

**MILITARY COURTS FOR THE TRIAL OF WAR CRIMINALS**D.J.A.G's Case No. BM/JAG/65088.....

Name of Accused (including Rank, if any)	Arm or Former Arm of the Service	Age	Date and Place of Trial
(1) Lieut. Nagatara KOKUBO (2) Sgt. Tsuneo TERRAKOSHI (3) Korean Nobomutsu TAKAYAMA	All Imperial Japanese Army.		28 and 29 June, and 1, 2, 5, 6 and 9 July 1946. SINGAPORE
			Convened by
			Commander, Singapore District.

**CHARGES**

See Attached List.

President and Members of the Court (except Legal Member)	Judge Advocate/Legal Member
Lt.Col. H.E.R. SMITH. Major S.B. SAHAY. Capt. R.D. KOHLI.	R.A. I.P.C. B.L. Advocate in India. 2 Punjabs.
	N/A

Pleaded	Finding
All accused Not Guilty to all charges.	1st Charge - 1st and 2nd accused - Guilty. 3rd accused - Not 2nd Charge (against 3rd accused only) - Guilty. 3rd Charge (against 1st and 2nd accused only) - Guilty. 4th Charge (against 1st accused only) - Guilty.

**Sentence and Minute of Confirmation**

All accused - Death by hanging.

Confirmed, GOC, Singapore District,  
6 September 1946. 2nd Charge (against  
3rd accused only) - NOT Confirmed.

When and where Promulgated:—

9 September 1946 (2nd and 3rd accused)  
19 September 1946 (1st accused)

Date of Receipt	To whom sent	Date sent	Purport

MILITARY COURT FOR THE TRIAL OF WAR CRIMINALS

ACCUSED (1) Lieutenant. KOKUBO Nagataro.  
(2) Sergeant. TERRAKOSHI Tsuneo.  
(3) Korean. TAKAYAMA Nobomutsu.  
of the Imperial Japanese Army, att  
HQ 21 Gp. I.P.C.

PLACE & DATE  
OF TRIAL Singapore 28 & 29 June, and 1,2,5,  
6 & 9 July 1946.

COURT CONVENED BY Commander Singapore District.

PRESIDENT Lt.Col. H.E.R. SMITH. R.A.

MEMBERS Major. S.B. SAHAY. I.P.C. B.L. Advocate in  
India.  
Capt. R.D. KOHLI. 2 Punjabs.

CHARGE See charge sheet attached.

PLEA 1st CHARGE - Each Accused - Not Guilty.  
2nd CHARGE - Accused 3 - Not Guilty.  
3rd CHARGE - Accused 1 & 2 - Not Guilty.  
4th CHARGE - Accused 1 - Not Guilty.

FINDING 1st CHARGE - 1st Accused - Guilty.  
2nd Accused - Guilty.  
3rd Accused - Not Guilty.  
2nd CHARGE - 3rd Accused only - Guilty.  
3rd CHARGE - 1st & 2nd Accused only - Guilty.  
4th CHARGE - 1st Accused only - Guilty.

SENTENCE Each Accused - Death by Hanging.

CONFIRMED 6 Sept 46. By G.O.C. Singapore District.  
2nd Charge - TAKAYAMA NOBOMUTSU -  
NOT Confirmed.

PROMULGATED 9 Sept 46. To TERRAKOSHI Tsuneo, and  
TAKAYAMA Nobomutsu.  
19 Sept 46. To KOKUBO Nagataro.

REMARKS 11 Sept 46. Sentence of Death by Hanging  
put into execution on TERRAKOSHI  
Tsuneo at Changi Prison,  
Singapore.  
22 Nov 46 Sentence of Death by Hanging  
put into execution on KOKUBO  
Nagataro at Changi Prison,  
Singapore.

DISPOSAL OF  
PROCEEDINGS To AG 3 HQ ALFSEA 29 Nov 46

JAG of the Forces \_\_\_\_\_

DJAG ALFSEA  
Case No. 65088 JAG



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CHARGE SHEET

1st CHARGE

COMMITTING A WAR CRIME

in that they  
at 211/228 KILO and 230/248 KILO Prisoner  
of War camps SIAM between 1 April 1943 and  
30 November 1943 being members of the staff  
of the said camps in violation of the laws  
and usages of war were together concerned  
in the illtreatment of British, Australian  
and Dutch Prisoners of War interned therein  
resulting in the deaths of some of the said  
Prisoners of War and bodily suffering to  
others of the said Prisoners of War.

2nd CHARGE

against  
TAKAYAMA Nobumatsu  
only.

COMMITTING A WAR CRIME

in that he  
at 211/228 KILO Prisoner of War camp SIAM  
between the months of May and July 1943  
being a member of the staff of the said  
camp in violation of the laws and usages  
of war illtreated one Signelman THOMPSON  
a British Prisoner of War interned therein  
resulting in the death of the said Prisoner  
of War.

3rd CHARGE

against  
KOKUBO Nagataro  
TERRAKOSHI Tsuneo  
only.

COMMITTING A WAR CRIME

in that they  
at CHUNGKAI Prisoner of War camp SIAM  
between 1 November 1943 and 28 February  
1945 being members of the staff of the  
said camp in violation of the laws and usages  
of war were concerned in the illtreatment  
of British and Australian and Dutch Prisoners  
of War interned therein causing bodily  
suffering to many of them.

4th CHARGE

against  
KOKUBO Nagataro  
only

COMMITTING A WAR CRIME

in that he  
at various places in SIAM and in particular  
at NAKON NYOK Prisoner of War camp between  
1 October 1942 and 15 August 1945 when  
employed as a member of the staff of the  
said camp in violation of the laws and usages  
of war was concerned in the illtreatment of  
British, Australian, American and Dutch  
Prisoners of War interned in the said camp  
causing bodily suffering to many of them.



ABSTRACT OF EVIDENCE

In respect of

KOKUBO	Nagatara	Lieutenant
TERRAKOSHI	Tsuneo	Sergeant
TAKAYAMA	Nobumatsu	Korean

Lt KOKUBO, Sgt TERRAKOSHI and Korean TAKAYAMA, together with one other Japanese Sergeant who is not being charged on these counts, comprised the permanent staff of two Prisoner of War camps adjoining the BURMA-SIAM Railway, which camps were known by their distance from the railhead in SIAM, as 211 and 230 KILO camps. At some time unspecified the kilometrage of the railway was altered by the Japanese, and the designation altered to 228 and 248 KILO camps respectively. They will be referred to throughout as 211/228 and 230/248 KILO camps.

Lt KOKUBO was the Camp Commandant of these camps, Sgt TERRAKOSHI the medical sergeant and TAKAYAMA the quartermaster. The material periods are approximately from the end of April 1943 until the beginning of September of the same year at 211/228 KILO camp, and at 230/248 KILO camp from September until the end of November 1943.

During this time and at both camps Lt Col SWINTON of the East Surrey Regiment was the senior British officer. Evidence will show that there were some 163 deaths at 211/228 KILO camp, 97 of which were from Cholera. At 230/248 KILO camp there were scores of deaths but the number is unspecified. The reasons for these deaths are attributable to all three of the accused. KOKUBO was completely indifferent to the state of affairs prevailing and made no efforts to check the general brutality and illtreatment that occurred in camps, and when drunk, participated himself in the beating up on prisoners of war. Sgt TERRAKOSHI being the medical sergeant in charge of the camps was directly and indirectly responsible for many of the deaths by his sending of the hospital patients out to work on the railway and refusing to listen to the advice of the Allied medical staff as to the condition of the sick. TAKAYAMA being the quartermaster, had complete control of the rations and it will be shown that he stole or appropriated many of the rations destined for the prisoners of war, which consequent shortage had a disastrous effect on the physical stamina of those prisoners of war working on the railway and in many cases led to their premature deaths.

Camp 211/228 was formed at the beginning of the Monsoon season after a march of 120 kms from TARSAO. On arrival at the site the prisoners of war were given 24 hours only for the erection of their camp and that with useless tents and equipment. From that day onwards, 11 May 1943, these 1150 prisoners of war worked all the day and part of each night on the building of the railway and not only those who were not sick but also those who had been confined to hospital by the Allied medical staff and those just released and convalescent. About 15 June Cholera broke out and far from doing anything about stopping the epidemic the Japanese Staff moved their camp away from that of the prisoners of war and refused to have anything to do with it, including the medical sergeant, who made no effort to obtain the necessary drugs and equipment to fight the disease. The monsoon had broken in the middle of May and by the time of the epidemic the camp was ankle deep in mud. Rations were meagre and rendered even more so by the misappropriations of TAKAYAMA. At no time in the existence of this unfortunate camp, was there any attempt to alleviate the privations being endured by the prisoners of war although Lt Col SWINTON made numerous complaints about them to KOKUBO; the rations



however did improve very slightly about July owing to the actions of the Lieutenant Quartermaster at TARKANUM camp which was the mother camp about 5 kms away.

On approximately 12 June 1943, TAKAYAMA was concerned in the savage beating of one Signaller THOMPSON of the Royal Corps of Signals. TAKAYAMA accused THOMPSON of allowing the camp cattle either to escape or to die, it is not clear which. THOMPSON at the time was in his tent suffering badly from malaria, but despite this he was dragged from his tent by TAKAYAMA, severely thrashed and kicked in the stomach for about an hour which resulted in THOMPSON's death in three days time. Affidavits of Captain ELLIS, Lt BROWN and Signaller HUZARD and DAVIES state to this effect. Other affidavits concerning conditions and treatment in this camp generally have been made by Lt Col SWINTON, Captain GRIFFITH, Lieutenant KINGSTON, and Privates NUTBROWNE and CLACK, which will be supported by the signed statements of Lt Col MILNER, Lieutenants DUDGEON and LAING, Majors LANG and TATE, Captain SCHULMAN and Dvr MUIR.

On approximately 1 September about 1000 of the original inmates proceeded to march to 230/248 Kilo camp under Lt Col SWINTON. Conditions on the march were appalling, knee deep in mud and carrying all their equipment they arrived in an exhausted condition only to find that they had to build their own shelter from the remnants of their tentage salvaged from 211/288 Kilo camp. The site of this new camp consisted of two ledges on either side of a small river, one of the said ledges at times being completely under water. The living conditions were as bad as those at the former camp, but without the cholera. KOKUBO maintained his attitude of disinterest, Sgt TERRAKOSHI persisted in his medical parades and sending sick men out to work on the railway and assaulting the sick, especially Lieutenant MILLS. TAKAYAMA continued with the illtreatment of all and sundry and the appropriation of rations for the prisoners of war. Affidavits relating to this camp and the conditions prevailing throughout the period under discussion, have been made by Lt Col SWINTON, Captain ELLIS and Lieutenants LEWIS, MILLS and GRAHAM. These will be supported by signed statements of Major SKEY, Captain GORDON, RSM EDKINS, Sergeant BRITSCHART (Dutch Army) and Sapper CAREY.

At CHUNGKAI Prisoner of War camp during the year 1944, KOKUBO and TERRAKOSHI were present, KOKUBO as the Commandant from February 1944 until January 1945 and Sergeant TERRAKOSHI was the medical assistant to the Japanese Group 2 Doctor, Lt NOBUSAWA, and acted as chief medical man when NOBUSAWA was absent. KOKUBO continued to maltreat the prisoners of war under his command and when drunk was completely uncontrollable in his attacks on them, even going to the extent of stopping the issue of fresh vegetables for three days for no reason whatsoever. TERRAKOSHI continued to hold sick parades and gather potential for railway parties by taking sick from these parades for work the next day. The above facts are given in affidavits by Lt Col OWTRAM, Captains McLaren and HORDERN and JENKINS, Lt Col BARRETT, W/O HAMPTON and Sergeant GORDON. As a result of the treatment of the prisoners of war by the two accused, who held the two most responsible posts on the staff, many prisoners of war died owing in part, to the indifference of KOKUBO to the demands of the Allied medical staff as seen in the affidavit of Lt Col BARRETT and complete absence of responsibility on the part of the medical sergeant TERRAKOSHI, when the chief Japanese medical man was away, that is from February 1944 until September 1944.

KOKUBO then went to NAKON NYOK camp as second in command. He continued to illtreat prisoners of war. In particular on or about 13 June 1945 one British and one American prisoner of war were caught stealing paper for cigarettes from a Japanese store.



At the same time there was also a pair of boots missing. KOKUBO rounded up fourteen Americans, some of whom were on the spot and others being the nearest to it at the time, and accused them of stealing the boots. He thrashed all fourteen of them with his fists, sheathed sword and bamboos, causing all of them to receive medical treatment and some permanent injuries. KOKUBO then ordered that each of them wear a placard hung round their necks with the word 'Thief' in Japanese and English on it, and they were forced to wear these placards for the next month, only being allowed to take them off when they went to bed for the night. Affidavits by Pfc KING and Sgt REIS, United States Army, 2nd Class Seaman JOHNSON USS, Lt Col St Clair Barrett and Pte DAVIES give evidence to this effect and in addition the two latter affidavits as to the general illtreatment of the accused against prisoners of war.

Various other instances of illtreatment on the part of Lt KOKUBO are given in the affidavits of Private HORTON and Signalman TIVEY at TAKALIN Prisoner of War camp between 1 January and 31 March 1943, at WUN LUNG Camp in December 1942 by affidavit of Capt BROWN and at LADYA Camp in November 1943 by Lieutenant GILBERT's affidavit.

MATSUCHITA Shutaro was the interpreter for the accused Lt KOKUBO at 230/248 km Camps and for one month at CHUNGKAI. MATSUCHITA will give evidence on behalf of the prosecution and describe conditions generally in this Camp, as already outlined above, and also identify the three accused.