

MILITARY COURT FOR THE TRIAL OF WAR CRIMINALS

br. 518.

ACCUSED

(1) Captain EDA Sotoji
(2) Civ. HASHIMOTO Takaharu
Both of the Imperial Japanese Forces attached to
MALAYA COMMAND SIGNALS REGIMENT.

PLACE AND
DATE OF TRIAL

KUALA LUMPUR. 25, 26, 27 and 28 August 1947.

COURT CONVENED BY

G.O.C. MALAYA COMMAND

PRESIDENT

Lt.Col. L.A.MASSIE (Solicitor) R.S.F.

MEMBERS

Major A.A.HUBART, D.S.O. Gen List.
A/Capt D.S.CARTWRIGHT I.C.

CHARGE

See attached Charge Sheet

PLEA

Each Accused - Each Charge - Not Guilty.

FINDING

1st Accused - Guilty. (With exception)
2nd Accused - 1, 2 and 4 Charges - Guilty.
3rd Charge - Not Guilty.

SENTENCE

1st Accused - 7 years imprisonment. 28 August 1947.
2nd Accused - 11 years imprisonment.

CONFIRMED

30th September 1947.

PROMULGATED

7th October 1947.

REMARKS

DISPOSAL OF
PROCEEDINGS

TO AG3 GHQ FARELF 16 Oct, '47
JAG of the Forces _____

DJAG FARELF

Case No. 65245 JAG

CHARGE SHEET

The Accused:-

Capt. EDA Sotoji
Civ. HASHIMOTO Takahara.

of or in the employ of the Imperial Japanese Forces
attached to MALAYA COMMAND SIGNAL REGIMENT are
charge with:-

First Charge.

COMMITTING A WAR CRIME

Against Capt.
EDA Sotoji Civ.
HASHIMOTO
Takahara.

In that they

at Penang, Malaya, in or about the month of
November 1943 were, in violation of the Laws
and Usages of War, concerned in the ill-
treatment of civilian residents of Malaya
aforesaid which ill-treatment resulted in
physical suffering in particular to Dr. G.S.
SCULLY, Henry H. Peterson, Jack Rozells,
Philip Aeria, Michael E. Foley, William Dexter
and James Tait.

Second Charge.

COMMITTING A WAR CRIME

Against
HASHIMOTO
Takahara only.

In that he

at Penang, Malaya in or about the month of
August 1943 was, in Violation of the Laws and
Usages of War, concerned in the ill-treatment
of Peter M. Foley a civilian resident of Malaya
aforesaid.

Third Charge.

COMMITTING A WAR CRIME

Against
HASHIMOTO
Takahara only.

In that he

at Penang, Malaya in or about the month of
December 1943, was, in Violation of the Laws
and Usages of War, concerned in the ill-
treatment of BOON SO BENG and ONG CHING HOON,
civilian residents of Malaya aforesaid.

Fourth Charge

COMMITTING A WAR CRIME

Against
HASHIMOTO
Takahara only.

In that he

at Penang, Malaya, in or about the month
of March 1944, was, in Violation of the Laws
and Usages of War, concerned in the ill-
treatment of LOH KWAI YEONG, a civilian
resident of Malaya aforesaid.

18 AUG 1947.

Commanding.
MALAYA COMMAND SIGNAL REGT.

.....
(Signature or initials of
Convening Officer).

20 AUG 1947.

Lt-Gen.
G.O.C.
MALAYA COMMAND.

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ABSTRACT OF EVIDENCE

In the case of

Capt EDA SOTOJI alias KAWAHARA

HASHIMOTO TAKAHARU.

Dr. G.S. SOULLY was assaulted by HASHIMOTO on the 15-11-43 and on the 25-11-43 was beaten by EDA about his head with a Police truncheon.

On the 27th November 1943 he was again interrogated and beaten by EDA who struck witness about his body and head with a bullock cart driver's whip, and was forced to admit operating a wireless receiving set to avoid further punishment.

JAMES TAIT was assaulted and thrown around the office of Police HQ by HASHIMOTO.

HENRY H. PETERSON was arrested on or about November 11th 1943, and was beaten in Penang Prison by EDA, HASHIMOTO and NAKAMURA with a wooden club (4' x 2" diameter) trying to force a confession.

On or about November 21/22 1943, he was again beaten by EDA, HASHIMOTO and NAKAMURA, in the Penang Road Police HQrs, and that his finger tips were burned by NAKAMURA with a cigarette lighter.

Can state that on December 1st 1943 he was threatened with death by EDA and NAKAMURA but was released on that date.

Can testify that he identified EDA and HASHIMOTO.

JACK ROZELLS was arrested on 11th November 1943 by EDA, HASHIMOTO and NAKAMURA, and assaulted by all three, and ju-jitsued, kicked, and punched by EDA.

On November 16th 1943 he was forced to eat by HASHIMOTO, NAKAMURA and EDA, and then had the food forced out of stomach by HASHIMOTO, NAKAMURA and witness da SILVA, whilst EDA gave orders and directed this torture.

About a week later he was again ju-jitsued and kicked about his body by EDA and NAKAMURA.

About a week later he was again beaten for hours by EDA, HASHIMOTO and NAKAMURA.

PHILIP AERIA was arrested on the 14 November 1943. He was put in custody in Penang Jail. After a week he was taken to the Penang Road Police HQ. He was taken to a room where EDA, HASHIMOTO and SOOKIMAN were present. EDA acted as interpreter to HASHIMOTO. He was interrogated and EDA judoed him violently about the room punching him and kicking him in the stomach. This lasted for about half an hour at the end of which time he was bleeding from the nose and ears and he was badly bruised. Later during the interrogation EDA took a heavy ruler 1' x 1" thick and hit him several times over the head. He then took a police staff 4 feet long and 2 inches thick and made witness kneel down placing the staff along behind his knees. He then applied pressure on the staff causing witness considerable pain.

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EDA at the end of the interrogation gave SOOKIMAN orders that witness was to receive no food until he gave further orders.

Witness had no food for 3½ days and as a result became weak and fainted.

About the 25th November 1943 witness was taken from his cell in Penang Gaol to a room near the prison Chamber. He was here interrogated again by EDA, HASHIMOTO being present. EDA again hit him for about 10 minutes over the head and shoulders with a heavy black ruler.

MICHAEL H. FOLEY, after his arrest in November 1943, was taken to an interrogation room in Penang Prison and ju-jitsued and beaten by HASHIMOTO. A few days later, he was taken to Police H.Q. and thrown around a room by the accused and also beaten with electric wire and rattan. The accused when he himself became tired ordered a detective to carry on the beatings.

WILLIAM DEXTER, in November 1943, was hung up to the ceiling in Police H.Q. with a rope tied to his thumb and whilst in this position was beaten by a rattan by HASHIMOTO.

PETER D. FOLEY was arrested in August 1943 and was assaulted and thrown around a room in Police H.Q. by HASHIMOTO.

DOEH SO BENG was arrested in December 1943 and subjected to beatings by HASHIMOTO and his subordinates in the Police Station. On various occasions he was hung up to the ceiling by his hands, beaten, burnt with lighted paper, and subjected to water torture. DOEH SO BENG went without food for days, getting only water.

ONG CHING HON in December 1943 was hung up by his hands and subjected to beatings by HASHIMOTO.

DOH KWAI YEONG in March 1944 was subjected of water torture on the instructions of HASHIMOTO.

The following additional witnesses will also give evidence:

SOOKIMAN bin MOHD YUSOFF

PATHY RUDRA