

MILITARY COURT FOR THE TRIAL OF WAR CRIMINALS.

ACCUSED

1. Ship Master NISHIMI Yoshinari
 2. Lt. OGASAWARA Makoto
 3. 2/Lt MARUYAMA Naosuke
 4. Sgt UCHIDA Yoichi
- All of or in the Service of the Imperial Japanese Army attached to Singapore Ammunition Depot.

BR 455.

PLACE AND
DATE OF TRIAL

SINGAPORE. 1, 2 May and 16, 17, 18, 20 Sept. 47.

COURT CONVENED BY

Offg. Commander SINGAPORE DISTRICT.

PRESIDENT

Lt.Col. P.A.FORSYTHE M.M. Kings Royal Rifle Corps.

MEMBERS

Major E.N. HEBDEN R.A.
Major N.S.BAINS 1 Punjabs.

CHARGE

COMMITTING A WAR CRIME, in that they on board the S.S.SINGAPORE MARU, on a voyage from SINGAPORE to MOJI, between the 25th October, 1942 and 24th November, 1942, the accused Captain NISHIMI Yoshinari, as Master of the SINGAPORE MARU, the accused Lieut. OGASAWARA Makoto, as Ship's commandant, the accused 2/Lieut. MARUYAMA Naosuke, as P.O.W. draft conducting Officer, and the accused Sergeant UCHIDA Yoichi, as Sergeant of the P.O.W. guard, were, in violation of the laws and usages of war, together concerned in the illtreatment of a draft of British Prisoners-of-War, resulting in the death of sixty and physical suffering to many others.

PLEA

Each Accused - Not Guilty.

FINDING

Each Accused - Guilty.

SENTENCE

20th September 1947.
1st Accused - 2 years imprisonment.
2nd Accused - 3 years imprisonment.
3rd Accused - 2 years imprisonment.
4th Accused - 6 months imprisonment.

CONFIRMED

31st October 1947. 1, 2, 3 accused confirmed by
GOC SINGAPORE District.
4 accused - Not Confirmed.

PROMULGATED

11th November 1947.

REMARKS

DISPOSAL OF
PROCEEDINGS

TO AG3 GHQ FARELF

21 Nov 47

JAG of the Forces

DJAG FARELF.
Case No.65257 JAG.

ABSTRACT OF EVIDENCE
in the case of

Captain NISHIMI Yoshinari
Lieut. OGASAWARA Makoto
2/Lieut. MARUYAMA Naosuke
Sgt. UCHIDA Yoichi

The cargo vessel SINGAPORE MARU with 1,081 British Prisoners of War on board, sailed from SINGAPORE on or about the 25th October 1942, and arrived at MOJI, JAPAN, on the 24th November 1942.

The Japanese staff on this boat was as follows:-

Capt. NISHIMI Yoshinari, Ship's Master.
Lieut. OGASAWARA Makoto, Ship's Commandant (that is O.C. Troops).
2nd/Lieut. MARUYAMA Naosuke, P.O.W. Draft conducting officer.
Sgt. UCHIDA Yoichi, Sergeant of the P.O.W. guard.

A few days after sailing dysentery broke out and aggravated by overcrowding, shortage of medicines, inadequate sanitary facilities, inadequate protection from extremes of heat and cold, dirty living conditions and unsuitable food (although sufficient food of suitable type was on board) the disease spread rapidly.

During the voyage at least Sixty Prisoners-of-War died. Twenty-one seriously sick were taken ashore at TAKAO, and 289 were too ill to leave the ship on arrival at MOJI. The Four accused were fully aware of the conditions under which the Prisoners-of-War lived, but failed to make reasonable effort, with such means as were in their power, to alleviate the suffering of the Prisoners-of-War.

Ill-treatment for which individual accused were responsible is as follows:-

(a) Captain NISHIMI Yoshinari

He failed in his duty to repair the latrines when damaged, and failed likewise to improvise latrines when it became obvious that, with the prevalence of dysentery, the existing sanitary facilities were grossly inadequate. He similarly failed to improvise means to prevent overflow from latrines leaking on to the decks and swilling down into the holds where the Prisoners all lived. He was also responsible for leaving food exposed to flies near the latrines and on the deck where it went rotten. The failure of this accused to perform these duties caused or materially contributed to the suffering and deaths referred to in the charge.

(b) Lieutenant OGASAWARA Makoto

He failed in his duty to make better accommodation available for the seriously sick men, who were crowded into airless holds and had to lie on bare decks, whereas the healthy Japanese Troops had ventilated upper holds, and were given clean mats on which to sleep. Together with 2/Lieut. MARUYAMA and Sgt UCHIDA, he failed in the duty to care for Prisoners-of-War inter alia by ensuring that their quarters did not become dangerously filthy as in fact they did. He failed in his duty to supply the Ps.o.W. with necessary medicines when these were available on the ship, and did not as was his duty make available to sick Prisoners-of-War

suitable food which was in the store and the issue of which would have saved many lives. The failure of this accused to perform these duties caused or materially contributed to the suffering and death of P.S.O.W.

(c) C/Lieutenant MARIHARA Naosuke

As Prisoner-of-War draft conducting officer, he did nothing as was his duty to alleviate the sufferings of the sick left aboard at MOJI, and failed to have their food placed within easy reach. He was responsible for having exposed unnecessarily scantily-clad Prisoners-of-war to the winter cold for a long period as punishment for some having raided the feed-store. He failed to restrain the guards from hitting the Prisoners-of-war including sick ones, with sticks, rope-ends, and rifle butts. The failure of this accused to care for P.S.O.W. in his charge caused or materially contributed to their suffering and death.

(d) Sergeant HOSODA Teichi.

He caused or permitted the Japanese guards to administer improper punishments to the British Prisoners-of-war. In addition to those punishments detailed under Para. C. these included the lashing of men to the mast and other parts of the ship.

The Prosecution will tender in evidence affidavits deposed to by the under-mentioned:-

Lt.Col. E.F. SCOTT.
P/Lt. L.O. LIDDELL.
Lt.Col. R.A. PETER.
LY.COL. E.J. HAKEL.
W.O. D.P. ALLEN.
CNR. J.T. LINDSAY.
Sgn. P. WALLACE.
LT. J.A. BRADSHAW.
MAJOR. A. JOHNSTONE.
A/C A.G. DAVIES.
P/O A.R. GREEN.
CNR. T. WARBON.
Signaller. W.S. LAPHAM
Sgt C. E. GRIFFITHS.
Surgeon Commander F.I. NOR, U.S. Navy.
U.S. Pharmacist-Mate F.C. ROSE.
Surgeon Lt. S.S.L. STANNING, R.A.N.V.R.
Colonel MATSUMO Kikuzen.

In addition sworn voluntary statements of each of the accused will be produced by the Prosecution.