

RECORD OF MILITARY COURT  
(JAPANESE WAR CRIMINALS)

Accused: Lt KAWAHARA, Kiyomune  
Sub-Lt 1st Class UEDA, Kose  
Sub-Lt 1st Class KAKINUMA, Morio  
W/o YOSHIKAZAKI, Kyosato  
P/O 3rd Class SHONO, Shoichi  
P/O 2nd Class HARA, Yoshito

Court, Place,  
Date and  
Formation:

Morotai . 22-23-25 Feb 46, Morotai Force.

AWC No. 1230, 1269, 1231, 1271, 1252  
1213.

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

Charge(s)	Plea	Finding.
Committing a War Crime that is to say Murder of prisoners of war in that they at or near PASO AMBON on or about 26 April 1945, murdered VX39756 Pte WADHAM T.F. of 2/21 Aust Inf Bn QX10714 Spr MORRISON J of 2/11 Fd Coy NX7039 Dvr SIMPSON R.A. of AASC and NX2116 Cpl SOLOMON J of AASC then Australian prisoners of war held by the Japanese Armed Forces.	Not guilty	Guilty

Precis of Evidence: Evidence discloses :

1. That four Aust PW mentioned above were executed at PASSO on AMBON on 26 Apr 45 for stealing food from a Japanese store.
2. That Lt KAWAHARA was in command of the execution party and that he gave the order to the members of the party for the execution. This officer who was then a 2nd Class Lt to which rank he was appointed in 1942 was later promoted to 1st Class Lt. He is 42 years of age.
3. That UEDA and KAKINUMA were both Sub Lts and are 25 and 26 years of age respectively.
4. That the first PW executed and referred to as the ringleader was bayoneted by Seamen SHONO and HARA who have each since been promoted to P.O.
5. That the second to be executed was beheaded by Sub Lt KAKINUMA.
6. That the third and fourth were beheaded by Sub Lt UEDA and WO YOSHIKAZAKI.

Sentence 25 Feb 46.

and Date:	Lt KAWAHARA Kiyomune	-	Death by shooting.
	Sub Lt 1st Class UEDA Kose	-	" " "
	Sub Lt 1st Class KAKINUMA Morio	-	" " "
	W/o YOSHIKAZAKI Kyosato	-	12 years' imprisonment
	P/O 3rd Class SHONO Shoichi	-	15 " "
	P/O 2nd Class HARA Yoshito	-	15 " "

Confirmation

and by Whom: Lt-Gen V.A.H. Sturdee - 30/4/46.

Promulgation: YOSHIKAZAKI 5/12/46. Others 10/5/46.

Petition: Submitted by all PW against conviction and sentence by the Court, on 28 Feb 45.

J.A.G.'s Report on Petition: That findings in all cases should NOT be confirmed.

Action on Petition: Dismissed.

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

PURL: <https://www.legal-tools.org/doc/5a09c6/>



7. That the PW came under command of 20 Garrison, a subordinate unit to 25 Naval Base Unit (4 South Seas Fleet).
8. That NO courts martial were held by 4 South Seas Fleet or 25 Naval Base Unit concerning PW at that period.
9. That Japanese law requires that sentence of death by a Japanese Court Martial should be carried out by shooting (not beheading or bayonetting).
10. That the above PW did not leave the guard house or its vicinity from time they were charged until when taken to place of execution WO YOSHIKAWA knew that this was so.
11. That PW had been warned of penalties of death for certain acts but no order was issued to them that PW caught stealing food would be executed until after the above Aust soldiers had been accused.
12. That the accused carried out the execution without knowing the nature of the charge.
13. That KAWAHARA was informed that there was nothing to be worried about as it had been decided by due process and that he passed this on to the execution party.  
The word Court Martial was NOT mentioned.
14. That KAWAHARA was ordered to carry out the execution on the day before the execution was carried out and that he had plenty of time to satisfy himself that everything was in order.
15. That KAWAHARA was ordered by MIJAZAKI (under sentence of death) to execute the 4 PW to bayonet the ringleader and decapitate the other three.
16. That KAWAHARA gave order to the remainder of the execution party to the same effect as above.
17. That when it was discovered that food had been stolen the camp interpreter IKEOUCHI told all PW that unless the culprits owned up the whole camp would suffer.  
IKEOUCHI had said to all PW that if those responsible confessed their punishment would be light.  
These 4 PW then stated that they had taken it. In conversation with WO WAALDYK RNEIF Cpl SOLOMAN said that they said this because the remainder the PW were NOT fit to take punishment.