.C. List Ser No.

Court, Place, LABUAN
Date and 8-20 Jan 46
Formation: MOROTAI FORCE

Charge(s) (abbreviated)

Plea

Finding

ILLTREATMENT OF PRISONERS OF WAR
at SANDAKAN, BRITISH NORTH BORNEO between
Sep 42 and May 45 when Commandant of
SANDAKAN PW Camp.

First Charge: Authorised and permitted PW
in his charge to be closely confined under
inhuman conditions and cruelly beaten
while so confined as a result whereof
certain PW died.

NOT
GUILTY

GUILTY

Second Charge: Authorised and permitted PW
in his charge to be tortured and cruelly
beaten by soldiers under his command.

NOT
GUILTY

GUILTY

Third Charge: Failed to provide adequate
and proper medical care and food for PW
in his charge.

NOT
GUILTY

GUILTY

Fourth Charge: Authorised and permitted

Precis of Evidence:

sick and underfed PW in his
charge to be employed on
heavy manual and other labour.

NOT
GUILTY

GUILTY

The accused was firstly a Lieut and later a Capt in charge of the compound
and PW labour at SANDAKAN PW Compound from Aug 42 to May 45. Approx 2750 PW
were in the compound mainly employed on construction of a Military aerodrome.
In Sep 44 the number was reduced to 2250 by the death of approx 200 and
transfer to Kuching of approx 320. A further 470 were sent on the first
march to Ranau in Jan 45. The accused handed over to Capt TAKAKUWA on 17 May
45. The death rate increased from about Oct 44 and greatly increased in
Jan 45 when work on the aerodrome finally ceased and the rice ration was
discontinued to PW. The numbers remaining on 17 May 45 were approx 1000 PW.
Only one Japanese died during the period. On the first charge - evidence
discloses that PW were confined under orders from HOSHIJIMA in cages 4'6" x
5'6" x 3' high. They were beaten and several, Ptes BARBER, CLEMENTS, WEEKS
ANDERSON and ANNEIR died shortly afterwards. Prisoners had little
(over)

Sentence DEATH BY HANGING
and Date: 20 Jan 46

afterwards. Prisoners had little
(over)

Confirmation Finding and Sentence confirmed by Acting C-in-C 27 Feb 46
and by Whom:

Promulgation: *Confirmations of finding and sentence promulgated to accused on
6 Apr 46. Accused executed by hanging at RABAU on 6 Apr 46*

Petition: Submitted 3 Feb 46 against Finding and Sentence.

J.A.G.'s Report on Petition: Finding and Sentence should be confirmed and recommends
that the Sentence should NOT be mitigated.

Action on Petition: Dismissed

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

7

Precis contd:

clothing and no mosquito nets in the cages.

On the second charge - evidence of numerous beatings and tortures including large parties forced to line up without hats and stand with hands outstretched looking into the sun.

On the third charge - although the death rate was so high medical supplies were not made available. Good stocks of quinine etc were in stock when the Japs surrendered.

On the fourth charge - men were forced to go out on working parties irrespective of their condition of health.

100-100-100

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)AWC No. 2210, 2212, 2219, 2231
2222Accused: Capt IZUMI, Namio, Lt MURAI, Koichi
Sgt Maj KIBBE, Nobuo, L/Cpl TOKURA,
Keijiro

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

Court, Place, RABAU
Date and 18-19 Mar 46
Formation: 8 MDAlso tried same time before
same court - Sgt IGARISHI,
Kinsaku (Not Guilty).

Charge(s)

Plea

Finding

MURDER of Pte RAM SINGH, Indian Army
at KARKAR in Jun 45.

N.G.

IZUMI, Namio Guilty
MURAI, Koichi "
KIBBE Nobuo "
TOKURA, Keijiro "

Precis of Evidence: In Jun 45 members of the 19 Indian Working Party were camped at KARKAR. One evening Sgt KIBBE and Sgt SAITO found Pte RAM SINGH in possession of four lemons. They then tied him to the pole of their hut with wire and together with MURAI, IGARASHI and TOKURA beat him severely. MURAI gave Pte RAM SINGH a blow on the head which rendered him unconscious. Capt (then Lt) IZUMI was present and in charge but did not prevent the ill-treatment. Beating continued during the night and next morning. KIBBE and SAITO dragged him out into the sun where he was left all day without water. MURAI ordered three PW to dig a grave and later on, together with KIBBE and TOKURA took Pte RAM SINGH over to the grave. A short time after Indian PW were ordered to complete filling in the grave wherein the body was already lightly covered with earth. Capt IZUMI admits ordering the execution. Lt MURAI admits ordering TOKURA to shoot Pte RAM SINGH. L/Cpl TOKURA admits shooting Pte RAM SINGH. S/Maj KIBBE states that he was on guard 20 yards from the scene of the execution.

Sentence Capt MIZUMI K.

Death by hanging.

and Date: Lt MURAI K.

" " "

19 Mar 46. Sgt Maj KIBBE N.

Imprisonment 15 years

L/Cpl TOKURA K.

" 10 "

Confirmation Chief of General Staff - Lt Gen V.A.H. STURDEE
and by Whom:Promulgation: Confirmation of finding and sentences promulgated to each accused
on 21 June 46. Accused IZUMI and MURAI executed by hanging at RABAU
22 June 46.

Petition: Submitted 29 Mar 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)

R17. Aus 40.

Accused: Capt MITSUBA Hisaneo
Lt MURAI Koichi
Lt IMAMURA Kazuhiko
L/Cpl HIBINO Kazuo (Not Guilty)

Court, Place, Date and Formation: RABAU
15-18 Mar 46
8 MD.

AWC No. 2211, 2212, 2213, 2228

Aust W.C. List Ser No.

Charge(s)	Plea	Finding
MURDER of Capt NIRPAL CHAND of the Indian Army at BUT in Apr 44.	Not Guilty	Capt MITSUBA Hisaneo) Lt MURAI Koichi) Guilty) Lt IMAMURA Kazuhiko) L/Cpl HIBINO Kazuo - Not Guilty.

Precis of Evidence: NIRPAL CHAND was senior Indian officer in 19 Indian working party. All the officers were threatened with death for complaining of inadequate rations. On 10 Apr 44 the party was ordered to march from Wewak to Hollandia. Before reaching BUT many Indians escaped and NIRPAL CHAND said they had fallen out because of the heavy loads and asked that they be lightened. He was then taken away and beheaded by MURAI, while IMAMURA sat on his stomach and MITSUBA held his hands. There was no trial.

Defence alleged that NIRPAL CHAND was a member of the Indian National Army and not a PW, and that he was beheaded lawfully because at BUT he incited the other Indians to mutiny.

Sentence and Date: 18 Mar 46. Capt MITSUBA, H. - 20 years' imprisonment.
Lt MURAI, K. - 20 years' imprisonment.
Lt IMAMURA K. - 5 years' imprisonment.

Confirmation and by Whom: 10th May 46.
Deputy Adjutant General (Personal Services).

Promulgation: Confirmation of finding and sentence promulgated to each accused on 17 May 45 except accused MITSUBA. Accused MITSUBA committed suicide on 13 Apr 46.

Petition: Submitted by all convicted accused Mar 46 against findings and sentences - not received until 15th May 46.

J.A.G.'s Report on Petition: JAG advised confirmation of findings and sentences on 29 Apr 46.

JAG advice on Petitions - To be dismissed.
Action on Petition: Dismissed.

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

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

R13

Ans 38

WO HAMAZAKI Masuo
Sgt Maj TAKAI Fukuichi
Civilian Emp IZUKA Takahisa

2900 2901 2905
AWC No.....

Accused:

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

Court, Place, RABAU
Date and 1-2 Mar 46
Formation: 8 MD

Charge(s)	Plea	Finding
MURDER of KAKARAI at MIOKA ISLAND about Feb 1944	NOT GUILTY	GUILTY

Precis of Evidence: Evidence for the prosecution --
In Feb 44 men, women and children of the village of UMALOT were brought in to Jap HQ at RAKUNDA, Mioka Is by the three accused and police boys. WO HAMAZAKI in charge of the Kempei spoke to them through IZUKA who interpreted the accusation that the villagers had been friendly with the missionaries and had given refuge and food to English people.
Ten men including KAKARAI were segregated from the rest and beaten. They were tied and hung up to trees by THOMAS, a native police boy with their toes just touching the ground. They were cut down at 6 pm and again hung up the next day, questioned and beaten. TAKAI, IZUKA and some Kempei boys beat them this day and IZUKA beat KAKARAI. THOMAS beat KAKARAI on both days and after a beating on the second day KAKARAI was cut down about 6 pm. He was badly injured, his spine appeared to be broken and he died during the night. TAKAI and IZUKA helped to tie up the natives. HAMAZAKI, who beat the natives also, occupied an office about 50 yards away. (over)

Sentence
and Date: 2 Mar 46 WO HAMAZAKI Masuo - imprisoned for 25 years
 Sgt Maj TAKAI, Fukuichi - " " 15 "
 Civ Emp IZUKA, Takahisa - " " 15 "

Confirmation Findings and sentences confirmed by Lt Gen V.A.H. STURDEE - 14 May 1946
and by Whom:

Promulgation: 24 May 1946

Petition: Submitted by each accused against finding and sentence of the Court

J.A.G.'s Report on Petition: Recommends that all sentences be confirmed

Action on Petition: Dismissed

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

Precis of Evidence (contd):

Evidence for the defence --

WO HAMAZAKI, 6 Fd Provost Unit stated that he was instructed to carry out investigations into activities of a spy ring, led by a missionary named BENJAMIN and located in UMALOT. He sent TAKAI, IZUMA and police boy THOMAS to bring in the villagers. Two or three were tied to a tree and he instructed THOMAS to strike them 2 or 3 times with a light cane. He then instructed THOMAS to tie KAKARAI to a tree. About 5/10 minutes later, he heard THOMAS yelling and screaming to the natives and found that THOMAS had hung up KAKARAI and had apparently been beating him. He ordered KAKARAI to be cut down and returned to the Calaboose. The native appeared to be in pain and next morning THOMAS reported that he had died.

Sgt Maj TAKAI denied that he had anything to do with the interrogation or incident. He admits that he heard the yelling and screaming but as HAMAZAKI went out he did not bother.

IZUKA states that he acted as interpreter. He instructed THOMAS to beat 2 or 3 natives who did not confess. The last to be interrogated was KAKARAI. He interpreted an order from HAMAZAKI to THOMAS to tie up to a tree behind the office and then went back to his own duties at his farm.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Sub-Lt 1st Cl KATAYAMA Hideo
" UEMURA Shigeo
" TAKAHASHI, Toyoji

AWC No.....

Accused:

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

Court, Place, MOROTAI
Date and 25/28 Feb 46
Formation: MOROTAI FORCE

Charge(s)	Plea	Finding
MURDER at or near GALALA AMBON on or about 16 Aug 44 of four RAAF PW	NOT GUILTY	GUILTY

Precis of Evidence: 4 RAAF Airmen from a crashed bomber were captured and brought to PW Compound Ambon from an outlying island. Lts KATAYAMA and TAKAHASHI received orders from their senior staff officer to execute the 4 airmen. UEMURA, platoon commander of the Compound Guards, was ordered by KATAYAMA to prepare for the execution. The airmen were taken by truck to the execution place on Ambon and were beheaded by KATAYAMA, TAKAHASHI and another.

UEMURA had sent guards and the burial party to the execution site, and was present at the execution. He did not actually execute a prisoner.

KATAYAMA on oath said he had reasons to believe that the airmen had been legally tried by temporary court martial. There was evidence in fact, that there had been no court martial held.

Sentence and Date: DEATH BY SHOOTING
28 Feb 46

Confirmation and by Whom: Lt Gen V.A.H. STURDEE - 6 Apr 46

Promulgation: Confirmation of finding & sentence promulgated to accused UEMURA, TAKAHASHI, Hideo on 4 MAY 46. (Other accused held as witnesses in pending trials)

Petition: Two petitions submitted against finding and sentence of the Court.

J.A.G.'s Report on Petition: Finding and sentence on Sub-Lt Uemura, Shigeo should NOT be confirmed
" " " " " " Takahashi, Hideo should NOT be confirmed
Action on Petition: " " " " " " Katayama, Hideo may be confirmed

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

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)M42
AWC No. 1212Sub 1t 1st Class HONJI, Matagi
Accused: 2nd Class PO KUROKAWA, Eizo

Aust W.C. List Ser No.

Court, Place, MOROTAI
Date and 18 Feb 46
Formation: MOROTAI FORCE

Charge(s)	Plea	Finding
Committing a war crime that is to say murder of a prisoner of war in that they at or near HALONG AMBON on or about 30 April 1945 murdered VX19415 Pte SCHAEFER F.N. of 2/21 Australian Infantry Battalion then a prisoner of war held by the Japanese Armed Forces	NOT GUILTY	GUILTY

Precis of Evidence: The evidence shows that:

- (a) Pte SCHAEFER an Australian PW held by the Japanese in Tantoey Camp escaped on 26 Mar 45 and was recaptured 10 Apr 45.
- (b) The Shirozu Unit was responsible for the guarding and administration of PW in Tantoey Camp. Lt Miyazaki was 2 i/c Shirozu Unit and said that Schaefer was interrogated regarding the route taken during his freedom. According to Capt Shirozu, Comd of Shirozu Unit, Schaefer was questioned immediately after his recapture and "admitted the crime". These two interrogations were the only form of inquiry held on Schaefer's alleged crime between his recapture and execution.
- (c) It was not legal for a local Jap Comd to execute a PW for an alleged offence without a trial before a court martial. (over)

18 Feb 46
Sentence and Date: HONJI Matagi - TO SUFFER DEATH BY SHOOTING
KUROKAWA Eizo - IMPRISONMENT FOR 15 YEARS

Confirmation
and by Whom:

Promulgation:

Petition: Submitted against the Findings and Sentences of the Court.

J.A.G.'s Report on Petition: Findings and Sentences should NOT be confirmed.

Action on Petition:

Filed in Attorney-General's Department and Numbered.

Precis of Evidence (contd)

- (d) Such a court is authorised by Japanese Court Martial Law to try PW, and penalties are prescribed in Japanese Naval Laws and Regulations for different offences by PW. In a trial by Court Martial in the case of attempted escape by a PW the penalty is not necessarily death.
- (e) According to Jap Naval Regulations, the power of Jap Naval Authorities guarding PW in the matter of offences committed by PW is that in the capacity of Naval Judicial police they shall carry out an investigation only and then transfer the case to the nearest Military Court Martial. This procedure was not initiated by Capt Shirozu and/or Capt Kawasaki, Senior SO, 25 Naval Base Unit.
- (f) On the 29 Apr 45 Lt Miyazaki received verbal orders from Capt Shirozu to execute Pte Schaefer.
- (g) On 30 Apr 45 Sub Lt HONJI, the accused, was instructed by Lt MIYAZAKI to carry out the execution of a PW who had been guilty of theft and attempted escape. Honji said he made preparations forthwith. He took five guards with him to the place of execution. After digging the hole the prisoner (Schaefer) was brought to the spot. Honji detailed PO KUROKAWA to carry out Schaefer was beheaded in Honji's presence and under his instructions. Honji said he thought that Schaefer had been sentenced by a military court and it was after the Japanese surrender that he learned that the execution was carried out without the decision of the military court. There was no military court sitting at any relevant time. Honji did not ask for a warrant for the execution or question the legality of the verbal order for the execution.
- (h) PO KUROKAWA said that at about 0800 hrs on 30 Apr 45 he was ordered by S/Lt HONJI to go with him and carry out an execution. Honji brought out an Australian PW and they went to the place of execution. On the orders of Honji he beheaded the prisoner. He was very upset about the order but carried it out because he thought the execution was the result of proper procedure.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

1145
Quo 21
AWC No. 1557

Accused: Capt. SHIROZU, Wadami, and
others (See Appendix 'A').

Aust W.C. List Ser No.

Court, Place, Date and Formation: Ambon - from 2 Jan 46 to 18 Jan 46 and
Morotai - from 25 Jan 46 to 15 Feb 46.
Morotai Force.

Charge(s)	Plea	Finding
Committing a war crime, namely ill-treatment of prisoners of war, in that they in and between the months of Feb 42 and Aug 45, ill-treated Aust and Dutch prisoners of war at Tan Toey Camp Ambon by (a) physical beatings and torture (b) compelling sick and infirm PW to go out on working parties (c) failing to ensure the provision of proper food supplies (d) failing to ensure the provision of proper medical supplies and medical care.	Not Guilty	Guilty

Precis of Evidence: In October 1942 there were 548 Allied prisoners of war in Tantoei Camp, Ambon. When the Japanese surrendered, 139 only were alive and some of these died after repatriation. These 409 PW died in captivity. The 20 Garrison Unit was responsible for the custody and administration of PW at Tantoei. A Land Guard, under command of HQ, 20 Garrison Unit provided a detachment of guards for the PW Camp. All of the accused were members of the 20 Garrison Unit.

2. Capt SHIROZU, Wadami, was Commander of 20 Garrison Unit from Nov 43 - Aug 45. SHIROZU said when he took over the PW Camp he was satisfied with its previous administration. He allowed this administration to continue and did not attempt to make any improvement. He was told by an interpreter IKEUCHI, that PW were being punished by slapping and kicking but did not take any steps to prevent this. SHIROZU visited the PW Camp (Over)

Sentence and Date: See Appendix 'A'.

Confirmation and by Whom:

Lt Gen V. A.H. STURDIE - 14 MAY 46

Promulgation:

Confirmation of findings & sentences promulgated to necessary local commander accused on 24 May 46 except NAGASATO to whom promulgation effected on 7 June 46
Submitted against the Finding and Sentences of the Court.

J.A.G.'s Report on Petition: Findings and sentences may be confirmed.

Action on Petition:

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

twice only. Members of his unit practised a continuous policy of brutal ill-treatment, beating and torturing of PW and neglect and/or omission, to supply PW with adequate food, medical care, clothing and living quarters to sustain life.

3. From Sep 44 - Aug 45, the rice issued to PW averaged 6 ounces per man per day and very often was mixed with sand and dirt. This 6 ounces of rice was increased to a total of 25 ounces of food per day by the addition of sweet potatoes, sweet potato tops and tabioco, these additions being worthless from a nutrition point of view. Also, the 40 kgm sacks of rice were invariably under weight and the edible amount further reduced by decomposition. During the same period, Japanese troops received 13 ounces of rice per day plus other foods and were also buying privately. SHIROZU states that the reason for so treating the PW was that rice was unsuitable to their taste and constitution.

4. Requisitions for medical supplies were never completely fulfilled, the amount granted being hopelessly inadequate to give PW proper medical care - one month when there were 200 ulcer cases in the Camp, one only, bandage was supplied.

5. For 6 weeks commencing Nov 44 a form of torture was introduced, known as the "long carry". This consisted of working parties of approximately 100 PW being forced to carry loads of bombs and cement weighing 90 to 150 lbs. over 8 miles of rugged, precipitous country. The Japanese never used the bombs or cement and this treatment was designed to lower the morale of the PW and to accelerate their ultimate death. Infirm PW made progress on all fours and were clubbed along the track by the guards. Many PW were carried back by their comrades to camp unconscious and died without recovering consciousness.

6. Civilian Interpreter IKEUCHI, Masakiyo - also known as "Frank", "Snakers" and "Kangaroo", was Interpreter and Camp Manager at Tantoel Camp from Feb 42 - Aug 45.

7. On 12th July 1942, 33 Dutchmen were brutally beaten for exchanging letters with members of the Dutch Civilian Internee Camp. The beating lasted for 3 hours, one Japanese being allocated to one PW. IKEUCHI participated in this beating and his victim died the next day from internal injuries. Two other victims, one of whom had an eye torn from its socket, died on the day following the beating. Twenty-three others returned to camp with broken legs, arms and/or ribs.

8. After an Allied bombing raid in Feb 43 which exploded a bomb dump (placed inside the PW Camp in spite of protests by PW officers) and caused approximately 36 Allied and PW internee deaths, the Australian Camp CO put a Red Cross on the roof of a Camp Hospital building. IKEUCHI ordered this to be taken down.

9. IKEUCHI had the responsibility of supplying the working parties requisitioned by Japanese units. To make up the required number, IKEUCHI would make a round of the hospital and huts and club sick and dying men, some on crutches, on to the working parade. Cpl J. KNIGHT died two days after IKEUCHI had belted him on a bad ulcer. On another occasion, he belted Lieut R.A. GRANGER unconscious with a 14 lb wooden club. IKEUCHI had power to reduce requests for working parties. IKEUCHI withheld and interfered with medical supplies.

10. IKEUCHI was present and participated in a group atrocity (hereinafter referred to as the "mass beating" because it refers to a number of the accused), the details of which are as follows :-

11. For allegedly breaking out of camp and visiting a native village, 23 Australian PW were systematically beaten and tortured for a period of approximately 8 days. Some were bound to trees, others were strung up by cable wire bound around their wrists with their toes just touching the ground. They were beaten into insensibility with pick handles rubber hose and/or lengths of wire, revived by cold water being thrown over them, then beaten insensibly again and tortured by lighted cigarettes thrust up their nostrils. The victims were given one rice meal a day with water. Sometimes after they had drunk the water, the Japanese would jump on their stomachs. At the end of the beating, all but 11 were returned to the camp suffering from broken bones, concussion

and severe lacerations. The 11 who did not return to camp were subsequently executed.

12. 1/Lt MIYAZAKI, Yoshio, who was Camp Commandant and Commander, the Land Guard, which supplied a detachment of guards for the PW Camp, never interfered with the brutal conduct of his guards. He often visited PW working parties and saw the condition of the men engaged. One particular party which he visited was removing picric acid from bombs with iron tools, in spite of the danger of sparks causing explosions. This possibility of explosion was explained to the Japanese at the same time as requests were made for rubber and/or wooden hammers. The requests were ignored. Eventually an explosion occurred causing the deaths of 5 Australians. After the explosion, the same conditions prevailed on this task. MIYAZAKI was present at the mass beating.

13. Sub Lt SIMAKAWA, Masaichi, was in actual charge of the guards at the PW Camp but never did anything to prevent his guards from beating and torturing the PW. On one occasion, he beat a PW with a billet of wood.

14. Lt-Comdr NAKAMURA, Ryosuke, Senior Surgeon 20 Garrison Unit from Jan 44 to Aug 45, in his reports on the medical position of 20 Garrison personnel never mentioned PW or asked for medical supplies. NAKAMURA never asked for hospitalisation in the Japanese Naval Hospital for serious sick PW which would have been the correct procedure.

15. After the Japanese surrender, NAKAMURA inundated the PW Hospital with medical stores and food and visited the Hospital every day. Prior to the Japanese surrender, he had never been near the PW Hospital.

16. Two amputations were carried out on PW by PW medical officers, the surgeon using a butcher's knife and saw. A request by them to Japanese Camp HQ for surgical instruments was ignored.

17. Several requests by PW doctors for consultations with Japanese doctors were ignored.

18. Petty Officer 1/C1 TANAKA, Masashi (Frill Neck) brutally beat Pte TAIT with a pick handle until he was unconscious, revived him with cold water, then knocked him insensible again. While Pte TAIT was on the ground, TANAKA also kicked him on the body and testicles. From then on, until he was found dead on the road one morning two months later, Pte TAIT often complained about his heart and told a friend that the beating really broke him.

19. TANAKA was also responsible for several other severe beatings, including a PW in an isolation cell.

20. Petty Officer 1/C1 TAKEUCHI, Michio, constantly beat PW on his working party to such an extent that some of the victims were carried back to the camp unconscious. Two died after his beatings.

21. Petty Officer 1/C1 MATSUDA, Masao (Grey Mare) was hostile towards PW and was constantly beating them.

22. Petty Officer 1/C1 NAGATANI, Takeji (Gold tooth No.2) participated in the mass beating and on two occasions, severely beat with a stick and kicked PW, one of whom died subsequent to the beating.

23. Petty Officer 2/C1 KUGE, Kazuyoshi, participated in the mass beating and in July 45 he severely beat a PW with his rifle butt. In addition he was constantly administering beatings and slappings.

24. Petty Officer 2/C1 SANODA, Tsunayaski, participated in the mass beating and brutally beat Cpl BLIGHT while he was very ill. Cpl BLIGHT died one month later. SANODA was constantly administering

beatings and slappings. However SANODA gave presents to PW on occasions for doing small jobs for him.

25. Petty Officer 1/Cl YAMAMOTO (Giggling Gertie) Tatsuo, participated in the mass beating and was a consistent sadistic brutal beater of PW. YAMAMOTO delighted in inflicting the Lochedo torture which consisted of forcing the victim to stand on one leg with the other leg stretched out clear of the ground and the arms stretched. Another punishment he frequently awarded PW was two or three hours doing body presses. When the victims collapsed during the above tortures, they were beaten and kicked into position again.

26. Petty Officer 1/Cl SUECHIRO, Masajiro (Muttering Mick) was a constant mild beater of PW except that on one occasion he split a Dutch PW lip.

27. Chief Petty Officer UTSOMOMIYA, Isamu, participated in the mass beating.

28. Petty Officer 1/Cl MAEDA, Yukio, participated in the mass beating. Also severely beat and inflicted the Lochedo torture on two PW for 4 hours.

29. WO AOKI, Fumio, participated in the mass beating and was responsible for a number of beatings.

30. Chief Petty Officer HIMENO, Tokifuku, participated in the mass beating and on one occasion, severely beat 2 PW who as a result had to be carried back to camp. On another occasion, he beat and kicked a PW on the ground.

31. Chief Petty Officer UCHIKAWUA, Tokio, participated in the mass beating and beat Pte PATTERSON severely with a rifle butt and then stood him to attention for 6 hours.

32. Petty Officer 2/Cl TANAKA, Shoichi, participated in the mass beating.

33. Petty Officer 3/Cl KONDO, Michitaka, administered several beatings with sticks and fists.

34. Chief Petty Officer TAKEGAWUA, Sadaji, participated in the mass beating.

35. FUJIWARA, Kameichi (Horse face) constantly beat PW and inflicted the Lochedo torture. He also frequently made PW hold heavy stones above their heads. Cpl NOAR died two days after undergoing this torture.

36. Petty Officer 1/CL MANABE, Sadao, participated in the mass beating. Was also responsible for one beating with fists.

37. Petty Officer 1/Cl HAYASHI, Toyoichi (Regimental Secretary) participated in the mass beating and was responsible for frequent beating with stick and fists. On one occasion, he beat a PW unconscious with a wooden billet.

38. Chief Petty Officer AMESHIMA, Hisanor, participated in the mass beating and on two separate occasions severely beat PW with a rifle butt and a stick respectively because they were too sick to work.

39. Chief Petty Officer MURATA, Sanemi, participated in the mass beating.

40. Chief Petty Officer KAWATA, Shigeo, was a member of the PW Camp Guard and was responsible collectively with other members of the Guard for PW treatment.

41. Petty Officer 1/Cl HIGA, Hirochide, participated in the mass beating and before Pte BOYCE was executed, he slapped him and made him perform a Lochedo torture, for some hours. HIGA was also

responsible for 2 other severe beatings.

42. Petty Officer 1/C1 YASUNOBU, Hisao, participated in the mass beating and administered frequent beatings with stick and fists.

43. Petty Officer 1/C1 HYODO, Naoyoshi (Creeping Jesus) was very hostile towards PW and administered frequent beatings. He was a cold-blooded beater.

44. Petty Officer 1/C1 IKEDA, Chikara, participated in the mass beating and was responsible for two beatings with a rifle butt.

45. Chief Petty Officer TOKUDOMI, Kazuo, participated in the mass beating and was responsible for one severe beating with a rifle butt.

46. Chief Petty Officer HARAGUCHI, Masaichi, participated in the mass beating.

47. WO NAGASATO, Aizo, participated in the mass beating.

48. Petty Officer 1/C1 HARAGUCHI, Aizo, participated in the mass beating.

49. Chief Petty Officer ASAO, Yoshiteru, was hostile towards PW and administered frequent beatings to members of his working party.

APPENDIX 'A'
RECORD OF MILITARY COURT

ACCUSED FOUND GUILTY - SENTENCE AND DATE.

<u>Name</u>	<u>Sentence</u>	<u>Date</u>	<u>Confirmation</u>
SHIROZU, Wadami	to suffer death by shooting	15 Feb 46	
MIYAZAKI, Yoshio	" " " "	" " "	
SHIMAKAWA, Masaichi	" " " "	" " "	
IKEUCHI, Masakiyo	" " " "	" " "	
NAKAMURA, Ryosuke	to be imprisoned for 18 months	" " "	
AOKI, Fumio	" " " " 5 years	" " "	
NAGASATO, Aizo	" " " " 1 "	" " "	
FUJIWARA, Kameichi	" " " " 8 "	" " "	
AMESHIMA, Hisanori	" " " " 3 "	" " "	
ASAO, Yoshiteru	" " " " 2 "	" " "	
HARAGUCHI, Masaichi	" " " " 1 "	" " "	
HIMENO, Tokifuku	" " " " 5 "	" " "	
KAWATA, Shigeo	" " " " 1 "	" " "	
MURATA, Sanemi	" " " " 5 "	" " "	
TAKEGAWA, Sadaji	" " " " 1 "	" " "	
UTSONOMIYA, Isamu	" " " " 5 "	" " "	
UCHIKAWA, Tokio	" " " " 4 "	" " "	
HYODO, Naoyoshi	" " " " 5 "	" " "	
HIGA, Hirohide	" " " " 2 "	" " "	
HAYASHI, Toyochi	" " " " 6 "	" " "	
MAEDA, Yukio	" " " " 6 "	" " "	
MATSUDA, Masao	" " " " 15 "	" " "	
MANABE, Sadao	" " " " 2 "	" " "	
NAGATANI, Takeji	" " " " 12 "	" " "	
SUEHIRO, Masajiro	" " " " 7 "	" " "	
TAKEUCHI, Nichio	" " " " 20 "	" " "	
TANAKA, Masashi	" " " " 20 "	" " "	
YAMAMOTO, Tatsuo	" " " " 18 "	" " "	
YUSUNOBU, Hisao	" " " " 2 "	" " "	
KUGE, Kazuyoshi	" " " " 10 "	" " "	
SONADA, Tsunayuki	" " " " 10 "	" " "	
TANAKA, Shoichi	" " " " 2 "	" " "	
KONDO, Michitaka	" " " " 4 "	" " "	
TOKUDOME, Kazuo	" " " " 1 "	" " "	
IKEDA, Chikara	" " " " 3 "	" " "	
HARAGUCHI, Aizo	" " " " 1 "	" " "	

AUSTRALIAN MILITARY FORCES

AAF A117(a)
(Introduced Jan 46)
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DPW(AG13(2a))/ WMcL/AR.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

R7 Quo 23.

AWC No. 2676

Accused: Navy Workman KIKAWA, Haruo

Aust W.C. List Ser No.

Court, Place, RABAUL
Date and 4 and 10 Jan 46
Formation: 11 Aust Div

Charge(s)	Plea	Finding
<u>First Charge:</u> MURDER at TOBERA about Aug 43 murdered TO LUI TO MORAG TO EDLIN.	Not Guilty	Guilty
<u>Second Charge:</u> MURDER at TOBERA about Aug 43 murdered TO URAVAGI and TO VARGIL	Not Guilty	Guilty

Precis of Evidence: About Aug 43 a number of native boys were employed on earthwork at TOBERA airfield. The accused Kikawa was in charge of the Camp, welfare of the boys etc. A Jap called Nagao who wore glasses was apparently in charge of a working party and struck one native with a plank. The native retaliated and broke Nagao's glasses. Natives ran away and were brought back to the field. Natives were lined up and the one concerned in the striking incident and four others were fallen out, tied up and hit on the head with a mallet. Three were apparently killed instantly and two still lived. A Japanese then struck all five with a piece of wood. The three dead and two living natives were buried. The evidence of two natives is in agreement except that one stated that Kikawa used the mallet in the presence of Nagao and the other states that Nagao used the mallet and that Kikawa helped tie the natives and struck them with the piece of wood. The defence is an alibi, supported by Lt Yui that he arrived at the scene after the incidents detailed.

Sentence To suffer death by hanging.
and Date: 10 Jan 46.

Confirmation Finding and sentence confirmed and warrant signed by
and by Whom: 26 Feb 46. Acting C-in-C.

Promulgation:

Petition: Submitted 23 Jan 46 against Finding and Sentence of the Court

J.A.G.'s Report on Petition: That Finding and Sentence be confirmed

Action on Petition: Dismissed.

Filed in Attorney-General's Department and Numbered

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

1123

Ans 28.

AWC No.....

Accused: Capt KATO, Kihachiro

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

Court, Place, MOROTAI
Date and 14 Jan 46
Formation: MOROTAI FORCE

Charge(s)	Plea	Finding
Murder of a prisoner of war between 10 Mar 45 and 20 Mar 45 at KAPARAPOKA, DUTCH NEW GUINEA	Not Guilty	Guilty

Precis of Evidence: In Nov 44 Capt KATO (then Lt KATO) was in charge of an outpost consisting of 4 Japanese and 16 Indonesian soldiers, situated on the estuary of one of the rivers in Dutch Borneo. An Australian patrol was ambushed and one Sig Williams captured and brought to outpost. Sig Williams was apparently well-treated, but Capt KATO by signal asked for instructions as to what to do with the prisoner. He received a signal in Mar 45 from his HQ, signed by the Chief of Staff ordering him to execute the prisoner. A couple of days later this order was carried out by shooting by a squad of 5 Indonesians under the command of Capt KATO. The deceased was properly buried. Capt KATO knew that the prisoner had committed no crime and had received no form of trial.

Sentence
and Date: To suffer death by shooting
14 JAN 46.

Confirmation
and by Whom: Finding and Sentence confirmed by Acting C-in-C - 26 Feb 46.

Promulgation: Confirmation of finding and sentence formerly also to accused on
5 Mar 46. Executed by shooting on 6 Mar 46

Petition: Submitted 15 Jan 46 against Finding and Sentence of the Court.

J.A.G.'s Report on Petition: Comd of Morotai Force in forwarding proceedings
recommends the sentence should not be varied.

Action on Petition: Dismissed.

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

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Lt-Col KOMURA, Takewo

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

Court, Place, MOROTAI
Date and 16-18 Jan 46
Formation: MOROTAI FORCE

Charge(s)	Plea	Finding
MURDER OF PRISONERS OF WAR at MANADO in or about Jan/Feb 45 unlawfully ordered and caused to be carried out at BEO on the 23 Mar 45 the killing of Flt/Lt L. HANN; WO P. WALTERS and Sgt L.N. KING all members of the RAAF and PW held by Japs.	NOT GUILTY	GUILTY

Precis of Evidence: The abovenamed PW were executed on TALAUD Is at the orders of Col KOBA, the CO of Forces on the Is. There is evidence by members of KOBA Force, including signal and cipher clerks, that, in response to a request from KOBA Force asking for instructions what to do with the PW, a signal was received from Chief of Staff KATSURA Force "GENCHI SHOBUN" interpreted "You are to dispose of them locally". This was taken to mean by those concerned that they were to be executed. Lt-Col KOMURA, Takewo was the only staff offr on HQ Katsura Force 57 Indep Mixed Bde at Manado. Col KOBA and his officers told the American torpedo force who arrived after the Jap surrender that the PW had been sent to Manado on 25 Jul well knowing that they had been executed in March. The accused denied that he had sent the signal "Genchi Shobun".

Sentence
and Date: TO SUFFER DEATH BY SHOOTING
18 Jan 46

Confirmation
and by Whom: Finding and Sentence confirmed by Acting C-in-C - 27 Feb 46.

Promulgation: *Confirmation of finding and sentence promulgated to the accused on 16 Mar 46. Executed by shooting at Morotai on 16 Mar 46*

Petition: Submitted 27 Jan 46 against Finding and Sentence of the Court

J.A.G.'s Report on Petition: Personally feel some doubt but cannot advise that the finding and sentence should not be confirmed.

Action on Petition: Dismissed.

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

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

AWC No.....

Accused: Sgt SANO, Kyuichi
Junior Civilian Offr TAMAKI, Goro

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

Court, Place, RABUL
Date and 28 Jan 46
Formation: 11 Div

Charge(s)	Plea	Finding
TORTURING a civilian in that they at BITAPAKA, about Nov 1944 tortured a number of natives.	NOT GUILTY	GUILTY

Precis of Evidence: The native civilians were accused of stealing meat by Sgt SANO Jap MP and Junior Civilian Officer TAMAKI who in the course of questioning ordered Kempei boys to tie the natives up with feet off the ground for about 11 hours during which time they were questioned, severely beaten with canes by Kempei boys and slapped by SANO and TAMAKI. This procedure was repeated the following day. Some natives confessed and were cut down and one was unconscious. Admitted in evidence that natives had stolen meat and other food. The defence claimed that TAMAKI is a civilian attached to the Navy and only acted as interpreter. SANO ordered that the natives be tied up and when he discovered that they were hung up he ordered them to be cut down.

Sentence and Date: Sgt SANO, Kyuichi - 5 years imprisonment with hard labour
Jun Civ Offr TAMAKI, Goro - 2 years imprisonment with hard labour
31 Jan 46

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

Promulgation: Confirmation of finding and sentences promulgated to the accused on 15 May 46.

Petition: Submitted by TAMAKI, Goro 4 Feb 46 against finding and sentence of the Court

J.A.G.'s Report on Petition: That the findings and sentences be confirmed.

Action on Petition: Dismissed

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

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

1120

Ans 25.

AWC No.....

Accused: Rear Admiral HAMANAKA, Kyoho

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

Court, Place, MOROTAI
Date and 11-12 Jan 46
Formation: MOROTAI FORCE

(Also charged same time
before same court
Commander TAKASAKI, Masimitsu -Not Guilty)

Charge(s)	Plea	Finding
MURDER of prisoners of war in or about Jun 45 at TONSEALAMA, unlawfully ordered and caused to be carried out at SARIO on 19 Jun 45 the killing of WO McQUIGAN W. (RAAF) and SEA HILL, A. (RAN) both PW held by Jap armed forces.	NOT GUILTY	<i>Accused HAMANAKA found</i> GUILTY With a recommendation to mercy

Precis of Evidence: Evidence given that accused was Comd 8 Garrison Comd at Tonsealama. Six PW (2 Aust, 2 Dutch and 2 Indonesians) were executed on 19 Jun 45. Lt. YUNOMURA, Fumiwo, who carried out the executions which included the above 2 Aust, alleged that at a conference in the Ops room at Garrison HQ Comd TAKASAKI gave him instructions for the execution and he also received a written order per WO YAMAGUCHI signed either by TAKASAKI or HAMANAKA. The PW were brought from TONSEALAMA to MANADO by YAMAGUCHI. YAMAGUCHI states that Lt. KATAGIRI handed him a document which was a general order and told him to prepare the order for execution. Comd TAKASAKI was in comd of TOKKEI TAI (Marine Police) and under date 1 May 45 handed over to HAMANAKA but actual date of take over was sometime in May or Jun 45 and Takasaki became 2 i/c of the 8th Garrison. The accused, Rear Admiral HAMANAKA, Kyoho has admitted that Lt. KATAGIRI asked permission to execute some PW and he gave his unwilling consent as orders had been received from 10th Fleet that airmen who strafed and bombed indiscriminately thereby stirring up Indonesians should be executed.

Sentence and Date: TO SUFFER DEATH BY SHOOTING
12 Jan 46

Confirmation and by Whom: Finding confirmed
Sentence commuted to 15 years imprisonment
by Acting C-in-C - 27 Feb 46

Promulgation: *Confirmation of finding and sentence as commuted promulgated to accused on 21 MAR 46*

Petition: Submitted 24 Jan 46 against Finding and Sentence

J.A.G.'s Report on Petition: The Finding may be confirmed
The recommendation of the Court to mercy may be given effect to.

Action on Petition:
Upheld

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

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

M40 Ans 35

AWC No.....

Accused: Lt KATAGIRI, Tameyoshi

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

Court, Place, MOROTAI
Date and 15 Feb 46
Formation: MOROTAI FORCE

Charge(s)	Plea	Finding
MURDER Aided and abetted Lt YUNOMURA, Fumiwo in murder of WO McQUIGAN, RAAF and SBA HILL RAN, both PW at NORTHERN CELEBES on 19 Jun 45. batches.	NOT GUILTY	GUILTY

Precis of Evidence: Witness for prosecution Rear Admiral Hamanaka states -
Lt KATAGIRI came to me on the evening of the 18 Jun or morning of 19 Jun,
and said that we should execute these PW as the war situation is becoming
worse and there is no way of sending the PW to Makassar; also the 10th
Fleet Order that aircrew who made attacks on, and inflicted damage to
lives and property of non-combatants should be executed without trial.
I said "It can't be helped". Katagiri was 2 i/c of TOKKEI TAI under Comd
TAKASAKI who always examined PW. I issued no order for a trial.
Naval WO No 8 Garrison Unit YAMAGUCHI, Shiro stated that Lt
KATAGIRI said "Prisoners are going to be killed at MANADO and the
No 1 Coy Comd, Lt YUNOMURA, has been asked to do it". He told me to take
the PW to MANADO. He showed me papers re PW and told me to write the
execution order. I took down all documents including I think a rough
copy of the order. KATAGIRI told me to get things ready such as the graves
(over)

Sentence IMPRISONMENT FOR 10 YEARS
and Date: 16 Feb 46Confirmation Confirmed by Lt Gen V. A. H. Sturdee - 1 MAY 46
and by Whom:Promulgation: Confirmation of above finding and sentence promulg -
ated to accused on 10 MAY 46

Petition: Submitted 16 Feb 46 against Finding and Sentence of the Court.

J.A.G.'s Report on Petition: Recommend the petition should be dismissed.

Action on Petition:

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

Precis contd:

I wrote out the sentence paper neatly at MANADO where KATAGIRI examined it and said "That is all right". Then I got it back and gave it to YUNOMURA. Lt YUNOMURA gave the order to bayonet the PW in the presence of Lt KATAGIRI, the Medical Lt MORI and others. Lt YUNOMURA stated that he received orders for the execution from Comd TAKASAKI.

Defence is that Rear Admiral HAMANAKA ordered KATAGIRI to attend the execution, as his staff officer. The accused gave evidence on oath that Comd Takasaki actually handled the business of TOKKEI TAI. WO YAMAGUCHI was senior NCO and also handled clothing and feeding of PW.

He remembered Comd TAKASAKI ringing Lt YUNOMURA and telling him "You carry out the execution tomorrow". The PW had been at MANADO for over 2 months. Comd TAKASAKI told the witness of the 10th Fleet Order on the 18 Jun for the first time. The questioning of the PW was done by TAKASAKI. The accused denied having any conversation with Rear Admiral HAMANAKA relative to the execution of these PW. The accused denied having instructed YAMAGUCHI to get everything ready and to have the graves dug, or to write the execution order.

RECORD OF MILITARY COURT
(JAPANESE WAR CRIMINALS)

Accused: Sgt Mjr TANAKA Chuichi
Cpl TAKENOUCHI Yoshito
Cpl MAYAMA Mihachi

AWC No. 2762 2756 2750

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

Court, Place, RABAU
Date and 12 Jul 46
Formation: 8 MD

Charge(s)	Plea	Finding
ILL-TREATMENT OF PRISONERS OF WAR.	All	All accused guilty on 1st charge.
(1) At KOMORIYAMA on or about 12/13 May 1945 ill-treated 9369 NAIK BAGGA SINGH and 7455 Sepoy DAN SINGH of 3/16 Punjab Regt Indian Prisoners of War 1st charge.	accused not guilty on 1st charge.	Accused TANAKA guilty on 2nd charge
(2) At KOMORIYAMA on or about 1 August 1945 ill treated 9799 Sepoy MUNSHA SINGH of 5/11 Sikh Regiment, an Indian Prisoner of War	Accused TANAKA C. not guilty on second charge	

Points of Evidence: 1. The evidence adduced by the prosecution on both charges consisted of written statements of Sepoy DAN SINGH, Naik BAGGA SINGH, Sepoy MUNSHA SINGH, Jemadar PAKHA SINGH, a document containing statements made by Subedar Major HARNAN SINGH and L/Naik JAGIR SINGH and the interrogations of each of the accused reduced to writing and signed by them.

2. In connection with the first charge the substance of the evidence against all three accused was as follows. The Indians named in the first charge were members of the Sikh religion and were PW in the hands of the Japanese at KOMORIYAMA, NEW BRITAIN. In May 45 there were 4 Japanese in charge of the Camp where the PW were located. The Japanese were the three accused and one Lt TAKEDA. Both DAN SINGH and BAGGA SINGH were performing guard duty at a tapioca garden. The area to be watched was extensive. On 12 & 13 May during the hours of darkness both Indians carried out their duties but at daybreak it was found that ten tapioca plants had been stolen.

Sentence and Date: Accused TANAKA C. TO BE IMPRISONED FOR 2 YEARS - 12 Jul 46 (over)
" TAKENOUCHI Y. " " " 12 MONTHS - 12 Jul 46
" MAYAMA M " " " 6 MONTHS - 12 Jul 46

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

Promulgation: Confirmation of findings & sentences promulgated to the accused on 18 Dec 46

Petition: Petitions lodged 22 Jul 46 by all accused against finding and sentence.

J.A.G.'s Report on Petition: Confirmation of findings and sentences except that the finding be quashed insofar as it refers to illtreatment of BAGGA SINGH by accused MAYAMA. Petitions except as aforesaid be dismissed.

Action on Petition: Dismissed

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

Precis (continued)

DAN SINGH reported the theft to the accused TANAKA. TANAKA was very angry and said to DAN SINGH "Buggers, what are you sentries doing there". "You only eat and sleep". The other accused were also present. The accused TANAKA beat DAN SINGH with a stick till it broke. He picked up another stick and continued the beating. In all such beating lasted 15 minutes. With the help of the accused TAKENOUCHI, the accused TANAKA tied DAN SINGH to a tree and the accused TAKENOUCHI proceeded to cut off DAN SINGH's beard with a pair of scissors. The accused MAYAMA stood by with a stick and every time DAN SINGH called out the accused MAYAMA struck him with a stick.* The accused TAKENOUCHI then beat BAGGA SINGH with a stick until he lost consciousness. BAGGA SINGH was then forced to stand up and the accused TANAKA tied his hands behind his back and proceeded to cut off his beard.

3. The accused TANAKA admitted cutting off the beards of DAN SINGH and BAGGA SINGH but alleged that he did so pursuant to orders of Lt TAKEDA. He denied that the Indians were beaten. The accused TAKENOUCHI alleged that the Indians stole paw-paws from the gardens. He slapped them a few times with his open hand "unintentionally". He was not present at the scene but at a distance of 20 metres he saw the accused TANAKA cut off the beards of the two Indians. The accused MAYAMA denied all knowledge of the facts alleged by the prosecution.

4. In regard to the second charge it was alleged for the prosecution that on 1 August 46 MUNSHA SINGH purchased a sweet pumpkin from a native. His action had been observed and he was taken before the accused TANAKA and was informed that the Indian had stolen the pumpkin. The accused commenced to beat MUNSHA SINGH very severely without asking for any explanation. The accused TANAKA then tied MUNSHA SINGH to a tree where he remained for 24 hours without food. At the conclusion of this period the accused TANAKA cut the hair and beard of MUNSHA SINGH and forced a cigarette into his mouth.

5. The accused TANAKA gave evidence in his defence to the 2nd charge and denied all knowledge of the incident. He alleged that at the time he was absent from the area.

6. The Indians referred to in both charges were of the Sikh Religion and it is contrary to their religion to have their hair or beards removed or to handle tobacco.

* During the course of the beating BAGGA SINGH arrived at the scene. He also reported to the accused TANAKA who struck him a number of blows with a stick.

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A·E·M·E

**TANAKA
AND
OTHERS
R-161**

FORM FOR ASSEMBLY AND PROCEEDINGS OF A MILITARY COURT

28th Day of *June* 1946.

WHEREAS it appears to me, the undersigned, an Officer authorised to convene a Military Court under the War Crimes Act 1945 that the person named in the annexed Schedule has committed the war crimes in the said Schedule mentioned, I HEREBY CONVEKE a Military Court to try the said person and to consist of the Officers hereunder named :

PRESIDENT

It Col C.H. SMITH ED att HQ 8 MD is appointed President

MEMBERS

Maj N.K. SINHA 8th Bn, The Kanan Regt. }
Maj H.J. ARCHER att HQ 8 MD } are appointed Members
Maj J. WALKER att HQ 8 MD }

Isaac Morris
Major-General
Convening Officer

GOC EIGHTH MILITARY DISTRICT

SCHEDULE

Number, Rank, (a) Name & Unit of Accused	Offence Charged	Plea	Finding and if convicted Sentence (b)	How dealt with by Confirming Authority (c)
Sgt. Mjr. TANAKA Chuichi Cpl. TAKENOUCHI <i>Yoshihito Yoshito</i> Cpl. MAYAMA Mihachi All of 20 Special Sea Service Coy.	(1) <u>ILL TREATMENT OF PRISONERS OF WAR</u> in that they at Komoriyama on or about 12/13 May 1945 ill treated 9369 Naik BAGGA SINGH and 7455 Sepoy DAN SINGH of 3/16 Punjab Regt. Indian Prisoners of war.	NOT GUILTY NOT GUILTY NOT GUILTY	2 YEARS IMPRISONMENT GOILTY 12 MONTHS IMPRISONMENT GOILTY 6 MONTHS IMPRISONMENT	<i>I agree so much of the Court finding on the first charge to make to be the same as that of BAGGA SINGH. by AMC. 2750. Cpl. MAYAMA with the same finding and sentence.</i>
Sgt. Mjr. TANAKA Chuichi of 20 Special Sea Service Coy.	(2) <u>ILL TREATMENT OF A PRISONER OF WAR</u> in that he at Komoriyama on or about 1 August 1945 ill treated 9799 Sepoy MUNSHA SINGH of 5/11 Sikh Regiment, an Indian Prisoner of war.	NOT GUILTY	GOILTY	

Major-General
Convening Officer
GOC EIGHTH MILITARY DISTRICT

Wm 8 Nov 46

7
RICI - 2

CERTIFICATE OF PROMULGATION

Promulgated in the case of AWC No 2762 Sgt Major this 6 day
of DECEMBER 1946. TANAKA Chuichi

(Sgd)
Name, Rank and Unit of Officer
effecting promulgation.

Promulgated in the case of AWC No 2756 Cpl TAKENOUCHI this 6 day
of DECEMBER 1946. Yoshito

(Sgd)
Name, Rank and Unit of Officer
effecting promulgation

Promulgated in the case of AWC No 2750 Cpl MAYAMA this 1 day
of DECEMBER 1946. Mihachi

R. L. Watts
SC "A" 8TH MILITARY DISTRICT
(Sgd)
Name, Rank and Unit of Officer
effecting promulgation

The records of the Proceedings of the Court will be attached to this form.

- (a) If the accused is not a member of the Naval, Military or Air Force of an enemy or ex-enemy Power, the name, occupation, and residence of the accused will be inserted.
- (b) Recommendation to mercy, if any, to be inserted in this column or on a separate sheet attached to the Proceedings, with the reason for the recommendation.
- (c) It is not necessary that the Confirming Officer should sign his name in this column, Initials are sufficient.
- (d) Must be signed by the same Officer who signs on the first page and all alterations in the first two columns of the Schedule to be initialled by him.

B. I CERTIFY THAT the above Court assembled on the twelfth day of July 1946 and duly tried the person named in the Schedule and that the plea, finding and sentence in the case of such person were as stated in the third and fourth columns of that Schedule and that the regulations for the trials of war criminals have been complied with.

I ALSO CERTIFY THAT

- 1. The Members of the Court
- ~~2. The Judge Advocate~~
- 3. The Witnesses
- 4. The Interpreter
- 5. The Shorthand Writer

were duly sworn

SIGNED this twelfth day of July 1946

W. H. Smith
President of the Military Court

C. I have dealt with the finding and sentence in the manner stated in the last column of the Schedule, and subject to what I have stated I HEREBY CONFIRM the above finding and sentence

W. H. Smith
8 Nov 46 Confirming Officer W. H. Smith

PROMULGATED in the case of

(Date) (a) 1946

Signed

- (a) When sergeant cases are promulgated on the same day, the Officer effecting promulgation need only sign once.

Sheet No 1

THE WAR CRIMES ACT 1945

TRIAL OF :

Sgt Maj TANAKA Chuichi
Cpl TAKENOUCHI Yoshihito
Cpl MAYAMA Mihaichi

All of 20 Special
Sea Service Coy.

DATE OF COURT :

12th July, 1946.

PROSECUTING OFFICER :

Capt J.F. GARVEY

AALC

DEFENDING OFFICER :

Lt Col OTA assisted by interpreter Jiro NISHIMURA is the
Japanese Defending Officer.

The Accused are brought before the Court.

The Members of the Court are duly sworn.

Maj N.K. SINHA, a Member of the Court, makes a Solemn Declaration.

Navy Lt HATTORI is sworn as the Interpreter.

The First Charge is read to the Three Accused.

All Three plead NOT GUILTY to the Charge.

The Second Charge is read to the Accused, Sgt Maj TANAKA Chuichi.

The Accused, Sgt Maj TANAKA Chuichi, pleads NOT GUILTY to the
Second Charge.

CASE FOR THE PROSECUTION

Prosecutor tenders statement of Sepoy DAN SINGH, which is admitted in evidence, read, marked Exhibit A, signed by the President, and annexed to the Proceedings.

Prosecutor tenders statement of Naik BAGGA SINGH, which is admitted in evidence, read, marked Exhibit B, signed by the President, and annexed to the Proceedings.

Prosecutor tenders statement of Sepoy MUNSHA SINGH and also of Jemadar PAKHAR SINGH. Both on the one document. The document is admitted in evidence, read, marked Exhibit C, signed by the President, and annexed to the Proceedings.

Prosecutor tenders interrogation of the accused, Sgt Maj TANAKA Chuichi, which is admitted in evidence, read, marked Exhibit D, signed by the President, and annexed to the Proceedings.

Prosecutor tenders interrogation of the accused, Cpl TAKEMUCHI Yoshihito, which is admitted in evidence, read, marked Exhibit E, signed by the President, and annexed to the Proceedings.

Prosecutor tenders interrogation of the accused, Cpl MAYAMA Miehachi, which is admitted in evidence, read, marked Exhibit F, signed by the President, and annexed to the Proceedings. On this document being tendered, the Defending Officer objected on the grounds that it would not be of help to the Court in proving or disproving the Charge. The Prosecuting Officer stated that it was necessary in order to establish identity. The Court admits the document as shown above.

Prosecutor tenders a document containing statements by Subedar Maj HARNAM SINGH and L/Naik JAGIR SINGH, which is admitted in evidence, read, marked Exhibit G, signed by the President, and annexed to the Proceedings.

CONCLUDES THE CASE FOR THE PROSECUTION.

Sheet No 3.

CASE FOR THE DEFENCE

Sgt Maj TANAKA Chuichi being duly sworn is examined by the
Defending Officer through the interpreter Navy Lt HATTORI.

Guided by my conscience, I swear to tell the truth without
withholding any evidence whatsoever, and also I will not add
anything besides the truth.

* 田中忠一

I am Sgt Maj TANAKA Chuichi of the 20 Special Sea Service Coy.
Witness is shown a statement signed by him.

That is my signature.

The statement was read over to me in Japanese before I signed it
and it is true and correct.

The statement is tendered, admitted in evidence, read, marked
Exhibit H, signed by the President, and annexed to the Proceedings.

Q. What is your age?

A. 39.

Q. When did you join the Army?

A. 15th March 43.

Q. What education have you had?

A. Primary School. Eight years.

Q. What was your civil occupation before joining the Army?

A. A farmer.

Q. In May 1945 where were you?

A. At KOMORIYAMA.

Q. In May 1945 what were your duties at KOMORIYAMA?

A. I was in charge of 20 Indians and worked in the garden.

*when

Q. Did you have any responsibilities, ~~xxxx~~ you in charge of that
garden?

A. Yes.

Q. What were those responsibilities?

A. I was responsible for producing tapioca and sweet potatoes.

Q. Around this time was theft of provisions frequent?

A. Yes.

Q. Do you remember of any particular incident?

A. I remember that the Indians stole tapioca and ate them.

Q. Do you know an Indian BAGGA SINGH?

A. Yes.

Q. Do you know an Indian DAN SINGH?

A. Yes.

Q. Were both these Indians with you at KOMORIYAMA in May 1945?

A. Yes.

Q. Do you remember of any incident in which BAGGA SINGH and DAN
SINGH were caught stealing provisions?

A. Yes.

Q. Who caught them?

A. L/Cpl TAKENOUCHI.

Q. Do you know what L/Cpl TAKENOUCHI did to those two Indians?

A. TAKENOUCHI caught the Indians actually stealing and ~~reported~~
brought them and reported the matter.

Q. What report did TAKENOUCHI give you?

A. That he had found those two Indians stealing pawpaws when he
was patrolling the gardens.

Q. Did you do anything to those two Indians?

A. Yes.

Q. What did you do?

A. I interrogated them.

Sheet No 4

- Q. What did they say when you interrogated them?
 A. They said nothing.
 Q. Did you subsequently report this matter to your senior?
 A. Yes.
 Q. Who did you report it to?
 A. To the Platoon Leader 2nd Lt TAKEDA.
 Q. Do you know what 2nd Lt TAKEDA did to these two Indians?
 A. Yes.
 Q. What was it?
 A. He interrogated them.
 Q. Were you present when he interrogated them?
 A. Yes.
 Q. Was Cpl TAKENOUCHI present?
 A. No.
 Q. Do you know where he was then?
 A. He was working in the gardens.
 Q. At this time was Cpl MAYAMA present in the vicinity?
 A. No.
 Q. Do you know where he was?
 A. Yes.
 Q. Where?
 A. He was resting in an air raid shelter.
 Q. Was he sick?
 A. Question withdrawn.
 Q. What was he doing in the air raid shelter?
 A. He was resting.
 Q. Why?
 A. He was sick.
 Q. Did 2nd Lt TAKEDA punish these two Indians?
 A. Yes.
 Q. What kind of punishment was administered?
 A. He cut the beards of the two Indians off.
 Q. Who did the actual cutting?
 A. I did it.
 Q. Did you do it on your own initiative?
 A. I was ordered to do so.
 Q. Did the Indians object to having their beards cut?
 A. They kept silent.
 Q. Did they struggle while you cut their beards?
 A. No.
 Q. On or about the 1st of August 45, where were you?
 A. I was at KOMORIYAMA.
 Q. Were you together with the rest of the Platoon there?
 A. Question withdrawn.
 Q. What were you doing there at that time?
 A. I was still in charge of the gardens.
 Q. Were you at KOMORIYAMA throughout the month of August?
 A. Sometimes I was not there.
 Q. Where were you on those occasions?
 A. I sometimes went out, left KOMORIYAMA to go to the HQs for liaison duties.
 Q. Were you at KOMORIYAMA camp on or about the 1st of August?
 A. I left KOMORIYAMA for the Coy HQs on the 1st of August.
 Q. When did you again return to KOMORIYAMA?
 A. On the 2nd.
 Q. What time of the day did you return?
 A. In the evening.

CROSS EXAMINED

- Q. You say in your statement that on the 13th of May 1945 you cut the hair and beards of two Indians, that is so, isn't it?
 A. Yes.

- Q. Why did you say in your interrogation on the 1st of July that you had never seen Japanese cutting Indian's beards?
- A. I thought it meant other Japanese.
- Q. When you interrogated these two Indians, do you mean to say they said nothing at all?
- A. Yes.
- Q. Did you then intend to report the matter to the Platoon Comdr, TAKEDA?
- A. I interrogated them because I wanted to know the truth because I was ~~designated~~ RESPONSIBLE.
- Q. You say that TAKEDA happened to come along, do you mean by that that you would have reported to TAKEDA in any case or only just because he happened to come along?
- A. I would have reported the matter to TAKEDA only when I thought it too big for me. I always wanted as far as possible to keep the matter in my own house and let them go.
- Q. Do you mean by that that you didn't like punishing Indians?
- A. Yes. But of course if it was really an offence I would punish him.
- Q. You say that Cpl TAKENOUCI was not present when the Indians were ~~inter~~ interrogated by TAKEDA?
- A. He was not at the scene of the interrogation.
- Q. But was he present when you interrogated the Indians alone?
- A. No, he wasn't.
- Q. Neither your interrogation nor TAKEDA's was very successful because the Indians did not say anything?
- A. When Lt TAKEDA interrogated them they confessed that they had stolen.
- Q. Why do you think they confessed to TAKEDA and didn't say anything to you?
- A. I don't know.
- Q. Did they confess to TAKEDA immediately or only after some time?
- A. They confessed while TAKEDA interrogated after some time.
- Q. How long were they interrogated?
- A. I think it was about ten minutes.
- Q. Did TAKEDA threaten or beat the Indians while he interrogated them?
- A. No.
- Q. Now TAKENOUCI was the man who caught the Indians and knew all about it, wasn't he?
- A. Yes.
- Q. Didn't it occur to you and TAKEDA that it would be a good plan to have TAKENOUCI present when the Indians were being interrogated?
- A. I didn't think of it at that time.
- Q. Then TAKENOUCI never saw TAKEDA about the incident at all, did he?
- A. He saw TAKEDA. He was working in a nearby garden but was not at the scene of interrogation.
- Q. So that when TAKEDA was doing the interrogation the only information he had was what you had told him?
- A. Yes.
- Q. How far away from where the Indians' hair was cut was this air raid shelter that MAYAMA was resting in?
- A. The air raid shelter was built about 20 or 30 metres lower than this place.
- Q. How long had MAYAMA been ill at that time?
- A. I think it was the fourth or fifth day.
- Q. When did he ~~get~~ get better and get about again?
- A. I think it was the 17th or 18th.

- Q. How do you remember the exact period over which MAYAMA was ill?
- A. I remember because this incident occurred that ~~xxxx~~ time.
- Q. But you say that MAYAMA had nothing at all to do with the incident so how would that assist your memory?
- A. I remember because I have cut the Indians' hair only once, and I remember that TAKENOUCHI was working in a nearby garden and only myself was present, MAYAMA was not present.
- Q. So what I take it to mean that if MAYAMA had not been ~~there~~ ^{ill} he would have been present?
- A. No, he wouldn't.
- Q. What were MAYAMA's ordinary duties when he was not sick?
- A. Working with the Indians.
- Q. You and he would work together, wouldn't you?
- A. Yes.
- Q. Were there any sick quarters in the camp at KOMORIYAMA?
- A. Yes.
- Q. Well why wasn't MAYAMA in the sick quarters?
- A. The sick ward was about one kilometre from our quarters and we couldn't take him there.
- Q. Do you mean to say that you weren't able to send sick people one kilometre?
- A. Yes.
- Q. Why not?
- A. He had fever.
- Q. Was he able to get any medical attention where he was?
- A. Yes.
- Q. Why wasn't he in his own quarters, then?
- A. Because it was dangerous, as the quarters were on vacant ground and exposed to air raids.
- Q. Do you know that the Indians consider it contrary to their religion to have their hair or beards cut?
- A. I did not know that but I knew it was their custom to treasure.
- Q. Any way you did know that cutting Indians hair or beard was very painful to them?
- A. Yes.
- Q. While you were cutting the Indians hair, didn't they protest in any way?
- A. Not at the time.
- Q. And they didn't even struggle, or offer any resistance?
- A. No.
- Q. Isn't the reason why they didn't struggle was because they were tied to a tree?
- A. No.
- Q. Weren't they bound in any way?
- A. No.
- Q. You were at KOMORIYAMA on the 1st of August 45, weren't you?
- A. I was there in the morning.
- Q. Up to what time in the morning?
- A. To breakfast time. About five o'clock.
- Q. What time did you return to KOMORIYAMA?
- A. I think it was five o'clock in the afternoon of the 2nd.
- Q. How often did you go from KOMORIYAMA to the HQs?
- A. I remember that I went to HQs twice or three times a month.
- Q. But you clearly remember that you went on the 1st?
- A. Yes.
- Q. Is ~~xxxx~~ there any particular reason why you should remember that date?
- A. Yes.
- Q. What?
- A. At that time Lt TAKEDA was transferred and I was ordered to go to the HQs of that Coy and I remember it.
- Q. What was your rank on the 1st August 45?
- A. Sgt Maj.

- Q. And you say TAKEDA was not there at that time?
 A. I think he was there.
 Q. Was there a L/Cpl YAMAGUCHI at KOMORIYAMA in August 45?
 A. Yes.
 Q. And if anything happened he would report to you as Sgt Maj, wouldn't he?
 A. I don't think so.
 Q. Well who would he ordinarily report to?
 A. I think to the Platoon Leader.
 Q. Is it the custom in the Japanese Army for a Lance Corporal to report matters direct to the officer?
 A. I think the principle is that they should go to the Section NCO first, but in many cases it would be more reliable to report the matter direct to the officer.
 Q. In August 1945 did you ever hear of any Indians in your Platoon having their hair and beards cut as a punishment?
 A. Yes. Before that.
 Q. About how much earlier?
 A. I think it was in the middle or later part of July.
 Q. Did you see that incident?
 A. No.
 Q. If on this 1st of August whilst you were away an incident of cutting Indians hair and beards at KOMORIYAMA had occurred, you would have heard of it when you came back?
 A. Yes.
 Q. In August at KOMORIYAMA did you have in your Pltn Jemadar PAKHAR SINGH?
 A. Yes.
 Q. Did you also have an Indian Prisoner of War, Sepoy MUNSHA SINGH?
 A. I do not remember.

RE EXAMINED

- Q. When you were cutting the beards of the Indians were they tied to a tree?
 A. No.
 Q. In what position were they in when their beards were cut?
 A. They were standing.

QUESTIONS BY THE COURT

- Q. How far were the Coy HQs from the gardens where you worked in May 45?
 A. 10 to 12 Kilometres.
 Q. How frequently did you visit the HQs on liaison duties?
 A. I think it was two or three times in a month.
 Q. What day of the week was it when you cut the Indian's beards?
 A. I don't remember.
 Q. What position were the Indians when you cut their beards?
 A. They were standing to attention.

The Court adjourns at 1153 hrs.

Sheet No 8

The Court re-assembles at 1345 hrs, the same President and Members being present.

I swear that I have told you the truth without adding anything.

+ 田中忠一

Evidence is read over to the witness who does not desire to correct same.

Cpl TAKENOUCHI Yoshihito being duly sworn is examined by the Defending Officer through the interpreter Navy Lt HATTORI.

Guided by my conscience, I swear to tell the truth without withholding any evidence whatsoever, and also I will not add anything besides the truth.

水谷之内吉人

I am Cpl TAKENOUCHI Yoshihito of the 20 Special Water Duty Coy. Witness is shown a statement signed by him.

That is my signature.

The statement has been read over to me in Japanese before I signed it and it is true and correct.

The statement is tendered, admitted in evidence, read, marked Exhibit J, signed by the President, and annexed to the Proceedings.

Q. What is your age?

A. 28.

Q. What education did you receive?

A. Six years in a Primary School.

Q. When did you join the Army?

A. 1st March 1940.

Q. What was your civil occupation before joining the Army?

A. A farmer.

Q. Who was your immediate superior while you were at KOMORIYAMA?

A. Sgt Maj TANAKA.

Q. During what period was he your direct superior?

A. From February to August 45.

Q. In your statement you say that you took these two Indians whom you caught stealing paw paws to Sgt Maj TANAKA, what did you do after that?

A. Sgt Maj TANAKA told me to go to the tapioca gardens and do some weeding.

Q. Did you see Sgt Maj TANAKA cutting the Indians beards?

A. Yes.

Q. Where were you at that time?

A. I was working in the tapioca garden about 15 or 20 metres from the scene.

Q. In what position were the Indians when their beards were cut?

A. They were standing.

Q. Did the Indians struggle while they had their beards cut?

A. So far as I know they did not.

Sheet No 9

- Q. Were you working together with Sgt Maj TANAKA every day around the time?
- A. Yes.
- Q. When you saw Sgt Maj TANAKA cutting the Indians beards was Cpl MAYAMA in that vicinity?
- A. No.
- Q. Do you know where he was?
- A. He was resting in a cave because he was sick.

CROSS EXAMINED

- Q. While the Indians were having their beards cut, how far away were you?
- A. About 15 or 20 metres away. 2nd
- Q. When you were interrogated on the 2nd of July you were referred to this incident; and you were asked if there were any other Japanese present, and you replied only yourself, and did you mean by that then that ~~there~~ were there or 15 metres away?
- A. I meant that I was 15 metres away.
- Q. How far away from this incident was MAYAMA at the time?
- A. About 30 metres I think.
- Q. Did you know at this time that the Indians did not like having their beards cut because of their religion?
- A. No.
- Q. Did you know then that it was very painful to the Indians to have their beards cut?
- A. I thought that it would be very painful to them.
- Q. When you handed the Indians over to TANAKA did they say anything to TANAKA?
- A. No.
- Q. Are you sure that the Indians did not struggle or protest when their beards were being cut?
- A. Yes.
- Q. Wasn't the reason why they didn't struggle was because one was tied to a tree and the other had his hands tied?
- A. No, they were not tied to a tree.
- Q. In your Platoon did the cutting of Indians hair occur frequently?
- A. So far as I know it only occurred once.
- Q. How many Japanese were in the camp at this time?
- A. Three.
- Q. Who were they?
- A. Sgt Maj TANAKA, myself, and MAYAMA.
- Q. So that if TANAKA wanted any assistance you would be the only man he could call upon then seeing that MAYAMA was ill?
- A. Yes.
- Q. How long had MAYAMA been ill before this incident?
- A. 2 or 3 days before.
- Q. When did he get better and resume duty?
- A. ~~XXXXXXXXXXXXXXXXXXXX 16th May 45~~
I think it was 16 or 17 of May 45.
- Q. Can you give any reason as to why you can remember the period over which MAYAMA was ill?
- A. The only other friend he had in the camp.
- Q. How was it MAYAMA was not in the sick quarters?
- A. He was shifted to the air raid shelter because air raids were frequent.

Sheet No 10.

- Q. What was wrong with him?
 A. Fever.
 Q. And he was the sick friend you were saving the pawpaws for, wasn't he?
 A. Yes.
 Q.

NO RE EXAMINATION

QUESTIONS BY THE COURT

- Q. How often did Sgt Maj TANAKA go to the Coy HQs?
 A. I don't remember very clearly, but I think it was 2 or 3 times a month.
 Q. How was the position of the Indian when Sgt Maj TANAKA was cutting the beard?
 A. They were standing to attention. (Demonstrates to the Court)

I swear that I have told you the truth without adding anything.

*竹之内吉人

Evidence is read over to the witness who does not desire to correct same.

Cpl MAYAMA Mihachi being duly sworn is examined by the Defending Officer through the interpreter Navy Lt HATTORI.

Guided by my conscience, I swear to tell the truth without withholding any evidence whatsoever, and also I will not add anything besides the truth.

+ 阿 4 2 八

I am Cpl MAYAMA Mihachi of the 20 Special Water Duty Coy.

Witness is shown a statement signed by him.

That is my signature.

The statement was read over to me in Japanese before I signed it and it is true and correct.

The statement is tendered, admitted in evidence, read, marked Exhibit K, signed by the President, and annexed to the Proceedings.

Q. What is your present rank?

A. Corporal.

Q. What is your age?

A. 30.

Q. When did you join the Army?

A. October 39.

Q. What education did you receive?

A. Three years in a Primary School.

Q. What was your occupation in civil life?

A. A farmer.

Q. Where were you in May 1945?

A. At KOMORIYAMA.

Q. What were you doing there at that time?

A. Garden work.

Q. Do you know an Indian DAN SINGH?

A. Yes.

Q. Do you know an Indian by the name of BAGGA SINGH?

A. Yes.

Q. Do you know of an incident that occurred on the 12th or 13th of May 45?

A. I have heard of it.

Q. What have you heard?

A. I have heard that Indians were caught stealing and had their beards cut off.

Q. Did you hear who cut the beards?

A. I have heard that Sgt Maj TANAKA did it.

Q. What were you doing on the 12th and 13th of May 45?

A. I think I was in bed sick with malaria.

Q. Where were you sleeping when sick?

A. In an air raid shelter.

CROSS EXAMINED

Q. You were at KOMORIYAMA for the whole of May 45, weren't you?

A. Yes.

Q. Apart from the officer there were only 3 Japanese there at that time?

A. I don't remember very well but I think there were 2 or 3.

Sheet No 12.

- Q. Did you know at that time that Indians do not like having their hair cut?
A. I don't remember.
Q. Do you mean that you don't know whether they did not like it or they had no objection?
A. I heard that they disliked having their hair cut.
Q. Do you know why they disliked it?
A. I think it was because of their religion.
Q. When did you hear of this incident, soon or long after it happened or when?
A. I was in bed with fever at that time and I think it was two or three days later.
Q. Who told you about it?
A. I heard it while we were taking meals.
Q. Though you used to eat with the rest of the Japanese at this time, did you?
A. No.
Q. What do you mean when you say that 2 or 3 days later you heard at meals?
A. I did not leave the air raid shelter except for taking meals and going to the latrine.
Q. So you were quite well enough to get up and walk about at that time?
A. At that time I could go to where the meals were taken.
Q. How far away were the meals taken from the air raid shelter?
A. I don't remember very clearly, but I think it was about ten metres.
Q. Wasn't TAKENOUCHI a particular friend of yours?
A. Yes, he was a friend.
Q. And he would come and see you every day while you were ill?
A. At that time work was very busy and he did not come daily but he came ~~xxxx~~ pretty frequently.
Q. In August 1945 you were at KOMORIYAMA weren't you?
A. Yes.
Q. About the beginning of August did you hear of an Indian having his hair and beard cut then?
A. Yes, I heard of it.
Q. Was that man's name MUNSHA SINGH?
A. I know an Indian had his hair cut off but I do not remember the name.
Q. At that time, August, how many Japanese were in your Platoon at KOMORIYAMA?
A. I don't remember very clearly but I think there was about 20.
Q. Why did the numbers go from 3 or 4 to 20 at that time?
A. What I meant by 2 or 3 was that there were 2 or 3 in my Section and about 20 in the whole Platoon.
Q. Did you hear who cut the Indian's hair on this occasion in August?
A. No, I do not.
Q. Do you know if Sgt Maj TANAKA was at KOMORIYAMA in August 45?
A. I know that he was there.
Q. Used he ever go from KOMORIYAMA to the HQs of the Coy?
A. Yes, I don't remember very clearly but I think he went there 2 or 3 times in a month.

NO RE EXAMINATION

NO QUESTIONS BY THE COURT.

I swear that I have told you the truth without adding anything.

Evidence is read over to the witness who does not desire to correct same.

CASE FOR THE DEFENCE.

Sheet No 13.

At this stage the Defending Officer informs the Court that the correct name of the accused Cpl TAKENOUCHI Yoshihito is Cpl TAKENOUCHI Yoshito.

The President amends the Charge Sheet accordingly.

THE PROSECUTING OFFICER MAKES AN ADDRESS WHICH HE DOES NOT DESIRE TO BE RECORDED.

THE DEFENDING OFFICER MAKES AN ADDRESS WHICH HE DOES NOT DESIRE TO BE RECORDED.

The Court is closed at 1604 hrs to consider Finding.

The Court re-opens at 1612 hrs, and the President announces the following Finding :

Sgt Maj TANAKA Chuichi GUILTY on the First and Second Charges.

Cpl TAKENOUCHI Yoshito GUILTY of the Charge.

Cpl MAYAMA Mihachi GUILTY of the Charge.

The Defending Officer makes an address in Mitigation.

The Prosecuting Officer informs the Court that he has no record of any previous convictions by ~~either before~~ a War Crimes Court against any of the Accused.

The Court is closed at 1614 hrs for consideration of Sentences.

The Court is re-opened at 1619 hrs, and the President announces the following Sentences :

Sgt Maj TANAKA Chuichi To be Imprisoned for Two Years.

Cpl TAKENOUCHI Yoshito To be Imprisoned for Twelve Months.

Cpl MAYAMA Mihachi To be Imprisoned for Six Months.

The President further announces that the Finding and Sentences are subject to confirmation by the Confirming Authorities.

Signed at RABAUl this 12th day of July, 1946.

Ch. H. H. H. Lt Col.,
President.

A-

Witness No. (Contd).

Page -4-

Witness No. 7 - No. 7455 Sepoy DAN SINGH, 3/16 Punjab Regiment, No. 20 Party Indian Ps of War having been duly sworn states -

In May 1945 I and Naik Bagga Singh were detailed as sentries to look after the party tapioca garden. The garden was very large, one and was more a jungle than a garden as all the trees were left standing and tapioca was planted therein. On the night of 12 and 13 May 45, it was raining after the sunset and the clouds were heavy on the sky. We continued our occasional rounds, but it was very dark. Next morning when we went to check the garden, we found that about ten tapioca plants were uprooted and tapioca being too small, was not taken. Naik Bagga Singh ordered me to report the matter to Hav. Thanaka, who was in the other garden. When I reported the matter, Havildar Thanaka was very much enraged and said "Buggers, what are you sentries doing there. You only eat and sleep." After this he began to beat me severely with a thick rod, unless it was broken. He got another and again started beating. After 15 minutes he and I/Naik. THAKA-HO-UCHI bound me to a tree and Thake-Ho-Uchi brought a pair of scissors and began to cut my beard. I cried loudly "For God's sake do not cut my hair. But every time I uttered a word I received severe blows from I/Naik Bagga Singh, who was standing by.

The above statement has been read over to me and is correct.

Dan Singh

(Signatures of witness).

XXXXXXXXXXXX

Witness No. 6 9369 Naik BAGGA SINGH, 3-Ko Punjab Regiment, No. 20
 Party having been duly sworn states -

I and sepoy DAN SINGH, were detailed as sentries to look after the party tapioca garden at Kumaryama. The garden was about one and a half mile long away from the camp, therefore we lived day and night in a hut in the garden. There were gardens of other Japanese and Thais adjacent to ours. The garden was about 600 yds in length and about 400 yards wide at some places, with a nullah in the centre of it. Moreover it was more a jungle than a garden. Because all the trees were left standing and tapioca was planted in it. On the night of 12 and 13 May 45, there were thick clouds and rain began just after the sunset. In spite of this we kept our occasional rounds in the farm, but every time we went out, it was very difficult to find the hut again. At day break both of us went to have a check of the tapioca to see that it was not stolen away, but we saw that at the farther end of the garden few plants were uprooted and tapioca being too small was not taken away. I sent sepoy Dan Singh to report the matter to Japanese Kapildar THANAKA, who was living in the other garden at about 800 yards away. After half an hour I, too, was sent for by Thanaka. When I reached there, Thanaka was already enraged and had a strong rod in his hand. He called me to "Attention" and gave me countless blows with that rod on whole of my body. Then L-Naik THAKE-NO-UCHI started beating me. I became senseless after a few minutes. I was made to stand by sticks on my hips by Thake-no-Uchi. Then my hands were bound behind and Thanaka caught my arms and Thake-no-Uchi began to cut my beard with a pair of scissors. I began to give my head to save it, but another very severe beating compelled me to stand still in a senseless condition and my beard was cut by L-Naik Thake-No-Uchi.

above statement

The statement has been read over to me and is correct.

NK BAGGA SINGH

For filing - 12/5/45

Triplicati C

On the way two wooden planks were lying on the road. The above named Japanese Sepoy ordered me to lift up one plank. I carried one along with my bedding. My load was very heavy. When I walked about 3 miles I got tired and could not walk. I therefore asked Sepoy SHIMAJI to order some other man to carry the plank. He at once started to beat me with a LATHI in his hand. I received severe injuries. Since then I am in hospital and my health is still very bad.

Read over to the witness who acknowledges it to be correct.

Piara Singh

Signature of witness

I, Haveli Clerk *Pantap Singh*, do hereby certify that this statement was made by *Piara Singh* and after same had been written down in English was read back to witness in his own language before he signed it and the translation is a correct translation of the witnesses evidence.

Signature of Interpreter. *Pantap Singh Haveli*

Jemadar Rang Ali of 5/11 Sikh Regt having been recalled states:-

On 3/1/45 our party moved from Pili Midai to NAGA HATA camp. We were marching under Lt HUGHES and Sepoy SHIMAJI. After a few minutes walk Sepoy SHIMAJI ordered Sepoy Piara Singh to lift up a plank which was lying on the road. He carried the plank along with his bedding. When we marched about three miles Sepoy Piara Singh (his load being very heavy) got tired and asked Sepoy SHIMAJI to order some other man to carry the plank. SHIMAJI at once started to beat him with the stick in his hand. He received many injuries and was later sent to hospital. He is still in hospital since then.

Read over to the witness who acknowledges it to be correct.

Rang Ali
Signature of witness

I, Haveli Clerk *Pantap Singh*, do hereby certify that this statement was made by *Jem. Rang Ali* and after same had been written down in English was read back to witness in his own language before he signed it and the translation is a correct translation of the witnesses evidence.

Signature of Interpreter. *Pantap Singh Haveli*

9799 Sepoy Bansa Singh of 5/11 Sikh Regt having been duly warned to speak the truth states:-

On 1-2-45 a FANAYA came in our camp with a KASURIA (sweet pumpkin) in his hand. I purchased from him the KASURIA and sent to cook that in our kitchen. Jap Lt H. YANA OUCHI came there and said to me "You have stolen this KASURIA from the garden" I told him that I purchased that from a FANAYA. He called Jemadar Fakhar Singh (senior Indian officer in the camp) and took us to Jap Haveli YANA and told him "This Sepoy has stolen a KASURIA from the garden". Jap YANA started to beat me without hearing a word from me. After severely beating me he tied me up to a tree nearby and sent back Jemadar Fakhar Singh to his hut. I remained tied with the tree for twenty four hours and was not given any food. On 2/2/45 evening

7
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7
Jemadar Singh. Hav THAYANA said to me "Your hair and beard will be cut. I requested him that he could give me any other punishment but should not cut my hair and beard as it was my Religion insult. Hav THAYANA cut my hair and beard forcibly put a cigarette in my mouth. He then untied me and allowed me with Jemadar Pakhar Singh to go back to our huts.

Read over to the witness who acknowledged it to be correct.

Munsha Singh
Signature of Witness

I, Has Chuk Partap Singh do hereby certify that this statement was made by me 9799 Sep Munsha Singh and after same had been written down in English was read back to witness in his own language before he signed it and the translation is a correct translation of the witness evidence.

Signature of Interpreter. Partap Singh Hwa.

Jemadar Pakhar Singh having been recalled stated:-

On 1-8-45 evening L/ik YANA GUHNI CALLED me in our kitchen and said "This Sepoy (Sepoy Munsha Singh) is cooking a KASHIYA which he has stolen from the ga den." He then went with us to Hav THAYANA and told him the matter. Hav THAYANA, after severely beating, tied the Sepoy to a tree nearby. I returned to my hut. On 2-8-45 evening Hav THAYANA sent for me to the place where Sepoy Munsha Singh was still tied up. He cut Sepoy Munsha Singh's hair and beard in my presence and put a cigarette in his mouth forcibly. After 2 is Munsha Singh was untied and sent back along with me to our huts.

Read over to witness who acknowledges it to be correct.

Pakhar Singh SGM
Signature of Witness

I, Has Chuk Partap Singh do hereby certify that this statement was made by Jemadar Pakhar Singh and after same had been written down in English was read back to witness in his own language before he signed it and the translation is a correct translation of the witness evidence.

Signature of Interpreter. Partap Singh Hwa.