

MILITARY COURT FOR THE TRIAL OF WAR CRIMINALS

332

ACCUSED

(1) Capt. TAZUMI Motozo.
(2) Lieut. ONISHI Akio.
(3) Sgt.Maj. UENO Kiyoshi.
(4) S/Pte. UENO Koigetsu.
of the Imperial Japanese Army,
att. HQ 41 Group Indian Pioneer Corps.

PLACE AND
DATE OF TRIAL

Rangoon. 6,7,8,11,12,13,14,15,17th &
19th June, 1946.

COURT CONVENED BY

G.O.C. Burma Command.

PRESIDENT

Lt-Col. A.M. STURROCK. R.A. Writer to the
Signet.

MEMBERS

Major. J.P. CAREY. I.A.O.C.
Capt. J.G.R. SUNDERLAND. 1st Bn. East York Regt.

CHARGE

COMMITTING A WAR CRIME in that they at Rangoon
Central Gaol, RANGOON, BURMA, between 1 March
1944 and 1 May 1945 when members of the Staff
of Rangoon Central Gaol aforesaid responsible
for the well being of the persons in custody
there, in violation of the laws and usages of
War, were together concerned as parties to ill-
treatment resulting in the deaths of Sgt. Norman
E. Albinson, Sgt. J.E. Leisure, Cpl. J.F. Yachie,
T/Sgt. C.A. Pittard, S/Sgt. J.R. Sheets, 1st Lt.
R.D. Drummy, 1st Lt. B.C. Goodrich, Captain
A.J. Ortmeier, 2nd Lt. J.G. Rich, 2nd Lt. B.H.
Baker, Lt. J.M. Grey, S/Sgt. F. Rodriguez,
Captain W.R. Westberg, 2nd Lt. E.F. Briggs Jr.,
Lt. P.E. Almand, 2nd Lt. Gene Gambale, Sgt. Brown
and other American Prisoners of War, and physical
suffering to other American Prisoners of War in
custody there.

PLEA

Each accused - Not Guilty.

FINDING

See Appendix 'A'.

SENTENCE

19 Jun, '46. Accused 1 - 7 years' Imprisonment.
Accused 2 - Death by Hanging.
Accused 3 - 3 years' Imprisonment.
Accused 4 - 15 years Imprisonment.

CONFIRMED

14 Mar, '47. By G.O.C. Burma Command.
Accused 2 - Sentence commuted to
imprisonment for life.

PROMULGATED

27 Mar, '47.

REMARKS

DISPOSAL OF
PROCEEDINGS

To AG3 GHQ SEALF

11 APR 47

JAG of the Forces

DJAG SEALF. Case No.65096 JAG.

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FINDING1st Accused

GUILTY of the charge with the exception of the words "the deaths of Sgt. Norman E. Albinson, Sgt. J.E. Leisure, Cpl. J.F. Yachie, T/Sgt. C.A. Pittard, S/Sgt. J.R. Sheets, 1st Lt. R.D. Drummy, 1st Lt. B.C. Goodrich, Capt. A.J. Ortmeier, 2nd Lt. J.G. Rich, 2nd Lt. B.H. Baker, Lt. J.M. Grey, S/Sgt. F. Rodriguez, Capt. W.R. Westberg, 2nd Lt. E.F. Briggs Jr., Lt. P.E. Almand, 2nd Lt. Gene Gambale, Sgt. Brown and other American Prisoners of War and" and the word "Other" in the last line of the charge.

2nd Accused

GUILTY of the charge but with the substitution for the words "ill-treatment resulting in the deaths of Sgt. Norman E. Albinson, Sgt. J.E. Leisure, Cpl. J.F. Yachie, T/Sgt. C.A. Pittard, S/Sgt. J.R. Sheets, 1st Lt. R.D. Drummy, 1st Lt. B.C. Goodrich, Capt. A.J. Ortmeier, 2nd Lt. J.G. Rich, 2nd Lt. B.H. Baker, Lt. J.M. Grey, S/Sgt. F. Rodriguez, Capt. W.R. Westberg, 2nd Lt. E.F. Briggs Jr., Lt. P.E. Almand, 2nd Lt. Gene Gambale, Sgt. Brown and other American Prisoners of War" of the words "ill-treatment resulting in the death of 1st Lt. R.D. Drummy and contributing to the deaths of Sgt. Norman E. Albinson, 1st Lt. B.C. Goodrich, Capt. A.J. Ortmeier, 2/Lt. J.G. Rich, 2/Lt. B.H. Baker, Lt. J.M. Grey, S/Sgt. F. Rodriguez, 2/Lt. E.F. Briggs Jr., Lt. P.E. Almand and Sgt. Brown"

3rd Accused

GUILTY of the charge with the exception of the words "the deaths of Sgt. Norman E. Albinson, Sgt. J.E. Leisure, Cpl. J.F. Yachie, T/Sgt. C. A. Pittard, S/Sgt. J.R. Sheets, 1st Lt. R.D. Drummy, 1st Lt. B.C. Goodrich, Capt. A.J. Ortmeier, 2nd Lt. J.G. Rich, 2nd Lt. B.H. Baker, Lt. J.M. Grey, S/Sgt. F. Rodriguez, Capt. W.R. Westberg, 2nd Lt. E.F. Briggs Jr., Lt. P.E. Almand, 2nd Lt. Gene Gambale, Sgt. Brown and other American Prisoners of War and" and the word "Other" in the last line of the charge.

4th Accused

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APPENDIX 'A'

FINDING

1st Accused

GUILTY of the charge with the exception of the words "the deaths of Sgt. Norman E. Albinson, Sgt. J.E. Leisure, Cpl. J.F. Yachie, T/Sgt. C.A. Pittard, S/Sgt. J.R. Sheets, 1st Lt. R.D. Drummy, 1st Lt. B.C. Goodrich, Capt. A.J. Ortmeier, 2nd Lt. J.G. Rich, 2nd Lt. B.H. Baker, Lt. J.M. Grey, S/Sgt. F. Rodriguez, Capt. W.R. Westberg, 2nd Lt. E.F. Briggs Jr., Lt. P.E. Almand, 2nd Lt. Gene Gambale, Sgt. Brown and other American Prisoners of War and" and the word "Other" in the last line of the charge.

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ABSTRACT OF EVIDENCE

In the case of: TAZUMI Motozo Captain
 ONISHI Akio First Lieutenant
 UENO Kiyoshi Sgt/Maj
 UENO Koigetsu S/Pvt.

1. Captain TAZUMI Motozo was the Commanding Officer of the Rangoon Central Gaol, Rangoon, Burma, from 15 March 1944 to May 1945, and as such was responsible for the health, general well-being and treatment of the Prisoners of War incarcerated therein.

 1st Lt ONISHI Akio, was the Medical Officer of the said Gaol from 4 May 1944 to 15 April 1945, and as such was responsible for the medical treatment afforded such Prisoners of War and for their health and physical well-being.

 Sgt/Maj UENO Kiyoshi, was the Quartermaster in charge of purchasing food and drawing rations for the entire personnel of the Gaol from March 1944 until the evacuation of the Gaol, on or about 25 April 1945.

 S/Pvt. UENO Koigetsu was a member of the guard of the said Gaol from 25 April 1943 to 10 October 1944, and as such was responsible for the care and treatment of the prisoners of war immediately under his personal charge and supervision.

Evidence of the above will be furnished by:

Statement of the accused	TAZUMI Motozo
" " " "	ONISHI Akio
" " " "	UENO Kiyoshi
" " " "	UENO Koigetsu

2. During the period April 1943 to May 1945 approximately 100 American Prisoners of War were kept in confinement under improper conditions without proper or adequate food, covering, sanitation facilities and medical attention.

(a) Evidence of the confinement under improper conditions and lack of proper or adequate food, covering, and sanitation facilities will be furnished by :

Statement of	F.R.EDWARDS	Aff. 2
"	" D.W.HOGON	Aff. 6
"	" Lionel F.COFFIN	Aff.1,4,6.
"	" Wm J.WALSH	Aff. 2
"	" E.S.QUICK	Aff. 1
"	" C.C.MEYER	Aff. 2
"	" Fletcher S.HART	Aff. 3
"	" Don Z.DAVIS	Aff. 1
"	" N.L.SNYDER	
"	" Robt BICKNELL	Aff. 2
"	" A.L.BEARDON	Aff. 1
"	" C.W.PERRY	
"	" E.A.WILLNER	
"	" Chas.W.WHITLEY	
"	" C.H.REDD	Aff. 5
"	" R.M.BROOKS	Aff. 1
"	" J.L.RUSSELL	Aff. 1
"	" R.A.MALONEY	Aff. 6
"	" M.B.BURKE	Aff. 1

Statement of	R.T.GILMORE	Aff. 2
"	J.W.HUBBARD	Aff. 3
"	K.F.HORNER	Aff. 1
"	B.A.LUKAS	Aff. 3
"	T.E.SENEFF	Aff. 3
"	E. PISTERZI	Aff. 1
"	D.B.PARMELEE	Aff. 1, 3
"	K.P.MOXLEY	Aff. 2
"	Allan D.DuBOSE	Aff. 1
"	Alvin L.HASTINGS	Aff. 4
"	J.B.McGIVERN	Aff. 1
"	D.G.GILBERT	Aff. 1 & 2
"	Walter E.COTTON	Aff. 3
"	Walter R.LENTZ	Aff. 1
"	N.P.OGLESEY	Aff. 4
"	F.T.MAJORS	
"	D.V.MILLER	
"	M.B.BOWMAN	
"	Grady M.FARLEY	Aff. 8
"	Francis M.DALY	Aff.

(b) Evidence of the lack of proper and adequate medical attention will be furnished by:

Statement of	accused ONISHI Akio	
"	E.S.QUICK	Aff. 1
"	C.C.MEYER	Aff. 2
"	Fletcher E.HART	Aff. 3
"	Don Z.DAVIS	Aff. 1
"	N.L.SNYDER	
"	A.L.BEARDON	Aff. 1
"	F.K.SCHWALL	
"	G.W.PERRY	
"	E.A.WILLNER	
"	C.W.WHITLEY	
"	L.F.COFFIN	Aff. 4
"	C.H.REDD	Aff. 5
"	R.M.BROOKS	Aff. 1
"	R.A.MONTGOMERY	Aff.
"	W.B.BURKE	Aff. 1
"	Robt BICKNELL	Aff. 1
"	R.T.GILMORE	Aff. 2
"	Smith W.RADCLIFF	
"	J.W.HUBBARD	Aff. 3
"	K.F.HORNER	Aff. 1
"	Grady M.FARLEY	Aff. 4
"	B.A.LUKAS	Aff. 3
"	T.E.SENEFF	Aff. 3
"	K.P.MOXLEY	Aff. 2
"	J.B.McGIVERN	Aff. 1
"	Karnick A.THOMASIAN	Aff.
"	Douglas G.GILBERT	Aff.
"	N.J.KELLAM	Aff. 5
"	N.P.OGLESEY	Aff. 2, 4
"	Robt.R.BAGBY	
"	R.C.HALL	
"	Raymond A.MALONEY	Aff. 6
"	M.B.BOWMAN	
"	D.W.HOGON	Aff. 5 & 6
"	F.R.EDWARDS	Aff. 3

3. During the period April 1943 through May 1945, the said Prisoners of War were subjected to brutal beatings and maltreatment by members of the staff of the said Gaol, and in particular by the accused S/Pvt UENO Koigetsu.

(a) Evidence of beatings and mal-treatment of Prisoners of War by S/Pvt UENO Koigetsu will be furnished by:-

Statement of accused UENO Koigetsu		
"	" E.W. QUICK	Aff. 1
"	" Fletcher E. HART	Aff. 3
"	" J. HUBBARD	Aff. 2
"	" C.A. KING	
"	" F.K. SCHWALL	
"	" C.W. PERRY	
"	" W.E. COTTON	Aff. 1
"	" D.M. HUMPHREY	
"	" D.V. MILLER	
"	" Wm. J. WALSH	Aff. 2
"	" C.T. MONTAGNA	Aff.
"	" R.A. MALONEY	Aff. 2
"	" J.S. JOHNSON	Aff. 1
"	" Francis M. DALY	Aff. 1

(b) Evidence of beatings and mal-treatment of Prisoners of War by other members of the staff of the Gaol will be furnished by:

Statement of Galpin M. ETHERINGTON		
"	" D.W. HOGON	Aff. 5, 9
"	" L.F. COFFIN	Aff. 2, 3, 5.
"	" Wm. J. WALSH	Aff. 2
"	" E.S. QUICK	Aff. 1.
"	" Don Z. DAVIS	Aff. 1
"	" T.E. SENEFF	Aff. 1
"	" N.L. SNYDER	
"	" M.B. BURKE	Aff. 2
"	" J. HUBBARD	Aff. 2
"	" K.F. HORNER	Aff. 2
"	" R. BICKNELL	Aff. 2, 3
"	" R.T. GILMORE	Aff. 1, 4
"	" A.L. BEARDON	Aff. 1
"	" G.A. KING	
"	" F.K. SCHWALL	
"	" C.W. PERRY	
"	" J.C. COCHRAN	
"	" C.W. WHITLEY	
"	" K.P. SNYDER	
"	" C.H. REDD	Aff. 1, 3, 7
"	" S.W. RADCLIFF	
"	" M.F. FOLEY	
"	" T.E. PISTERZI	Aff. 2
"	" J.B. MCGIVERN	Aff. 3, 7
"	" K.A. THOMASIAN	Aff.
"	" Douglas C. GILBERT	Aff. 1
"	" J.B. WELLS	Aff.
"	" W.E. COTTON	Aff. 1
"	" W.R. LENTZ	Aff. 1
"	" M.J. KELLAM	Aff. 2
"	" N.P. COLESBY	Aff. 3
"	" D.M. HUMPHREY	
"	" R.R. BAGBY	
"	" M.B. BOWMAN	
"	" R.C. HALL	
"	" F.T. MAJORS	
"	" D.V. MILLER	
"	" WHITESCARVER J.T.	Aff. 1

Statement of	Raymond A. MALONEY	Aff. 2.
"	" B.A. LUCAS	Aff. 3
"	" E.F. NILAND	
"	" Francis M. DALY	

4. The treatment of the said Prisoners of War as set forth in Par. 2 and 3 above directly contributed to the death of Sgt Norman E. ALBINSON, Sgt J.E. LEISURE, JR., Cpl J.P. YAKIE, T/Sgt C.A. PITTARD, S/Sgt J.R. SHEETS, 1st Lt R.D. DRUMMEY, 1st Lt B.C. GOODRICH, Capt A.J. ORTMEYER, 2nd Lt J.G. RICH, 2nd Lt B.H. BAKER, Lt J.M. GREY, S/Sgt F. RODRIGUEZ, Capt W.R. WESTBERG, 2nd Lt E.F. BRIGGS JR., Lt P.E. ALMAND, 2nd Lt Gene GAMBALE, Sgt BROWN, and others, American Prisoners of War.

Evidence of the above will be furnished by:

Statement of	G.M. FARLEY	Aff. 4
"	" Raymond A. MALONEY	Aff. 6, 2, 1
"	" Don Z. DAVIS	Aff. 1
"	" Fred K. SCHWALL	
"	" E.A. WILLNER	
"	" Chas WHITLEY	
"	" L.F. COFFIN	Aff. 4
"	" J.L. RUSSELL	Aff.
"	" W.B. BURKE	Aff. 1
"	" Robt BICKNELL	Aff. 1
"	" K.A. SNYDER	
"	" S.W. RADCLIFF	
"	" J.T. WHITESCARVER	Aff. 1
"	" E.F. NILAND	
"	" J.B. MCGIVERN	Aff. 1
"	" D.G. GILBERT	Aff.
"	" W.E. COTTON	Aff. 3
"	" N.J. KELLAM	Aff. 4
"	" N.P. OGLESBY	Aff. 4
"	" R.C. HALL	
"	" C.R. REDD	Aff. 5

Prison Records - Rangoon Central Gaol
Battle Casualty Records, India-Burma Theater.