

Br. Ex. 144

ORAL STATEMENT BY THE AMERICAN AMBASSADOR IN JAPAN
(GREW) TO THE JAPANESE MINISTER FOR FOREIGN AFFAIRS
(MATSUOKA)

Excerpt.

.

Since that time, information has been received to the effect that certain cargo at Hanoi as well as at Haiphong has been seized by the Japanese military, but that it was impossible to check the amount and nature of the cargo so seized because the rightful owners were not permitted to inspect the warehouses where their merchandise was stored. Nevertheless, it is known that a substantial amount of American cargo has been taken away.

In bringing this subject again to the attention of the Foreign Office, it is urgently requested that immediate steps be taken to restore the merchandise to its rightful owners. The Government of the United States, as has been stated before, does not recognize the right of the Japanese military to take any action whatsoever in French Indochina against property in which there is an American interest. The American Embassy has been instructed to state that the result of persistence by the Japanese in action such as that described above can only be further deterioration in relations between the United States and Japan.

TOKYO, July 8, 1941.

Foreign Relations II, p. 315.

1941
FOREIGN MINISTER MATSUOKA'S REPLY OF FEB. 17 TO FOREIGN SECRETARY EDEN

His Imperial Japanese Majesty's Minister for Foreign Affairs is rather surprised to learn about the undue concern shown on the part of His Britannic Majesty's Principal Secretary for Foreign Affairs which is, no doubt, based upon information emanating from the British Embassy in Tokyo and other sources. There is, of course, no way to ascertain what kind of information the British Government has been receiving, but the Minister for Foreign Affairs would like to avail himself of this opportunity to state that so far as he can see there is no ground for entertaining such alarming views on the situation in East Asia.

On more than one occasion the Minister for Foreign Affairs has explained to the British Ambassador in Tokyo and even to the public at large that one of the primary purposes of the Tripartite Pact is to limit the sphere of the European war by preventing those Powers not engaged in hostilities at present from joining the war and also to bring about its termination as quickly as possible. The Japanese Government has so far found no reason or occasion to alter this avowed aim which constitutes a fundamental basis of its policy. The British Government may rest assured on this point.

However, the Minister for Foreign Affairs feels obliged to say candidly that he cannot help entertaining a certain amount of anxiety, if not misgivings, on the movements of the British and American Governments in their attempt to expedite and enlarge warlike preparations with an eye to meeting supposed contingencies in the Pacific and the South Seas. Press reports about these movements originating from American sources and elsewhere are causing increasing misgivings in Japan with the consequence that in some quarters it is even contended that Japan should lose no time in taking measures to meet the worst eventuality in these regions. The concern felt is quite natural in the face of these disturbing reports. If the American Government could only be persuaded to restrict its activities to the Western Hemisphere, and prudently avoid causing unnecessary anxiety to the Japanese, the situation would indeed be very much mitigated.

Having had the privilege of forming personal acquaintanceship at Geneva with His Britannic Majesty's Principal Secretary for Foreign Affairs and prompted by the belief that a general exchange of frank views at this juncture will be of some service in enabling the two nations to see eye to eye, the Minister for Foreign Affairs wishes to take the liberty of making further observations. The uppermost thought in my mind has always been world peace. He sincerely hopes that on the one hand, the China Affair will be brought to an end as soon as possible and on the other, the European war will see an early termination. It is my earnest and constant prayer that the Powers may gather again to discuss at a round table their differences and disputes and deliberate on the great question of organizing an

enduring peace upon a just and equitable world order. In this connection, I desire to assure my eminent colleague that far from aspiring to control the destinies of, or to dominate, other peoples, it is Japan's established policy to inaugurate an era of peace and plenty and mutual helpfulness throughout the region of Greater East Asia by promoting the spirit of concord and conciliation. As repeatedly affirmed, Japan's motto is "no conquest, no oppression, no exploitation." I, therefore, strongly deprecate those biased reports designed to calumniate Japan.

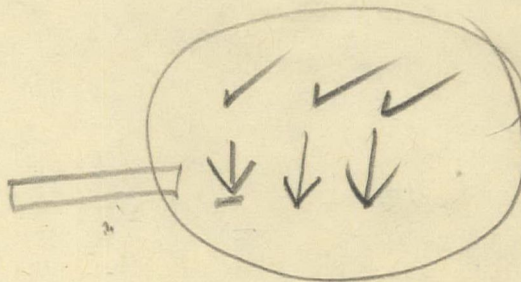
(R)
USE

The Minister for Foreign Affairs frankly confesses his utter inability to see any good purposes served by prolonging the war whatever the motive. Whatever the outcome, whoever the victor, there are present in the world situation, especially in Europe, elements of great danger such as would bring about a fearful state of chaos and confusion, possibly eventuating in the downfall of modern civilization. It takes statesmanship of a high order to foresee and meet in time such catastrophic contingency. The Minister for Foreign Affairs has not lost hope yet that such statesmanship is not wanting in the British Empire.

Lastly, the Minister for Foreign Affairs would like to make it clear that Japan, deeply concerned as she is with an early restoration of peace, is fully prepared to act as a mediator, not only in Greater East Asia but anywhere the world over, or to take whatever action is calculated to recover normal conditions.

The Minister for Foreign Affairs trusts that His Britannic Majesty's Principal Secretary for Foreign Affairs will not hesitate to share with him the conviction that upon the shoulders of the leading Powers rests the great and grave responsibility of restoring peace and saving modern civilization from the impending collapse. Such a responsibility can only be fulfilled by a wise and courageous statesmanship willing to display an accommodating and generous spirit in listening to others' claims and contentions. It is hardly necessary to add that whatever Japan may do, she will always be actuated by the consciousness of the responsibility she owes to Humanity.

(marda)



C E R T I F I C A T E

W.D.C. No. _____

I.P.S. No. 1339A (5)Statement of Source and Authenticity

I, HAYASHI Kaoru hereby certify
that I am officially connected with the Japanese Government in the
following capacity: Chief of the Archives Section, Japanese
Foreign Office

and that as such official I have custody of the document hereto
attached consisting of Six pages, dated 17 February, 1941, and
described as follows: _____

FOREIGN MINISTER MAI SUOKA'S REPLY OF FEB. 17 TO FOREIGN SECRETARY
EDEN

I further certify that the attached record and document is an official
document of the Japanese Government, and that it is part of the
official archives and files of the following named ministry or
department (specifying also the file number or citation, if any,
or any other official designation of the regular location of the
document in the archives or files): Foreign Ministry

Signed at Tokyo on this21st day of Sept., 1946

/s/ K. Hayashi
Signature of Official

SEAL

Witness: /s/ Nagaharu Odo

Chief, Archives Sect
Official Capacity

C E R T I F I C A T E

Statement of Official Procurement

I, Richard H. Larsh, hereby certify that I
am associated with the General Headquarters of the Supreme Commander
for the Allied Powers, and that the above described document was
obtained by me from the above signed official of the Japanese
Government in the conduct of my official business.

Signed at Tokyo on this

25 day of September, 1946.

/s/Richard H. Larsh

NAME

Witness: /s/T/4 T. Toguchi

Investigation Division I.P.S.

Official Capacity

Smith:

By Court granted justice right of account to fore the acc.
as does the new Court opinion of Mac.

Webb - Cont & Mac^{Japan}, has no conn.
up for trial."

Def. denied given by summary or written - says
any.

JUNE 11-1946

Stimson

1104

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

THE UNITED STATES OF AMERICA, THE REPUBLIC OF CHINA, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, THE UNION OF THE SOVIET SOCIALIST REPUBLICS, THE COMMONWEALTH OF AUSTRALIA, CANADA, THE REPUBLIC OF FRANCE, THE KINGDOM OF THE NETHERLANDS, NEW ZEALAND, INDIA, AND THE COMMONWEALTH OF THE PHILIPPINES.

-AGAINST-

ARAKI, Sadao; DOHIMARA, Kenji; HASHIMOTO, Kingoro; HATA, Shunroku; HIRANUMA, Kiichiro; HIROTA, Koki; HOSHINO, Naoki; ITAGAKI, Seishuro; KAYA, Okinori; KIDO, Koichi; KIMURA, Heitaro; KOISO, Kuniaki; MATSUI, Iwane; MATSUOKA, Yosuke; MINAMI, Jiro; MUTO, Akira; NAGANO, Osami; OKA, Takasumi; OKAWA, Shumei; OSHIMA, Hiroshi; SATO, Kenryo; SHIGEMITSU, Mamoru; SHIMADA, Shigetaro; SHIRATORI, Toshio; SUZUKI, Teiichi; TOGO, Shigenori; TOJO, Hideki; UMEZU, Yoshijiro. Defendants.

COUNTY OF SUFFOLK)
STATE OF NEW YORK) ss
UNITED STATES OF AMERICA.)

I, HENRY L. STIMSON, being duly sworn, on oath depose and say:

I was Secretary of State of the United States of America from March 5, 1929, to March 4, 1933. Prior to that time, in 1928, I was appointed Governor-General of the Philippine Islands, which office I held until I was named Secretary of State.

On the basis of my personal observation and contacts, as well as on the information coming to me in the course of my official duties, I verily believe the following statements to be true:

When I took office as Secretary of State, Japan, together with the United States and various other nations, was a party to the following treaties, pacts, and agreements, and others, or had subscribed to the principles therein announced:

- (1) The Convention for the Pacific Settlement of International Disputes, signed at the Hague 29 July 1899;
- (2) The Convention for the Pacific Settlement of International Disputes, signed at the Hague 18 October 1907;
- (3) The Hague Convention No. III relative to the Opening of Hostilities signed 18 October 1907;
- (4) Agreement effected by exchange of notes between the United States and Japan, signed 30 November 1908, declaring their policy in the Far East;

- (5) Treaty between the British Commonwealth of Nations, France, Japan, and the United States relating to their Insular possessions and Insular Dominions in the Pacific Ocean, 13 December 1921;
- (6) The Treaty between the United States of America, the British Commonwealth of Nations, Belgium, China, France, Italy, Japan, the Netherlands, and Portugal, concluded and signed at Washington 6 February 1922, known as the Nine-Power Treaty;
- (7) The Treaty concluded and signed at Paris 27 August 1928, known as the Kellogg-Briand Pact and as the Pact of Paris;
- (8) Convention respecting the Rights and Duties of Neutral Powers and Persons in War on land, signed at the Hague 18 October 1907.

As a party to the above-listed treaties, pacts, and agreements, and others, or as a subscriber to the principles therein announced, Japan had agreed, inter alia:

to use its best efforts to insure the Pacific settlement of international differences; in case of serious disagreement or conflict, before an appeal to arms, to have recourse, as far as circumstances allow, to the good offices or mediation of one or more friendly Powers; not to commence hostilities without previous and explicit warning; to maintain the existing status quo in the region of the Pacific Ocean and to defend the principle of equal opportunity for commerce and industry in China and to support the independence and integrity of China; in event of controversy in any Pacific questions to invite other Parties to a joint Conference; to respect the sovereignty, independence, and the territorial administrative integrity of China; to use its influence to effectually establish and maintain the principle of equal opportunity for the commerce and industry of all nations throughout the territory of China; to refrain from seeking special or monopolistic privileges in China detrimental to the rights or interests of other foreign powers or their nationals; to condemn recourse to war for the solution of international controversies and to renounce war as an instrument of national policy; not to move troops or convoys across the territory of a neutral Power.

In 1931 Manchuria was actually and legally part of China. Japan claimed some exceptional rights in Manchuria, and many of these rights, while always asserted with emphasis, were not attested by documentary evidence which was unchallenged. Some of the treaties upon which Japanese claims rested were asserted by China to be either unauthentic or to have been executed under duress. Under cover of these treaties, however, Japan exercised powers of the administration and police throughout a zone which bordered the South Manchuria Railway, based upon the armed forces she was permitted to maintain. These areas included towns and portions of cities like Mukden and Changchun.

While there was no cleavage in Japanese feelings as to the existence and importance of special interests in Manchuria, there was a very fundamental difference in political thought in Japan as to the method by which that interest should be supported and enforced. This difference in general corresponded with the alignment between those leaders who were following the ideals of popular government on the one hand, and the conservative and military leaders on the other. The policy of the latter group rested ultimately upon military force, and assumed that Japan's rights were political and sovereign.

On the night of September 18, 1931, armed hostilities broke out in Manchuria, and Japanese forces occupied not only the city of Mukden, but other cities in South Manchuria. The incident which was claimed by the Japanese to have caused their action, namely an alleged act of sabotage by the Chinese on the South Manchurian Railway, diminished to such small proportions as strongly to suggest its actual non-existence. Meanwhile the Japanese army was found to have acted with such promptness as to make it evident that they were moving under a previously arranged strategic plan. By the afternoon of September 19, 1931, cities like Antung, Changchun, and Newchwang, several hundred miles from one another, had been occupied by the Japanese forces, who at once assumed the place of the civil authorities in those cities. Within forty-eight hours the whole of southern Manchuria, not only along the Japanese South Manchuria Railway, but also along some of the railroads built by the Chinese had thus been effectively occupied. The evidence pointed to a deliberate action planned and authorized by the highest Japanese authorities in Manchuria and possibly with direction from the high military command in Tokyo.

On September 25, 1931, the Japanese Ambassador in Washington left with the Under Secretary of State a Statement issued after an extraordinary meeting of the Japanese Cabinet on September 24, 1931. This Statement contained an assurance that while on September 21 a detachment was despatched from Changchun to Kirin it was not with a view to military occupation but only for the purpose of removing the menace to the South Manchuria Railway on flank, and that as soon as that object had been attained it would be withdrawn. The Statement contained a firm assurance that the Japanese Government harbored no territorial designs in Manchuria. As early as October 8, following this firm assurance on the part of Japan, I was informed by the American Charge in Tokyo that the Japanese General Staff had issued an information bulletin to foreign military attaches stating that Japan found it impossible to withdraw the Japanese Army to their original stations or even to the contiguous territory.

After the capture of Mukden by the Japanese on September 19, 1931, the headquarters of the Chinese Government and forces had been removed to Chinchow. Soon after September 30, General Honjo, the Japanese Commander-in-Chief in Manchuria, publicly announced that the Government of Marshal Hsueh-liang would no longer receive Japanese recognition. Other statements followed to the effect that Japanese forces would not cease their activities until Marshal Chang and his government were driven entirely out of Manchuria. Not only were these statements left without

reprimand from the Tokyo government, but Japanese military planes began to enforce this policy in a most drastic manner. On October 8, 1931, a squadron of eleven Japanese planes dropped thirty or forty bombs upon the unarmed and unwarned city of Chinchow, killing and wounding a number of the inhabitants. On its face this was an indefensible act of aggression. In the latter part of October, the Japanese high command in Manchuria sent a military expedition to Tsitsihar in northern Manchuria. This was several hundred miles north of any portion of the South Manchuria Railway and far outside the zone of any of the treaty rights which Japan claimed. This expedition defeated and destroyed the forces of Chinese General Ma Chan-shan and thus destroyed all the organized forces of Marshal Chang in North Manchuria.

The capture of Tsitsihar left the Chinchow District as the only fragment of Manchuria in which Marshal Chang's authority remained intact, and towards the latter part of November the Japanese forces began to move towards Chinchow. On behalf of the United States I made vigorous representations through diplomatic channels, and the Japanese forces were withdrawn to Mukden on November 28, 1931. On November 24, 1931, the Japanese Foreign Minister stated to the American Ambassador that "the Premier, the Secretary of War, the Chief of Staff and he are agreed that towards Chinchow there shall be no hostile operations and orders have been issued to that effect". After December 11, 1931, however, the movement towards Chinchow was resumed and that city was seized by the Japanese army on January 3, 1932. This completed the destruction of the organized forces of Marshal Chang and left the control of all Manchuria in the hands of the Japanese.

On October 26, 1931, the Japanese Government made public fundamental points upon which normal relations between China and Japan should be based, and it appeared then that they included the settlement of the entire question of the disputed treaty rights of Japan in Manchuria. While Japanese representatives disclaimed her intention to use military force to achieve her national objectives, it seemed clear that she was bent on doing just that very thing. Her army was not withdrawing; it was actually pushing forward and the Japanese government was declining to interfere until all these fundamental questions of national policy between the two nations should be settled.

On December 22, 1931, I received from the American Ambassador in Tokyo a telegram in which the Ambassador stated that the Prime Minister of Japan had called at the American Embassy and assured him that Japan would never allow a situation to arise in Manchuria which would be fraught with the danger of war, and that Chinese sovereignty would never be impaired. The Prime Minister reiterated that Japan merely desired the protection of Japanese persons and interests. In the same telegram the American Ambassador reported that active preparations were continuing for further operations in Manchuria where a free hand seemed to have been given to the military.

On December 22, 1931, I requested the American Ambassador in Japan to inform the Foreign Minister of my apprehension of Japanese forces taking action against Chinese regulars south of Chinchow. I requested the Ambassador to inform the Foreign Minister that a new

attack by Japanese forces on Chinese regulars would be regarded as unwarranted and would be interpreted as indicative of indifference to obligations assumed in various treaties to which Japan and China, as well as the United States, were parties. On December 27, 1931, I received a memorandum from the American Ambassador which had been delivered to him by the Vice Minister of Foreign Affairs in which it was stated that the Imperial Government was determined to remain loyal to the League of Nations Covenant, the No War Treaty, other various treaties and the two resolutions adopted by the Council of the League of Nations regarding the Manchurian situation. On December 29, 1931, the American Minister in China informed me that Marshal Chang Hsueh-liang ordered withdrawal of all Chinese forces from Manchuria, stating that he was motivated by a desire to deprive Japanese of any excuse for further aggression in North China.

On January 7, 1932, I sent a note to Japan and China informing them that the United States could not admit the legality of any situation de facto and did not intend to recognize any treaty entered into between those Governments which might impair the treaty rights of the United States or its citizens in China, including those which relate to the sovereignty, the independence, or the territorial and administrative integrity of China, or to the international policy relative to China, commonly known as the open door policy, and that the United States did not intend to recognize any situation, treaty or agreement which might be brought about by means contrary to the obligations of the Pact of Paris of August 27, 1928. On January 16, 1932, the Japanese government replied to our note of January 7. The argument made in that note was to the effect that China was in an "unsettled and distracted state" and that this fact relieved Japan from the obligation to carry out the covenants of the Nine Power Treaty and the League of Nations Covenant, which may be fairly said to have become the argument upon which Japan thereafter relied with the greatest assurance, but which was rejected as untrue and unsound by the unanimous report of the Lytton Commission.

In the middle of January, 1932, Japan's aggression in Manchuria seemed to have achieved success. By May 1, 1932, Japan had attempted to extend her aggressive action to the Yangtze River and to break up the efforts of the Chinese at Shanghai to maintain an economic boycott against her business. There Japan received a military set-back in being checked by Chinese soldiers. In the hostilities around Shanghai, on January 28, 1932, the Japanese forces bombed the unwarned and helpless civilian native quarter of Chapei. This was an act of inexcusable cruelty. Not only were bombs dropped upon positions held by Chinese troops, but incendiary bombs were used which soon had the entire quarter in flames. Thereafter, the Japanese barricaded the streets in the International Settlement of Shanghai, disarmed the police, and paralyzed all regular municipal functions. Numerous excesses against the Chinese population were committed, including many summary executions, and a veritable reign of terror resulted. The Japanese troops even invaded the American sector of defense at Shanghai where they committed acts of violence against Chinese. On February 24, 1932, I sent to Senator Borah, Chairman of the Committee on Foreign Relations of the Senate, a letter in which was outlined the position and policy of the American Government with respect to the situation in China in relation to the application of treaties.

Almost immediately after its army had overthrown the Chinese Government of Manchuria, Japan commenced to establish political and economic control over that country. This was done by forcible creation of an ostensibly independent but really puppet state controlled by Japan and known as Manchukuo. Thereafter, as soon as other nations had announced their intention not to recognize as valid any fruits of this conquest, the Japanese government proceeded to take further steps designed to make this policy of the rest of the world as difficult and ineffective as possible.

On April 4, 1932, the Japanese Ambassador in Washington called upon me and in the course of discussion, admitted that promises made by Japan had been broken but said that chauvinist conditions were so acute in Japan that the Government could not take any other position. On June 23, 1932, I received a telegram from Ambassador Grew in Tokyo that the press had cabled to America a statement by General Araki, Minister of War, before the Supreme Military Council to the effect that the resolutions of the League of Nations and statements made by Japan in regard to Manchuria before the establishment of Manchukuo could no longer be considered as binding on Japan.

On January 5, 1933, the Japanese Ambassador in Washington called upon me and stated that in any event Japan had no territorial ambition south of the Great Wall. He stated that his information as to the affair in Shanhaikwan was that it was a local incident, provoked by a minor outbreak of Chinese against Japanese there. On February 23, 1933, the Japanese Ambassador came to tell me on the instruction of his Government that the State of Manchukuo was determined to suppress irregular forces in the Province of Jehol, and that under the treaty between Manchukuo and Japan, Japan was obliged to support Manchukuo and therefore the Japanese forces were co-operating in this movement in Jehol. On February 27, 1933, I reminded the Japanese Ambassador that when the Manchurian outbreak occurred in September 1931, I had not attributed it to the Government of Japan or to the statesmen whom I used to know or to the people of Japan but to the efforts of a small group of persons of militaristic ambitions and desires. The Ambassador said that he knew this very well. I pointed out the importance of the treaties as instruments to preserve peace and the Ambassador said that he recognized this. He also said that on his part although he had been disappointed many times when he had given me assurances which were afterwards not carried out in Manchuria he still believed in his people and that sooner or later the moderate elements would not disappoint us. I told him at that time that I joined in his hope that this would be so.

I retired as Secretary of State on March 4, 1933 and was succeeded by the Honorable Cordell Hull who then assumed the burden of office in connection with Japanese-American relations.

(SEAL) /s/ Henry L. Stimson
HENRY L. STIMSON

Subscribed to and sworn to before me
this 7 day of June, 1946.

/s/ Clifton F. Gardner
Notary Public in and for the County of Suffolk
State of New York. Commission expires March 30, 1947.

STATE OF NEW YORK)

Form No. 115

) ss:
County of Suffolk)

I, R. FORD HUGHES, Clerk of the County of Suffolk, and also Clerk of the Supreme Court for said County, the same being a Court of Record, DO HEREBY CERTIFY that

Clifton F. Gardner

whose name is subscribed to the deposition or certificate of the proof or acknowledgment of the annexed instrument and thereon written was at the time of taking such deposition or proof or acknowledgment a NOTARY PUBLIC in and for such County, duly commissioned and sworn, and authorized by the laws of said State to take depositions and to administer oaths to be used in any Court of said State and for general purposes; and also to take acknowledgments and proofs of deeds of conveyances for land, tenements or hereditaments in said State of New York. And further that I am well acquainted with the handwriting of such NOTARY PUBLIC and verily believe that the signature of said deposition or certificate of proof or acknowledgment is genuine.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the said Court and County the 11 day of June 1946.

(SEAL)

/s/ R. Ford Hughes

Clerk.

The signature of the notary public, Clifton F. Gardner, we have caused by these presents to be exemplified and the seal of our said Court for said County to be hereunto affixed.

Witness, Hon. Thomas J. Cuff, Justice of our Supreme Court, in and for the Second Judicial Department of said State, this 11th day of June 1946, and in the 170th year of the Independence of the United States.

(SEAL)

/s/ R. Ford Hughes

Clerk

I, Hon. Thomas J. Cuff, Justice of the Supreme Court of the State of New York, in and for the Second Judicial Department thereof, Do hereby certify, that R. Ford Hughes, whose name is subscribed to the preceding exemplification, is the Clerk of the County of Suffolk and Clerk of the Supreme Court, in and for said County, duly elected and sworn, and that full faith and credit are due to his official acts.

I FURTHER CERTIFY, that the Seal affixed to said exemplification is the proper Seal of said Court for said County, and that the attestation thereof is in due form of law and by the proper officer.

Witness my hand at the City of Brooklyn, this 11th day of June in the year 1946.

/s/ Thomas J. Cuff

Justice of the Supreme Court of the State of New York, in and for the Second Judicial Department.

STATE OF NEW YORK,)
County of Suffolk,) ss:

I, R. Ford Hughes, Clerk of the County of Suffolk,
and Clerk of the Supreme Court of the State
of New York, in and for said county, Do Hereby
Certify that

Hon. Thomas J. Cuff

(SEAL)

Whose name is subscribed to the preceding
certificate is Presiding Justice of the
Supreme Court of said State in and for the
second Judicial District, duly elected and
sworn, and that the signature of said Justice
to said certificate is genuine.

IN TESTIMONY WHEREOF I have hereunto set
my hand and affixed the Seal of said county
and Court, this 11th day of June 1946.

 /s/ R. Ford Hughes Clerk.

5/28/46 1105

-- INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST --

THE UNITED STATES OF AMERICA, THE REPUBLIC OF CHINA, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, THE UNION OF THE SOVIET SOCIALIST REPUBLICS, THE COMMONWEALTH OF AUSTRALIA, CANADA, THE REPUBLIC OF FRANCE, THE KINGDOM OF THE NETHERLANDS, NEW ZEALAND, INDIA, AND THE COMMONWEALTH OF THE PHILIPPINES.

- AGAINST - Grew

ARAKI, Sadao; DOIHARA, Kenji; HASHIMOTO, Kingoro; HATA, Shunroku; HIRANUMA, Kiichiro; HIROTA, Koki; HOSHINO, Naoki; ITAGAKI, Seishiro; KAYA, Okinori; KIDO, Koichi; KIMURA, Heitaro; KOISO, Kuniaki; MATSUI, Iwane; MATSUOKA, Yosuke; MINAMI, Jiro; MUTO, Akira; NAGANO, Osami; OKA, Takasumi; OKAWA, Shumei; OSHIMA, Hiroshi; SATO, Kenryo; SHIGEMITSU, Mamoru; SHIMADA, Shigetaro; SHIRATORI, Toshio; SUZUKI, Teiichi; TOGO, Shigenori; TOJO, Hideki; UMEZU, Yoshijiro.
Defendants.

City of Washington,)
District of Columbia,) ss.
United States of America.)

I, JOSEPH CLARK GREW, being duly sworn, on oath depose and say:

I served as United States Ambassador to Japan, at Tokyo, from June 1932 until the Japanese attack on Pearl Harbor, December 7, 1941. Diplomacy has been my life work since 1904. Prior to World War I, I served in the United States Foreign Service in Egypt, Mexico, Russia, Austria-Hungary and Germany. I was counselor at the American Embassy in Berlin during World War I. In 1918 I became acting head of the Western European Division of the United States State

Department. I took part in the peace negotiations at Paris and also represented the United States during the negotiations with Turkey, at Lausanne, in 1922. I also served as Minister to Denmark and to Switzerland, as Under Secretary of State, and, just prior to my appointment to Tokyo, as Ambassador to Turkey.

The statements hereinafter set forth relate to matters which arose from time to time in connection with the carrying out of my duties at Tokyo as diplomatic representative of the American Government in Japan, and I vouch for the truth thereof.

At the time I became Ambassador to Japan, as aforesaid Japan, along with the United States and other nations, was a party to the following treaties, pacts and agreements, and others, or had subscribed to the principles therein announced:

- (1) The Convention for the Pacific Settlement of International Disputes, signed at the Hague 29 July 1899;
- (2) The Convention for the Pacific Settlement of International Disputes, signed at the Hague 18 October 1907;
- (3) The Hague Convention No. III relative to the Opening of Hostilities, signed 18 October 1907;
- (4) The agreement, signed 30 November 1908, effected by exchange of notes between the United States and Japan, declaring their policy in the Far East;
- (5) The Treaty between the British Commonwealth of Nations, France, Japan and the United States relating to their Insular possessions and Insular Dominions in the Pacific Ocean, 13 December 1921;
- (6) The so-called "Nine-Power Treaty" concluded and signed at Washington 6 February 1922;
- (7) The so-called "Kellogg-Briand Pact" concluded and signed at Paris 27 August 1928;
- (8) The Convention respecting the Rights and Duties of Neutral Powers and Persons in Wars on Land, signed at the Hague, 18 October 1907.

As a party to the above-listed treaties, pacts and agreements, and others, or as a subscriber to the principles therein announced, Japan had agreed, inter alia:

to avoid the use of force in the settlement of international differences; in case of serious disagreement or conflict to have recourse to the good offices or mediation of one or more friendly power; not to open hostilities without a declaration of war; to submit international disputes to arbitration; to respect and support the sovereignty, independence and territorial administrative integrity of China; to use its influence to effectually establish and maintain the principle of equal opportunity for the commerce and industry of all nations throughout the territory of China; to refrain from seeking special or monopolistic privileges in China detrimental to the rights or interests of other foreign powers or their nationals; to renounce war as an instrument of national policy; not to violate the territory of neutral powers.

At the time I became Ambassador as aforesaid Japan had gained military control of Manchuria and had established there the Japanese controlled puppet state of Manchukuo. The official records of the United States Department of State with respect to the Manchurian affair, with which I had familiarized myself, indicated that Japan had pursued its course of action in Manchuria despite frequent protests by the United States and other nations that its aggressive action was in contravention of Japan's treaty obligations. The Department's official records further indicated that Japan had consistently defended its aggressive action as a purely defensive measure for the protection of Japanese nationals, and had repeatedly assured the United States Government that Japan had no territorial ambitions or intentions of disturbing the rights and interests of third parties, in China.

During all of my stay in Tokyo as United States Ambassador I repeatedly called to the attention of the Japanese Minister for Foreign Affairs, and occasionally the Japanese Prime Minister, and other responsible government officials the fact that the American Government considered the Japanese military operations in China as a violation of Japan's obligations, under various treaties and agreements hereinbefore mentioned, to respect the territorial integrity of China, to maintain the principle of the Open Door in China and to refrain from endangering the lives and interests of nationals of the United States and other powers, to refrain from the use of force in settlement of disputes, to submit disputes to arbitration and abide by results thereof. I pointed out that Japan was rapidly losing the good will of the American Government and people and of other peoples of the world by its aggressive policy and by the excesses of its military forces. The excuse given was that the military operations were purely defensive measures against Chinese bandits or Communists whom the Chinese Government was unable to control, or were for the protection of Japanese nationals and interests in China from abuses resulting from the anti-Japanese feeling deliberately aroused by the irresponsible Chinese Government. I was repeatedly assured by the officials referred to that Japan had no territorial ambitions in China, that Japan was solicitous of the rights and interests of third parties and was earnestly endeavoring to protect them and

preserve the status quo, and, up until the end of 1938, that Japan intended to preserve the principle of the Open Door in China.

I protested repeatedly against the indiscriminate bombing of non-military objectives which endangered the lives and properties of non-combatant Chinese and foreigners. A few of the more flagrant examples were the bombing and sinking of the U.S.S. Panay on the Yangtze, in which two American nationals were killed, and the machine-gunning of the small boat in which the Panay's captain and others were being taken ashore, the deliberate bombing of the U.S.S. Tutwila at Chungking, the reckless and wanton bombing of residential and business districts of Nanking after a totally inadequate warning had been given, the machine-gunning by a Japanese plane of five Americans while horseback riding within the International Settlement at Shanghai, the bombing of American owned mission property in Tungpeh in which an American national (Phoebe Nyhus) was killed, the destruction by Japanese planes of a commercial passenger plane belonging to the Chinese National Aviation Corporation (in which Pan-American Airways had a large interest) resulting in the loss of lives of a number of noncombatant passengers and the endangering of the life of the American pilot, the destruction by five Japanese planes of another properly marked Chinese Aviation Corporation commercial passenger plane, which had just landed at Chanyi,

and in which the American pilot was killed, the bombing and complete destruction of an American church at Chungking after eight previous bombings all of which had been made the subject of separate protests. The number of instances in which churches, schools and other American properties were repeatedly bombed and damaged could not but compel the conclusion that the attacks were intentional. Furthermore, in most cases the Japanese had been furnished beforehand with maps on which had been marked the locations of the properties in question. In virtually all instances the Japanese Government disclaimed responsibility on one pretext or another, claiming, among other things, that the property was too close to a military objective or was used by Chinese forces (which excuses were not justified by facts brought out by investigations), or that the bomb release mechanism in the plane apparently did not function properly, or merely that a mistake had been made.

In spite of my protests American business men and missionaries were prevented from returning promptly to Nanking even after hostilities in that area had ceased, as, for instance, when the Shanghai University property was evacuated by Japanese troops and the American missionary societies which owned the property were not permitted to immediately reoccupy it, even for the purpose of preventing its further deterioration. In refusing American nationals permission in such cases to return and resume business or

or protect and preserve their property, the excuse given was that peace and order had not been sufficiently restored. The lack of any basis for this excuse was usually illustrated by the presence of many Japanese merchants and their families in the areas in question.

oil

On July 7, 1934 I forwarded to the Japanese Ministry for Foreign Affairs an informal memorandum regarding the establishment by the authorities in Manchuria of a discriminatory petroleum selling monopoly. Attention was invited to the fact that the cooperation and approbation of the Japanese Government in the project, which would close the door in Manchuria to sales by American oil companies of their products, would violate the principles of the Open Door, to which Japan was committed, and which it had declared it would uphold, and, further, that the proposed project would contravene the provisions of Article 3 of the Nine-Power Treaty of 1922 and the explicit provisions of the Sino-American Treaty of 1884. In a reply thereto dated August 2, 1934, the Japanese Minister for Foreign Affairs stated that since Manchukuo was an independent state the question was one concerning the American and Manchukuo Governments, and denied that contravention of any treaty obligations by Japan was involved. I again addressed an informal memorandum to the Japanese Minister for Foreign Affairs, pointing out that the project planned would unquestionably result in a monopoly prejudicial to the treaty rights of American nationals and counter to the principles of the Open

Door, and that since plans therefor were being formulated with the concurrence and cooperation of Japanese nationals, the participation of quasi-official organizations such as the South Manchuria Railway, and the assent or approval of the Japanese Government, the carrying out of the project would be in contravention of Japan's treaty obligations as well as of her unqualified assurances previously given to the American and other governments.

It was undeniable, of course, that Japan had assured maintenance of the Open Door policies in Manchuria even after the establishment of the so-called independent regime of Manchukuo, for the maintenance of those policies had been promised in the speech of Count Uchida (then Minister for Foreign Affairs) before the Diet on August 25, 1932, and in the Japanese Government's public statement of September 15, 1932, issued on the occasion of the recognition of Manchukuo. Moreover, the protocol between Japan and Manchukuo, of September 15, 1932 itself was predicated upon observance by Manchukuo of international obligations applying to that territory, as shown by the second paragraph of the Preamble of the Protocol, reading:

"Whereas Manchukuo has declared its intention of abiding by all international agreements entered into by China in so far as they are applicable to Manchukuo, * * * "

Consequently, on November 30, 1934 I delivered another memorandum to the Minister for Foreign Affairs reiterating my previous

oil { protests at establishment of the oil monopoly in Manchuria in violation of treaty obligations and assurances to the contrary. I had a long discussion with Mr. Hirota on the subject. He remarked that Americans were free to purchase stock in the petroleum company and that, therefore, the door was not being closed to them. The fact was, however, as I informed him, that 40% of the stock had already been issued to the South Manchuria Railway, a quasi-official Japanese organization, 20% to the Government of Manchuria and 40% to four Japanese companies. Mr. Hirota said he thought we and the British were taking too legalistic an attitude. The discussion continued for half an hour, but the Minister's arguments were specious, and it was obviously impossible for me to get anywhere.

On April 10, 1935, the Japanese Minister for Foreign Affairs forwarded to me an answer to my note of November 30, 1934, on the Manchurian oil matter, which consisted of a repetition of the previous denials of Japan's responsibility for the actions of the Government of Manchukuo. I communicated the contents thereof to the American Government, and, as instructed by the Secretary of State, advised the Japanese Foreign Minister, by note dated April 15, 1935, of the American Government's refusal to recognize the contentions advanced by Japan, and of the American view that the ultimate responsibility for injury to American interests would rest upon Japan. I called on the Japanese Minister for Foreign Affairs on April 16, 1935 to point out again the American view that Japan was

violating its treaty obligations and also the assurances it had made on prior occasions (identifying them specifically) that the principles of the Open Door would be maintained. His only reply was that these assurances were conditioned upon recognition of Manchukuo by the interested powers.

On December 1, 1937 I registered with the Japanese Foreign Minister an objection to the manifesto issued by the Manchurian Government regarding extra-territorial rights of foreigners other than Japanese, and to the promulgation of a law under which an American branch bank at Harbin had been advised to prepare to register and to appoint a representative and I called attention to the fact that the extra-territorial rights of United States nationals in Manchuria were governed by treaties between the United States and China and that the law by which the Manchurian Government sought to assert jurisdiction over American nationals was in direct contravention of American treaty rights. The Foreign Minister's reply merely disclaimed any responsibility on Japan's part for the acts of the Government of Manchukuo.

As in the case of the oil monopoly in Manchuria, I protested frequently and strongly against the taking over of the Chinese Customs Administration by the Japanese at Shanghai Canton, Swatow and other places, and the revision of customs regulations to favor Japanese imports. I protested further in the case of the seizure of the Salt Tax Administration. I pointed out that large American and other foreign loans had

been secured against customs revenues and salt tax revenues and that the United States and other nations had vital financial interests in the administrative integrity of the Chinese Maritime Customs and the Salt Administration and were entitled to be consulted in connection with any change in regulations or procedure or diversion of revenues. These protests were, like all others, to no avail, the Japanese Foreign Minister and other officials claiming that the steps taken were required by military necessity and by the fact that Chinese officials would not cooperate.

Other specific instances when assurances which were later violated were given to the American Government, through me or in statements issued to the press by the Japanese Government for publication, were the following:

- (1) On April 25, 1934 the Japanese Foreign Minister (Hirota) assured me personally that Japan had no intention whatever of seeking special privileges in China, of encroaching upon the territorial and administrative integrity of China, or of creating difficulties for the bona-fide trade of other countries in China. He further stated that there was no intention or desire on the part of Japan to claim a privileged position in derogation of the rights and responsibilities to which the signatories of the Nine-Power Treaty were entitled, and that the policy of Japan was complete observance and support of the provision of the Nine-Power Treaty in every respect. I observed to him that the American Government and people would be less impressed by statements of policy than by more concrete evidence.
- (2) On September 1, 1937 the Vice-Minister for Foreign Affairs (Horinouchi), in a radio broadcast to the United States, defended Japan's actions in China on the ground of China's anti-Japanese acts and asserted that Japan's intentions were

peaceful; he stated that the ultimate object of the current hostilities in North China and Shanghai was the realization of a state permitting genuine cooperation between the two countries; and declared that the Japanese forces in China had not been sent there for aggressive purposes and that Japan had no territorial designs. Mr. Horinouchi's radio address was similar to speeches subsequently made in the diet by the Foreign Minister (Hirota) and the Prime Minister (Konoye).

- (3) On February 17, 1939, in an interview with the Minister for Foreign Affairs (Arita), I reminded him of his government's previous statements to the effect that Japan had no territorial ambitions in China; I called his attention to the recent occupation of Hainan Island by Japanese forces; and I asked for an expression as to the intentions of the Japanese Government in connection with the occupation of the island in view of the fact that there were numerous American residents and substantial American missionary and educational properties on the island. The Minister replied that the purpose of the occupation was to strengthen the blockade of the South China coast and to hasten the suppression of the Chiang Kai Shek regime; he repeated the former statements of the Japanese Government that Japan had no territorial ambitions in China and added that the occupation "will not go beyond military necessity."
- (4) On April 15, 1940 the Foreign Minister (Arita), on being questioned by newspapermen concerning Japan's position with regard to the possible involvement of the Netherlands in the European war and its repercussions in the Netherlands East Indies, stated that "the Japanese Government can not but be deeply concerned over any development accompanying an aggravation of the war in Europe that may effect the status quo of the Netherlands East Indies."

In July, 1941 the Japanese Foreign Minister assured me that Japan had not so far considered the possibility of joining the hostilities against Russia. During that month I had forwarded to the Japanese Prime Minister a memorandum

expressing the hope of the United States Government that there was no truth in the reports that Japan intended to enter upon hostilities against Russia, referring to contemporaneous statements of responsible Japanese officials that Japan desired to maintain and preserve peace in the Pacific area.

The reply thereto, which came from the Japanese Foreign

Peace

Minister, recited that maintenance and preservation of peace in the area of the Pacific had always been the sincere and genuine desire of the Japanese Government which had consistently contributed earnest efforts toward achieving that purpose and that Japan had not so far considered the possibility of joining the hostilities against the Soviet Union.

1938 New Order

During 1938 the establishing of a new order in East Asia began to be mentioned. The Prime Minister and the Foreign Minister referred to the extension of the campaign in China from Manchuria to North China and thence into Central and South China and expressed the hope for the emergence of a new regime in China cooperative with Japan, repeating, however, the customary assurances of intention to continue the policies of the Open Door and to protect the rights and interests of third powers. Later the Foreign Minister indicated that the hostilities in China would go on to a finish; that no dealings would be had with General Chiang Kai-shek even if he should sue for peace; and (significantly) that since the main purpose of the campaign was to make possible economic and social cooperation of China and Japan, it was a "small

matter" whether the territory was Chinese or Japanese, and that China should be powerful enough to put itself in order before extra-territoriality and unequal treaties could be abolished in that country. Then, in November, 1938, the Japanese Foreign Office, in announcing the fall of Canton and three Wuhan cities, stated "all vital areas of China have thus fallen into our hands." No mention was made of the rights or interests of third parties, the statement merely expressing Japan's confidence that other powers would adapt their attitude to the new conditions prevailing in East Asia. The Japanese people were cautioned, however, that these victories would not bring an era of peace but rather that since Japan was entrusted with the task of constructing a new Far East "the actual fighting has just started." By the end of 1940 the idea of a new order in East Asia had progressed and developed to the point where the Japanese Government openly admitted it was determined to secure for Japan the position in "greater East Asia including the South Seas" to which it considered itself entitled as a result of its growth as a first-class power in the modern world, and which would remove the territorial and economic restrictions previously hampering it.

In making the representations, protests and objection on behalf of the American Government, as herein set forth, I was always dealing with the Japanese individual or individuals who, as the official records of the Japanese Government will

show, were filling the indicated civil office in the Japanese Government at that time. In most cases I took up the matter in question with the Japanese Minister for Foreign Affairs; some were referred to the Vice-Minister for Foreign Affairs, and some to responsible subordinate officials of the Foreign Ministry; and a few cases were referred to the Prime Minister. The matters herein related constitute a small, but representative, proportion of all those which occurred during my Ambassadorship. At the end of 1938 over 400 separate protest had been filed by me and the number of instances of depredation against American property, discriminations against American business men, and endangering of American lives by the Japanese in China was steadily increasing and continued to do so until the end of my term as Ambassador.

/s/ Joseph Clark Grew
JOSEPH CLARK GREW

SUBSCRIBED AND SWORN TO BEFORE ME THIS 28TH DAY OF MAY, A.D. 1946.

/s/ Edgar M. Ford

Item 3

Teletype

Berlin, 3 July 1941

To German Minister of Foreign Affairs.

At the occasion of a conversation with Ambassador OSHIMA concerning the recognition of WANG CHING-WEI by Denmark and Finland, I have drawn the Ambassador's attention to the latest "Revue Diplomatique". In this the Japanese attitude after the Cabinet Session is familiarly described as iridescent.

In this connection OSHIMA told me he had last night received an interim report from Tokyo concerning the present Japanese attitude, running about as follows:

1. Substance and spirit of the Tri-Partite Pact will remain the basis of Japanese foreign politics.
2. Japan wants to continue fighting the Communist organizations with Germany and strengthen her military preparations for this purpose (presumably in Manchuria.)
3. By bringing pressure to bear on England and the United States in the Southwest Pacific, Japan wants to tie down both of the Anglo-Saxon states.
4. All efforts shall be directed towards the termination of the Chinese conflict.

OSHIMA said that in this report he especially did not understand item 2. He has wired to Tokyo for commentary and has pointed out the great danger of missing an historic opportunity. He finally stated his unwillingness to help champion a ^{WEAK} wear policy on the part of Japan.

I confirmed this surprising communication to Ambassador OSHIMA with the information that Ambassador OTT has just informed us of the unsatisfactory outcome of the Cabinet Session.

WEIZSAECKER

Certificate:-

I, Ulrich Straus, hereby certify that I am thoroughly conversant with the German and English languages, and as a result of the comparison between the German and the English texts, I have established that this is a true and correct translation of International Prosecution Document # 4062 J.

/s/ Ulrich A. Straus

AFFIDAVIT

I. W. P. Cumming, being first duly sworn on oath, depose and say:

1. That I am an Attache of the United States Department of State on the staff of the United States Political Adviser on German Affairs, and as such I am a representative of the Office of Military Government for Germany (U.S.). That in my capacity as above set forth, I have in my possession, custody, and control at the Berlin Documents Center, Berlin, Germany, the original captured German Foreign Office files and archives.

2. That said original Foreign Office files and archives were captured and obtained by military forces under the command of the Supreme Commander, Allied Expeditionary Forces, and upon their seizure and capture were first assembled by said military forces at a Military Document Center at Marburg, Germany, and were later moved by authorized personnel of said Allied forces to said central documents center, above referred to, and known as the Berlin Documents Center.

3. That I was assigned to said document center at Marburg, Germany, on August 15, 1945; and said captured German Foreign Office files and archives first came into my possession and control while I was stationed at Marburg, Germany, and that thereafter the same have continued in my possession and custody and under my control.

4. That the document to which this affidavit is attached is a true and correct photostatic copy of an original German Foreign Office document which was captured from said German Foreign Office files and archives, and which came into my possession and custody and under my control in the manner above set forth.

5. That said original document, of which the attached is a true, photostatic copy, is being held and retained by me in order that it may be examined and inspected by various interested agencies, and a true, photostatic copy of said original is hereby furnished and certified to because of the unavailability of said original for the reasons set above set forth.

2. That said original Foreign Office files and archives were captured and obtained by military forces under the command of the Supreme Commander, Allied Expeditionary Forces, and upon their seizure and capture were first assembled by said military forces at a Military Document Center at Marburg, Germany, and were later moved to said central documents center, above referred to, and known as the Berlin Documents Center.

/s/ W. P. Cumming
W. P. CUMMING

3. That I was assigned to said document center at Marburg, Germany, on August 15, 1945; and said captured German Foreign Office files and archives first came into my possession and control while I was stationed at Marburg, Germany, and that thereafter the same have continued in my possession and custody and under my control.

/s/ G. H. Garde
G. H. GARDE
Lt. Colonel, AGD
Acting Adjutant General

4. That the document to which this affidavit is attached is a true and correct photostatic copy of an original German Foreign Office document which was captured from said German Foreign Office files and

Doc. No. 4062 K
Item 15

Page 1

To be kept in locked file.

Telegram (Secret Cipher Process)

Tokyo, 7 July 1941 3.45 hours

Arrival: 7 July 1941 14.30 hours

No. 1151 of 7 July

*Marginal Note: Sent to
Special Train under No. 2196.
Tel. Rpt. — 17 July.*

Most urgent!

Re: Telegram of 3rd, No. 965, Foreign Ministry.
For the German Foreign Minister.

Had the opportunity to talk personally to SHIRATORI in a spa, where he is living on account of illness. At this occasion he amplified as follows to news regarding his illness already conveyed to me and the Italian Ambassador from his intimate circle: Since the end of April he is suffering from kidney trouble and was in danger of his life for weeks. Recently there had been an improvement, to that the doctor hopes for recovery until fall. He has had to abstain from all political work and today, with me, has had his first talk outside of his closest circle. SHIRATORI made the impression of needing rest and being mentally tired; he visibly suffered from a difficulty at walking, and also complained of it. I transmitted him the best wishes of the German Foreign Minister for his recovery which evidently greatly pleased him. He asked me to thank the German Foreign Minister and to assure /him/ that as soon as he was able to take up his political work again, he wants unchangedly to advocate an active course for JAPAN, and that he regarded the entry into the war against RUSSIA as the most urgent goal.

OTT

Certificate:-

I, Ulrich Straus, hereby certify that I am thoroughly conversant with the German and English languages, and as a result of the comparison between the German and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 4062K.

/s/ Ulrich A. Straus

AFFIDAVIT

I, W. P. Cumming, being first duly sworn on oath, depose and say:

1. That I am an Attache of the United States Department of State on the staff of the United States Political Adviser on German Affairs, and as such I am a representative of the Office of Military Government for Germany (U.S.). That in my capacity as above set forth, I have in my possession, custody, and control at the Berlin Documents Center, Berlin, Germany, the original captured German Foreign Office files and archives.

2. That said original Foreign Office files and archives were captured and obtained by military forces under the command of the Supreme Commander, Allied Expeditionary Forces, and upon their seizure and capture were first assembled by said military forces at a Military Document Center at Marburg, Germany, and were later moved by authorized personnel of said Allied forces to said central documents center, above referred to, and known as the Berlin Documents Center.

3. That I was assigned to said document center at Marburg, Germany, on August 15, 1945; and said captured German Foreign Office files and archives first came into my possession and control while I was stationed at Marburg, Germany, and that thereafter the same have continued in my possession and custody and under my control.

4. That the document to which this affidavit is attached is a true and correct photostatic copy of an original German Foreign Office document which was captured from said German Foreign Office files and archives, and which came into my possession and custody and under my control in the manner above set forth.

5. That said original document, of which the attached is a photostatic copy, is being held and retained by me in order that it may be examined and inspected by various interested agencies, and a photostatic copy of said original is hereby furnished and certified to because of the unavailability of said original for the reasons above set forth.

/s/ W. P. Cumming
W. P. CUMMING

Subscribed and sworn to before me this 23rd day of April 1946.

/s/ G. H. Garde
G. H. GARDE
Lt. Colonel, AGD
Acting Adjutant General

OFFICE OF MILITARY
GOVERNMENT FOR GERMANY (U.S.)

Item 2

Telegram (Secret Cipher Process)

Tokyo - 15 July 1941 - 1150 hours
Arrival 16 July 1941 - 7.30 hours

No. 1246 of 15 July MOST URGENT!
Secret.

MARGINAL NOTE: Sent to Special Train without a number Tel. Kt. -
16 July.

Japanese Vice Foreign Minister just asked me to see him and informed me of the following with the request for handling it strictly confidentially.

The Japanese Government has commissioned its Ambassador in VICHY to enter into negotiations with the French Government in order to obtain their consent to station a number of Japanese troops in South Indo-China and to set up one naval base each in SAIGON and COMORAN/sic. CAMRANE/as well as several air bases. The object was a common defense with the French authorities against harmful influences on the part of the De Gaulle movement fostered by England and America. The Japanese Government is vitally interested in a peaceful development of Indo-China politically and economically, especially economically, in order to secure the vital supply of foodstuffs and raw materials. The Japanese Government has no territorial intentions—does not wish to infringe on the sovereignty of Indo-China and intends to stand by the agreements of August of last year and the treaties recently signed with the French Government re Indo-China. She hopes to reach her goal by peaceful means but is determined to definitely succeed against any eventual interference by England or America. Japan expects the negotiations to be successfully terminated by 30 July and will then commence the occupation. Should the French Government claim the help of the German Government against the Japanese request, Japan requests the German government to influence VICHY in the sense of a peaceful settlement.

The Italian Ambassador will be informed to the same effect. One group missing. Other governments and the French ambassador in Tokyo will not be informed.

OTT

Certificate

I, Ulrich Straus, hereby certify that I am thoroughly conversant with the German and English languages, and as a result of the comparison between the German and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 4052C.

/S/ Ulrich A. Straus

AFFIDAVIT

I. W. P. Cumming, being first duly sworn on oath, depose and say:

1. That I am an Attache of the United States Department of State on the staff of the United States Political Adviser on German Affairs, and as such I am a representative of the Office of Military Government for Germany (U.S.). That in my capacity as above set forth, I have in my possession, custody, and control at the Berlin Documents Center, Berlin, Germany, the original captured German Foreign Office files and archives.

2. That said original Foreign Office files and archives were captured and obtained by military forces under the command of the Supreme Commander, Allied Expeditionary Forces, and upon their seizure and capture were first assembled by said military forces at a Military Document Center at Marburg, Germany, and were later moved by authorized personnel of said Allied forces to said central documents center, above referred to, and known as the Berlin Documents Center.

3. That I was assigned to said document center at Marburg, Germany, on August 15, 1945; and said captured German Foreign Office files and archives first came into my possession and control while I was stationed at Marburg, Germany, and that thereafter the same have continued in my possession and custody and under my control.

4. That the document to which this affidavit is attached is a true and correct photostatic copy of an original German Foreign Office document which was captured from said German Foreign Office files and archives, and which came into my possession and custody and under my control in the manner above set forth.

5. That said original document, of which the attached is a photostatic copy, is being held and retained by me in order that it may be examined and inspected by various interested agencies, and a photostatic copy of said original is hereby furnished and certified to because of the unavailability of said original for the reasons above set forth.

/s/ W. P. Cumming
W. P. CUMMING

Subscribed and sworn to before me this 23rd day of ^{May} April 1946.

/s/ G. H. Garde
G. H. GARDE

Lt. Colonel, AGD
Acting Adjutant General.

OFFICE OF MILITARY
GOVERNMENT FOR GERMANY (U.S.)

Telegram (Secret Cipher Process)

Tokyo, 20 July 1941 1.50 ~~hour~~
Arrival, 20 July 4.20 hoursTo be kept in
Locked File

No. 1297 of 19 July

Most Urgent!

In reference to telegram No. 1295 Pol VIII of 19 July.

The translation of the Foreign Minister's declaration follows:

"Entrusted with the post of Foreign Minister, I permit myself to hereby introduce myself to the German (the Italian) Ambassador in Tokyo.

I respectfully request that you transmit my regards to your Foreign Minister and to inform him that I was un- ^{in the} ~~expectedly~~ entrusted with the post of Foreign Minister, new forming of the Cabinet.

At the same time I would like to officially inform you and your government of the change of the Imperial Japanese government. As you have perceived from the announcement by the Imperial Government, this governmental change was effected in order to firstly carry out political measures suitable to the international situation, and further to be able to take, as soon as possible, the necessary steps for strengthening the inner political situation of the country. Outside of these points there existed no grounds for the governmental change, and the hitherto policy of the Japanese Empire will in no case undergo any change. I request that you take particular cognizance of the fact /that/ Japan's policy will rest on the basis of the spirit and aims of the Tripartite Pact, concluded between Japan, Germany, and Italy. No change whatever will take place in Japan's attitude toward Germany and Italy, as former Foreign Minister MATSUOKA clearly expressed to you, based on the cabinet decision of 2 July. I respectfully request that you also notify your government of the above. I personally was active in the Navy at the time of the conclusion of the Tripartite Pact, and had a share in its realization. As successor of former Foreign Minister MATSUOKA, I intend to continue his foreign policy and to still strengthen the close unity of Japan, Germany, and Italy, and march forward in the common spirit. I express the hope that you, Mr. Ambassador, will bestow upon me, just as the former Foreign Minister, your valued friendship and collaboration.

OTT.

Certificate:-

I, Ulrich Straus, hereby certify that I am thoroughly conversant with the German and English languages, and as a result of the comparison between the German and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 4052F.

/s/ Ulrich A. Straus, 2d Lt.

AFFIDAVIT

I. W. P. Cumming, being first duly sworn on oath, depose and say:

1. That I am an Attache of the United States Department of State on the staff of the United States Political Adviser on German Affairs, and as such I am a representative of the Office of Military Government for Germany (U.S.). That in my capacity as above set forth, I have in my possession, custody, and control at the Berlin Documents Center, Berlin, Germany, the original captured German Foreign Office files and archives.

2. That said original Foreign Office files and archives were captured and obtained by military forces under the command of the Supreme Commander, Allied Expeditionary Forces, and upon their seizure and capture were first assembled by said military forces at a Military Document Center at Marburg, Germany, and were later moved by authorized personnel of said Allied forces to said central documents center, above referred to, and known as the Berlin Documents Center.

3. That I was assigned to said document center at Marburg, Germany, on August 15, 1945; and said captured German Foreign Office files and archives first came into my possession and control while I was stationed at Marburg, Germany, and that thereafter the same have continued in my possession and custody and under my control.

4. That the document to which this affidavit is attached is a true and correct photostatic copy of an original German Foreign Office document which was captured from said German Foreign Office files and archives, and which came into my possession and custody and under my control in the manner above set forth.

5. That said original document, of which the attached is a photostatic copy, is being held and retained by me in order that it may be examined and inspected by various interested agencies, and a photostatic copy of said original is hereby furnished and certified to because of the unavailability of said original for the reasons above set forth.

/s/ W. P. Cumming
W. P. CUMMING

Subscribed and sworn to before me this 23rd day of April 1946.

/s/ G. H. Garde
G. H. GARDE

Lt. Colonel, AGD
Acting Adjutant General.

OFFICE OF MILITARY
GOVERNMENT FOR GERMANY (U.S.)

/p. 620/

Top Secret

Dispatched: 23 July 1941, P. M., WASHINGTON
Received: 24 July 1941, A. M., Foreign Office

To: Foreign Minister TOYODA
From: Ambassador NOMURA

No. 550 (Urgent - Top Secret - Ambassador's Code)

In the telegrams of July 3 and July 19, I have mentioned what the effects on Japanese-American relations would be when our southern advance is contemplated. Today, these effects have rapidly developed to a stage where there is danger that diplomatic relations between these two countries may be severed. Sensing the urgency of the situation from the conversation on Monday between WAKASUGI and the Assistant Secretary of State, on Tuesday I requested an interview with the Assistant Secretary of State. The request was finally granted and I am scheduled to interview him at 3:00 p.m. this coming Wednesday. Last night I met a cabinet member who had hurriedly returned from his trip. He too told me that Secretary HULL was taking a rest for his health and that WELLES was at a loss for what to do, and he intimated that he could not do anything for us. He asked for my opinion so I replied that I have not lost hope and will do my best according to my belief. However, it is believed that things will develop to a point just short of a diplomatic break.

The cause for the rapid change of American public opinion toward JAPAN lies in the southward advance. They consider that the southward advance is the first step which will eventually lead to SINGAPORE and the DUTCH EAST INDIES. The U. S. Navy officers are presumed to have the same opinion. There is criticism that on one hand JAPAN is planning her southward advance, and on the other hand is trying to conclude an agreement with AMERICA, and that the Secretary of State is being deceived. With his physical condition as such, there are also rumors that he may resign. Furthermore, reports from TOKYO, which tend to make our real intentions questionable, keep coming in frequently. Some of the outstanding ones are: (a) The negotiations carried on by us here will be "torpedoed" in TOKYO. (b) JAPAN has explained to the Axis Powers that the adjustment of Japanese-American diplomacy is a strategem to complete preparations for a southward advance. There are rumors that even the highest authorities have begun to listen to these reports. Briefly speaking, even while the negotiations are going on, there are attempts at

/p. 621/

/p. 622A/

alienation and slander by the third countries. It is obvious that there are opposition movements both in JAPAN and AMERICA and the situation now is really difficult.

I suggest that the Japanese government lose no time in manifesting to the American ambassador the sincere intentions of JAPAN in regard to the adjustment of Japanese-American diplomacy and the real intentions of JAPAN's occupation in FRENCH INDO-CHINA. It is also requested that you notify me as soon as possible of the new cabinet's policy toward AMERICA. As a man given a new lease on life, I am resolved to do my utmost. (End)

Telegram (Secret Cipher Process)

Tokyo 24 July 41 1150 hours
Arrival 25 July 41 1.30 hours

No. 1353 of 24 July

Most urgent!

The Japanese Foreign Minister who asked me to see him this afternoon received me in the presence of an interpreter in order to inform me that the Japanese - French negotiations re occupation of bases in Indo-China had resulted, according to him, in an agreement on 20 July in VICHY. At present a protocol and a communique are being agreed upon by the two governments, according to which, among other things; it will be determined that the integrity of Indo-China and French sovereignty over the area will not be impaired. Presumably, the communique would be published on 26 July.

The Foreign Minister then expressed his thanks for the cooperation rendered by Germany to Japan.

When I asked whether the preparations and agreements were of such a kind that no local difficulties had to be reckoned with, Admiral TOYODA replied that the agreements are guaranteeing the frictionless course of events, the more so since the Chief of the Japanese military mission in Indo-China, General SUMITA, has conferred about all details with Governor-General DECOUX. I then transmitted to the Japanese Foreign Minister, according to my instructions, the thanks of the German Foreign Minister for the statement handed me at my last visit.

Not Read
Concerning his request, I then explained to the Foreign Minister how things stood in regard to our military action in SOVIET RUSSIA on the basis of the available material. The Foreign Minister received my information with visible satisfaction. I then asked him to keep us informed, as heretofore, of the reports by the Japanese missions in Soviet Russian and England. He promised to do this. Then I asked him, whether there was a report, by now, of the Japanese Ambassador in Washington concerning the reception on the part of the American government of the Japanese reply. Foreign Minister replied that he had not yet found time to deal with American problems owing to the Japanese-French negotiations. I drew the attention of the Japanese Foreign Minister to our urgent interest to be completely informed in time of the state of the conversation.

OTT.

Certificate:

I, Ulrich Straus, hereby certify that I am thoroughly conversant with the german and english languages, and as a result of the comparison between the german and the english texts, I have established that this is a true and correct translation of International Prosecution Document No. 4052-G.

/s/ Ulrich A. Straus

AFFIDAVIT

I. W. P. Cumming, being first duly sworn on oath, depose and say:

1. That I am an Attache of the United States Department of State on the staff of the United States Political Adviser on German Affairs, and as such I am a representative of the Office of Military Government for Germany (U.S.). That in my capacity as above set forth, I have in my possession, custody, and control at the Berlin Documents Center, Berlin, Germany, the original captured German Foreign Office files and archives.

2. That said original Foreign Office files and archives were captured and obtained by military forces under the command of the Supreme Commander, Allied Expeditionary Forces, and upon their seizure and capture were first assembled by said military forces at a Military Document Center at Marburg, Germany, and were later moved by authorized personnel of said Allied forces to said central documents center, above referred to, and known as the Berlin Documents Center.

3. That I was assigned to said document center at Marburg, Germany, on August 15, 1945; and said captured German Foreign Office files and archives first came into my possession and control while I was stationed at Marburg, Germany, and that thereafter the same have continued in my possession and custody and under my control.

4. That the document to which this affidavit is attached is a true and correct photostatic copy of an original German Foreign Office document which was captured from said German Foreign Office files and archives, and which came into my possession and custody and under my control in the manner above set forth.

5. That said original document, of which the attached is a photostatic copy, is being held and retained by me in order that it may be examined and inspected by various interested agencies, and a true photostatic copy of said original is hereby furnished and certified to because of the unavailability of said original for the reasons set above set forth.

6. That said original Foreign Office files and archives were captured and obtained by military forces under the command of the Supreme Commander, Allied Expeditionary Forces, and upon their seizure and capture were first assembled by said military forces at a Military Document Center at Marburg, Germany, and were later moved to said central documents center, above referred to, and known as the Berlin Documents Center.

/s/ G. H. Garde

G. H. GARDE

7. That I was assigned to said document center at Marburg, Germany, on August 15, 1945; and said captured German Foreign Office files and archives first came into my possession and control while I was stationed at Marburg, Germany, and that thereafter the same have continued in my possession and custody and under my control.

OFFICE OF MILITARY
GOVERNMENT FOR GERMANY (U.S.)

8. That the document to which this affidavit is attached is a true and correct photostatic copy of an original German Foreign Office document which was captured from said German Foreign Office files and

Foreign Ministry File of Miscellaneous Items. Item 4:

July 29 (SHOWA 16) 1941

Announcement of the Information Bureau:

With regard to the conclusion of the protocol between Japan and France, pertaining to the joint defense of French Indo-China, having hitherto been proceeding with the necessary measures for its conclusion and having obtained the Imperial sanction thereto on the 28th instant (yesterday), the Government has immediately instructed Ambassador KATO in France by telegram to sign the protocol. Ambassador KATO has signed and sealed the protocol on this 29th instant at Vichy, together with the Vice-Premier and Foreign Minister Darlan, thus making it effective immediately.

The full text of the protocol is as follows:

The protocol between Japan and France for the joint defense of French Indo-China.

In view of the present international situation, the Japanese Government and the French Government, recognizing a good reason for Japan to consider that the general peace tranquility and her safety are at danger, if the security of French Indo-China is menaced, do hereby conclude the following agreement, by confirming and renewing, on the one hand, the promise made by Japan to France that she will respect the rights and interests of France in the Far East, especially the territorial integrity of French Indo-China and sovereignty of France in the lands of the whole of the federated states of Indo-China, and on the other hand, the promise made by France to Japan that she will neither conclude any agreement nor enter into any understanding with a third power, in so far as Indo-China is concerned, which may presuppose directly or indirectly political, economic or military cooperation against Japan. The following stipulations are agreed upon.

1. The two Governments promise military cooperation for the joint defense of French Indo-China.
2. The measures to be taken for the above-mentioned cooperation are to be the aims of a special arrangement.
3. The above provisions shall only remain in force so long as the situation which prompted their adoption exists.

In witness thereof, we, the undersigned, duly authorized by our respective government, do hereby have set hands and seals to this protocol which will become effective from this date.

This document is made out in duplicate, one in Japanese and the other in French at Vichy on the 29th July of the 16th year of Showa, or the 29th July 1941.

KATO ⁰~~S~~atomatsu

Darlan

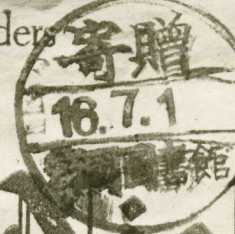
We Also Publish
In Nipponese
The Osaka Mainichi
The Tokyo Nichi Nichi
With Combined Circulation
Of 3,500,000 Daily

Sunday Mainichi, Braille Mainichi,
Economist, Year Book, Home Life,
Mainichi Children's Daily, Tonichi
Children's Daily, 'Dai Nippon
Seinen', Chinese Mainichi

A National Newspaper For International Readers

The Osaka Mainichi &

The Tokyo Nichi Nichi



TODAY'S WEATHER

Tokyo: Fair, showers. (S).
Yokohama: Generally fair. (SE).
Nagoya: Generally fair. (S).
Kyoto: Generally fair. (S).
Osaka: Generally fair. (SW).
Kobe: Generally fair. (SW).
Shimonoseki: Generally fair. (E).

SATURDAY, AUGUST 23, 1941

Speedy Expansion Of Armaments And Autarchy Of East Asia Sought

COMMODITY MOBILIZATION PLAN STUDIED

Program For 2nd Quarter Of Fiscal Year Decided As Proposed By Governor Of Planning Board; Key Points Of Scheme Announced

The Government, at the Cabinet meeting on August 22, formally decided the national commodity mobilization plan for and after the 2nd quarter of the 1941-2 fiscal year, as proposed by Lieut.-General Teiichi Suzuki, governor of the Planning Board.

The key points of the scheme are: (1) Prompt expansion of armaments; (2) Establishment of a system of autarchy for important resources in the East Asia Co-prosperity Sphere, especially the maintenance of steel and coal production; (3) Maintenance of the lowest limit for the nation's living necessities; and (4) Strict harmony between the commodity mobilization scheme and the marine transportation plan.

Verbal Statement Issued By Governor Suzuki

The scheme had eagerly been studied by the Planning Board and the related Offices in order to establish a strong wartime system in the midst of the complicated international situation.

Governor Suzuki of the Planning Board introduced and explained the scheme in detail at the August 22 Cabinet meeting, it having been drafted among those concerned. The plan was formally approved after discussion.

The Government the same afternoon issued a communique in the form of verbal statement by Governor Suzuki, as follows:

"The Government previously set the scheme for the enforcement of the commodity mobilization plan for the 1st quarter of the 1941-2 fiscal

year. The Government however has examined and studied various measures necessary for the completion of the wartime system in response to the international situation which has since undergone a sudden change. The Government thus drafted the commodity mobilization scheme for and after the 2nd quarter of the 1941-2 fiscal year and obtained the Cabinet decision on it today.

"In the current scheme, importance is attached to the 4 points (already listed) aimed at the complete execution of the China Emergency and the prompt completion of the wartime system to meet the new international situation.

"As regards the supply of commodities for the 1941-2 fiscal year, various counter-measures have been taken in anticipation of a situation in which imports from third powers might become difficult. Accordingly, there is no fear that a hitch will occur in the execution of this commodity mobilization scheme.

"A proper cut has been effected in commodities for Government or civilian consumption. Efforts will be made in order to be able to secure the best results with the minimum resources, through such measures as the increase of efficiency, rationalization of consumption, and adjusting of distribution organs based on their relative importance.

"Simultaneously the Government will urge the reclamation of more resources and strengthen consumption control designed for the smooth execution of the commodity mobilization scheme.

"The enforcement of the commodity mobilization scheme depends upon a strong war sense and the cooperation of officials and the people. The nation, with indomitable determination to deal with the situation, is requested to strive, acting with the

SATURDAY, AUGUST 30, 1941

Ambassador Nomura Sees Roosevelt; Premier Konoe's Message Delivered

CONVICTION TOLD ON PACIFIC PROBLEMS

Japanese Envoy Confers With USA Chief Executive For 45 Minutes; Secretary Of State Hull Present; Pending Matters Discussed

The Cabinet sat in an extraordinary session on Friday, August 29, from 1.30 to 2.10 p.m., in addition to the regular Cabinet meeting in the morning, in view of the mounting tension in the international situation.

Admiral Teijiro Toyoda, Foreign Minister, reported in detail the latest diplomatic negotiations with the United States to his Cabinet colleagues in the presence of Major-General Akira Muto, chief of the military affairs bureau; Rear-Admiral Masazumi Oka, chief of the naval affairs bureau; and Taro Terasaki, director of the Foreign Office's American bureau.

Doc #2534-E

30-AUG-1941

++

Friday August 8, 1941

Thought Problems Council

The first meeting of the Thought Problems Council since the formation of the third Konoe Cabinet was held at the official residence of Premier Prince Fumimaro Konoe on August 7 at 2 p.m.

The future policy of the unit was discussed among Minister Without Portfolio Baron Kiichiro Hiranuma, Minister Without Portfolio Lieut.-General Heisuke Yanagawa, Minister Without Portfolio Lieut.-General Sadaichi Suzuki, Home Minister Harumichi Tanabe, Justice Minister Michiyo Iwamura, and Privy Councilor Hiroshi Minami.

Doc #2534-D

23-AUG-1941

++

Doc #2534-C

8-AUG-1941

++

EXCERPT FROM "THE OSAKA MAINICHI & THE
TOKYO NICHU NICHU". SUNDAY, SEPTEMBER 7, 1941

GOVT. TO EXPEDITE BUILDING OF FREIGHT
AND PASSENGER CARS

TRAFFIC MOBILIZATION

Concrete Plans Being Drafted by
Communications and Railway
Offices

Based on the traffic mobilization plan for the 1941-42 fiscal year, the Railway Office will positively embark on the construction of freight cars, while the Communications Office will establish the shipbuilding control association in order to systematize the shipbuilding industry, it is expected.

The Government, at the Cabinet meeting on Friday, September 5, decided the traffic mobilization plan in order to place land and sea transportation on a wartime basis to meet the requirements of the times.

C E R T I F I C A T E

I.F.S. No. 2535-A

Statement of Source and Authenticity

I, Kiatuiti Ikawa hereby certify that I am officially connected with the Japanese Government in the following capacity: Secretary of Cabinet and that as such official I have custody of the Cabinet Meeting Records hereto referred to and that the newspaper account hereto attached and described as follows: Tokyo Nichi Nichi account of Cabinet meeting of 5 September 1941 correctly represents in substance the decisions of the Cabinet meeting of the date referred to. -----

Signed at Tokyo on this
23 day of Sep, 1946.

/s/ K. Ikawa
Signature of Official

Witness: /s/ T. Satow

SEAL
Secretary of Cabinet
Official Capacity

Statement of Official Procurement

I, Richard H. Larsh, hereby certify that I am associated with the General Headquarters of the Supreme Commander for the Allied Powers, and that the above certification was obtained by me from the above signed official of the Japanese Government in the conduct of my official business.

Signed at Tokyo on this
23 day of Sep, 1946

/s/ Richard H. Larsh
NAME

Witness: /s/ T/4 Toguchi

Investigator, IPS
Official Capacity

TRANSLATION OF TELEGRAM FROM NOMURA TO TOYADA,
dated September 12, 1941

Top Secret by Embassy Code

From Ambassador NOMURA
Afternoon, September 11,
Showa 16 (1941)
Washington (by secret)

To Foreign Minister TOYADA
Arrived at the Ministry, Afternoon
September 12, Showa 16 (1941)

Telegram No. 810.

The difficult points of the present Japanese-American negotiations for the adjustment of diplomatic relations are, as you are well aware of by my repeated telegrams, the problems regarding the withdrawal of Japanese troops from China and stationing of troops for anti-Comintern purposes, and I think the U.S.A. is in the position where she cannot recognize the stipulated terms between our side and the Nanking Government upon this matter, not only in the light of the public opinion in the country, but also from the viewpoint of her obligation as a mediator toward China. Consequently in the American proposal of 21 June there is included a clause to the effect that the evacuation should be effected as soon as possible in compliance with the stipulations to be newly agreed upon between Japan and China. And her attitude having been more stiffened of late, she has mentioned the complete evacuation of troops within two years after the restoration of peace (one of the causes of the above stiffening is believed to be the result of her talks with the Chinese side), and it is felt that toward the new proposal advanced from our government, the U.S.A. apparently shows no serious disapproval in points other than that of the evacuation, against which she seems to have strong opposition.

And, after all, according to my observation, there is a great possibility for the negotiation to split on the rocks in the final stages due to this evacuation problem. To avoid it, therefore, I earnestly wish that following the general line of the American request and without making reference to the stationing of troops, you deliberate how to deal with the proposal for the evacuation of troops within two years after peace restoration.

When an official of the State Department visited me yesterday, I postponed the explanation of this matter to a later occasion. For the sake of negotiating and partly for the above reason, your final decision upon this matter is earnestly desired at the earliest moment.

Formula

Essentially the evacuation problem concerns exclusively Japan and China, and the U.S.A. refers to it only to exercise good offices. In any case, should negotiations develop after our government adopts this proposal, considerable time will surely be needed from the time of the meeting of the responsible heads of both countries, to the conclusion of detailed agreement, until the holding of the Sino-Japanese truce and peace conference. It may possibly require more than one year. And so, even if we should now promise the evacuation within two years, there may arise during the interval, on account of the development in the international situation and of the circumstances at the actual places concerned, some opportunities of renewing talks between Japan and China to prolong the period of stationing troops. Moreover, it may be possible that we can remain under the excuse of protecting the lives and properties of the Japanese in China. Therefore, in my opinion, the concession to this proposal will not necessarily lead to the result contradictory to the policy adopted so far by our government. And although I believe that it must be a very difficult national problem, I earnestly request you to send me my instructions as soon as possible.

With reference to the above, the item of "stationing troops for anti-Comintern purposes," should be eliminated, but it is permissible to retain one section pertaining to Sino-Japanese cooperation (non-military) to prevent actions detrimental to national peace.

Incidentally, it appears that the Japanese press has been making some optimistic broadcasts in the last few days that the Japanese-American agreement was near at hand. But, as we have difficult questions such as the evacuation of troops, etc., it is better not to have such premature optimistic opinions. Over here, Hull himself denied the above-said optimistic broadcasts at a press interview, and I request that you give some attention to the directing of the press. (End)

(Item 5).

SECRET

From: Washington (Nomura)
To: Tokyo
October 8, 1941
Purple

#907

(Part 1 of 4)^a

(To be handled in government code. Departmental Secret)
Re your #637 b.

I will tell you more about this after I interview the Secretary of State a little later on. However, my views at present are as follows:

(1) According to the American memorandum of the 1st, the Americans realize that there is unanimity on the various principles and fundamentals which they have stuck to. However, they are dissatisfied because you did not express a desire to go into a detailed discussion. The Americans believe in the four principles as the basis on which relations between the two countries must be adjusted. The Americans consider that it is necessary to achieve unanimity on the various questions which have been fundamentally explored by both nations in the unofficial talks held so far in order to settle the Pacific question. They have always felt that if conversations between the leaders of the two countries are to be realized immediately, it must be definitely understood that these principles are to be applied to the concrete problems in the Pacific, and they desire a further clarification of our views.

a - For Part 3 of 4, see S. I. S. #23293.

b - S. I. S. #23118 in which the Foreign Minister, TOYODA, asks Ambassador NOMURA to immediately clarify with the U. S. Government two points.

ARMY

23319

SECRET

Trans. 10/10/41 (1)

(Item 5).

SECRET

From: Washington (Nomura)

To: Tokyo

October 8, 1941

Purple

#907

(Part 3 of 4)^a

(To be handled in government code.)

Judging by the impression I got from the above mentioned facts and my contacts with them so far, they figure on first bringing about unanimity on the fundamental questions on which our two countries have so far failed to see eye to eye, and then gradually to turn to the other matters. They evidently feel that so long as there is disagreement on the aforementioned points it would be vain and futile to discuss the various other problems, therefore, up to now the United States has done no more than express her opinions on the other matters in the proposal of June 11. (As I have wired you, some changes were made in the last clause.)

In their proposal of June 21, they made it evident that they were going to stick to this as the basis for negotiations. The latest reply of theirs shows, I am sure, that they are entirely disregarding our own proposal of the 25th. This shows that they are going to stick to their ideas as they stand: however, it will still be necessary for us to talk through certain matters concerning ,

A. The matter mentioned in the annex of the clause concerning the China incident. B. Discontinuing activities designed to help CHIANG. C. The stipulation concerning Nanking Treaty in the clause concerning the China incident (an agreement between Japan and China); joint mediation and the right of self-protection mentioned in the clause concerning our attitude toward the European war; the question

(Item 5).

SECRET

of eliminating the annex to the clause concerning commerce
between the two nations.)

a - Parts 1 and 2 not available.

ARMY 23293

SECRET

Trans. 10/10/41 (7)

Doc. No. 2593 (Certificate)

WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
INTELLIGENCE DIVISION
WASHINGTON, 25, D.C.

24 July 1946

I hereby certify that the attached photostats of Japanese messages have been intercepted by electric or physical means, decrypted, and translated by trained personnel of the War and Navy Departments, and are accurate and authentic to the best of my knowledge and belief insofar as it is humanly possible for an occidental accurately to translate Japanese script.

/s/ Carter W. Clarke

CARTER W. CLARKE
Colonel, G.S.C.

C E R T I F I C A T E

W.D.C. No. _____

I.P.S. No. 2745Statement of Source and Authenticity

I, HAYASHI Kaoru hereby certify that I am officially connected with the Japanese Government in the following capacity: Chief of the Archives Section, Japanese Foreign Office and that as such official I have custody of the documents enumerated below and described as follows:

- Doc. No. 1532 D-1 Telegram from Nomura to Togo October 22, 1941 asking to be relieved from his official duties so as not to deceive himself and others.
- Doc. No. 1532 D-2 Telegram 722. Wire from Togo to Nomura November 2, 1941 stating that the Government for days had been holding Liaison Conferences preparatory to an Imperial Conference on November 5, 1941.
- Doc. No. 1532 D-3 Telegram 730. Wire from Togo to Nomura November 4, 1941 stating that Kurusu was leaving for the U.S. on November 7, 1941.
- Doc. No. 1532 D-4 Telegram 757. Wire from Togo to Nomura in connection with a conversation the former had with Ambassador Grew in connection with the China War. (November 10, 1941).
- Doc. No. 1532 D-5 Telegram 1133. Kurusu reports by wire November 18, 1941 to Togo stating that the U.S. has a genuine desire to settle negotiations and advising Japan to start evacuating southern Indo-China at once.
- Doc. No. 1532 D-6 Telegram 800. Wire from Togo to Nomura November 19, 1941 stating that the U.S. must cease help to China and that Japan's offer to move troops from south and north Indo-China was an important concession.
- Doc. No. 1532 D-7 Telegram 1159. Wire from Nomura to Togo in re interview on Nov. 23, 1941 with Hull and Ballantine, sent on Nov. 23, 1941.
- Doc. No. 1532 D-8 Telegram 822. Wire from Togo to Nomura November 24, 1941 in re conversation with Grew.
- Doc. No. 1532 D-9 Telegram 823. Wire from Togo to Nomura November 24, 1941 that the time limit was now November 29, 1941.
- Doc. No. 1532 D-15 Telegram 844. Wire from Togo to Nomura 28 November 1941.

- Doc. No. 1532 D-10 Telegram 857. Wire November 29, 1941
Togo to Nomura with instructions to
urge the U.S. to accept the proposal of
November 20, 1941 and to withdraw theirs
of November 26 but not to break off
negotiations.
- Doc. No. 1532 D-11 Telegram 875. December 3, 1941. Wire
from Togo to Nomura telling him to
explain that troop movement in Indo-
China due to unusual amount of activity
by Chinese forces.
- Doc. No. 1532 D-12 Telegram 901. Wire December 6, 1941
Togo to Nomura in connection with Japan's
reply to the American proposal of Nov-
ember 26, 1941.
- Doc. No. 1532 D-13 Telegram 904. Wire December 6, 1941
Togo to Nomura requesting that in pre-
paring the document replying to the
November 26, 1941 American proposal that
he was not to use a typist or any other
person and to preserve caution and se-
crecy.

I further certify that the above listed documents are official documents of the Japanese Government, and they are part of the official archives and files of the following named ministry or department (specifying also the file number or citation, if any, or any other official designation of the regular location of the document in the archives or files): Japanese Foreign Office

Signed at Tokyo on this
30th day of October, 1946

/s/ K. Hayashi
Signature of Official

SEAL

Witness: /s/ Nagaharu Odo

Chief of Archives Section
Official Capacity

Statement of Official Procurement

I, John A. Curtis, hereby certify that I am associated with the General Headquarters of the Supreme Commander for the Allied Powers, and that the above certification was obtained by me from the above signed official of the Japanese Government in the conduct of my official business.

Signed at Tokyo on this
30th day of October, 1946

/s/ J. A. Curtis, 2d Lt.
NAME

Witness: /s/ William C. Prout

Investigator, IPS
Official Capacity

1165

Doc. No. 2593-D (8)

Page 1

Item No. 9

SECRET

From: Tokyo.

To: Washington

November 4, 1941

Purple (CA) (Urgent)

#726

(Part 1 of 4.)

Proposal "A".

1. This proposal is our revised ultimatum made as a result of our attempts to meet, in so far as possible, the wishes of the Americans, clarified as a result of negotiations based on our proposals of September 25. We have toned down our insistence as follows:

(1) The question of non-discrimination in trade.

Should they appear not to accede to our proposal of September 25 in this respect, insert the following statement. "The Japanese Government is prepared to carry out this principle in the entire Pacific area; that is to say, China as well, providing the principles of non-discrimination are applied to the entire world."

(2) The question of our understanding and application of the Tripartite Alliance.

At the same time that you clarify to them that we intend no expansion of our sphere of self-defense, make clear, as has been repeatedly explained in the past, that we desire to avoid the expansion of Europe's war into the Pacific.

Trans. 11/4/41 (S)

24334

SECRET

SECRET

From: Tokyo
To: Washington
November 4, 1941
Purple (CA) (Urgent)

726

(Part 2 of 4.)

- (3) The question concerning the evacuation of troops.
We are toning down our stipulations in this connection

as follows:

(A) The stationing and evacuation of troops in China since the outbreak of the China Incident.

Japanese troops which have been sent to China will be stationed in North China, on the Mongolian border regions, and on the Island of Hainan after the establishment of peace between Japan and China, and will not be evacuated until the elapse of a suitable interval. The evacuation of other troops will be carried out by Japan and China at the same time that peace is established. In order to maintain peace and order, this will be carried out within a period of two years. (Note: Should the American authorities question you in regard to "the suitable period", answer vaguely that such a period should encompass 25 years.)

(B) The stationing and evacuation of troops in French Indo-China.

The Japanese Government respects the territorial integrity of the French possession, Indo-China. In the event that a just peace is established, or that the China Incident is brought to a successful conclusion, Japanese troops which have been dispatched to French Indo-China and are there now shall be evacuated.

(4) As a matter of principle, we are anxious to avoid having this inserted in the draft of the formal proposal reached between Japan and the United States (whether it is called an understanding proposal or some other sort of a statement.)

Trans. 11/4/41 (S)

24335

SECRET

SECRET

From: Tokyo
To: Washington
November 4, 1941
Purple (CA) (Urgent)

#726 (Part 3 of 4)

2. Explanation.

(1) Of course, there is the question of geographical proximity when we come to consider non-discrimination in commerce. However, we have revised our demands along this line hitherto and put the question of non-discrimination on a world-wide basis. In a memorandum of the American Government, they state in effect, however, that it might be feasible for either country within a certain specified area to adopt a given policy and for the other party within another specified area to adopt a complementary policy. Judging from this statement, I do not believe they will oppose this term. I think that we can easily reach an understanding on this matter.

(2) As for the question of the Three-Power Pact, your various messages lead me to believe that the United States is, in general, satisfied with our proposals, so if we make our position even more clear by saying that we will not randomly enlarge upon our interpretation of the right of self-defense, I feel sure that we will soon be mutually agreed on this point.

24336

Trans. 11/4/41 (S)

SECRET

SECRET

From: Tokyo
To: Washington
November 4, 1941.
Purple (CA) (Urgent)

#726 (Part 4 of 4)

(3) I think that in all probability the question of evacuation will be the hardest. However, in view of the fact that the United States is so much opposed to our stationing soldiers in undefined areas, our purpose is to shift the regions of occupation and our officials, thus attempting to dispel their suspicions. We will call it evacuation; but although it would please the United States for us to make occupation the exception rather than the rule, in the last analysis this would be out of the question. Furthermore, on the matter of duration of occupation, whenever pressed to give a clear statement we have hitherto couched our answers in vague terms. I want you in as indecisive yet as pleasant language as possible to euphemize and try to impart to them the effect that unlimited occupation does not mean perpetual occupation. Summing this up, Proposal A accepts completely America's demands on two of the three proposals mentioned in the other proposal, but when it comes to the last point concerning the stationing and evacuation of forces, we have already made our last possible concession. How hard, indeed, have we fought in China for four years! What tremendous sacrifices have we made! They must know this, so their demands in this connection must have been only "wishful thinking." In any case, our internal situation also makes it impossible for us to make any further compromise in this connection. As best you may, please endeavor to have the United States understand this, and I earnestly hope and pray that you can quickly bring about an understanding.

Trans. 11/4/41 (S)

24337

Doc. No. 2593 (Certificate)

WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
INTELLIGENCE DIVISION
WASHINGTON, 25, D.C.

24 July 1946

I hereby certify that the attached photostats of Japanese messages have been intercepted by electric or physical means, decrypted, and translated by trained personnel of the War and Navy Departments, and are accurate and authentic to the best of my knowledge and belief insofar as it is humanly possible for an occidental accurately to translate Japanese script.

/s/ Carter W. Clarke

CARTER W. CLARKE
Colonel, G.S.C.

From: Tokyo.
To: Washington.
5 November 1941
(Purple-G4)

#735

1. Our counter proposal in the Japanese-U.S. negotiations referred to in my message #725* was taken up at the Imperial Conference on this, the 5th, and was given approval. Therefore, will you please begin the talks along the lines given in my instructions.

2. We assume that it would meet with the U.S. approval, in view of past developments, if, for the time being, the 21 June proposal - 25 September's from our point of view - was used as a basis of these new talks. Subsequently, we feel that from the standpoint of the likelihood of reaching an early agreement, our Proposal A (contained in my message #726**) should be submitted for discussion. (As a matter of fact, there are a number of points in the form and in the expressions used in the U.S. proposal which do not meet with our complete approval. However, we feel that for convenience and speed's sake, Proposal A should be submitted first.) Please, therefore, explain these points to the United States and at the same time have them clearly understand the circumstances contained in my message #725*. Thereupon, do your utmost to have them accept that proposal in the shortest possible time.

3. If the United States expresses too many points of disapproval to Proposal A and if it becomes apparent that an agreement cannot be reached, we intend to submit our absolutely final proposal, Proposal B (contained in my message #727***). Please, therefore, ascertain the U.S. attitude to Proposal A as soon as possible, and advise this office. Be sure to advise this office before Proposal B is submitted to the United States.

4. As stated in my previous message, this is the Imperial Government's final step. Time is becoming exceedingly short and the situation very critical. Absolutely no delays can be permitted. Please bear this in mind and do your best. I wish to stress this point over and over.

5. We wish to avoid giving them the impression that there is a time limit or that this proposal is to be taken as an ultimatum. In a friendly manner, show them that we are very anxious to have them accept our proposal.

(Although a "1" was placed at the beginning of the body of my message #727***, there was no need for it, so please delete it.

*JD-1: 6248.(SIS#24330-32)
**JD-1: 6249.(SIS#24334-37)
***JD-1: 6250.(SIS#24338)

24387

SECRET

JD-1: 6276

(d) Navy Trans. 11-5-41 (S-TT)

Doc. No. 2593 (Certificate)

WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
INTELLIGENCE DIVISION
WASHINGTON, 25, D.C.

24 July 1946

I hereby certify that the attached photostats of Japanese messages have been intercepted by electric or physical means, decrypted, and translated by trained personnel of the War and Navy Departments, and are accurate and authentic to the best of my knowledge and belief insofar as it is humanly possible for an occidental accurately to translate Japanese script.

/s/ Carter W. Clarke

CARTER W. CLARKE
Colonel, G.S.C.

1171

Item 11

SECRET

From: Tokyo
To : Washington.
5 November 1941
(Purple-GA)

#736

(Of utmost secrecy).

Because of various circumstances, it is absolutely necessary that all arrangements for the signing of this agreement be completed by the 25th of this month. I realize that this is a difficult order, but under the circumstances it is an unavoidable one. Please understand this thoroughly and tackle the problem of saving the Japanese U.S. relations from falling into a chaotic condition. Do so with great determination and with unstinted effort, I beg of you.

This information is to be kept strictly
to yourself only.

24373
JD-1: 6254

(D) Navy Trans. 11-5-41 (S-TT)

SECRET

Doc. No. 2593 (Certificate)

WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
INTELLIGENCE DIVISION
WASHINGTON, 25, D.C.

24 July 1946

I hereby certify that the attached photostats of Japanese messages have been intercepted by electric or physical means, decrypted, and translated by trained personnel of the War and Navy Departments, and are accurate and authentic to the best of my knowledge and belief insofar as it is humanly possible for an occidental accurately to translate Japanese script.

/s/ Carter W. Clarke

CARTER W. CLARKE
Colonel, G.S.C.

Telegram 1Z (Secret Cipher Process)

Berlin, 8 Nov 1941

Dg. Pol
U.St.S.Pol. /TN.
meaning unclear/

German Embassy: a) Rome
b) Washington

Reviewer: 1.V.L.S./TN?/ Dr. Braun

Re: Conversation OTT-TOGO on KURUSU Mission

Embassy Tokyo wires the following on the KURUSU Mission:

"Ins. /TN ?/ from telegram No. 2354 of 6 November from Tokyo
from [] to []"

VG (TOGO stated that a firm attitude on the part of JAPAN had been expressed in the instructions for KURUSU. In his negotiations with the United States he was given a definite limit which he could not cross. The dispatch of KURUSU was only recently decided upon, as is borne out by his hurried departure itself.

"Ins. /TN. ?/ from Telegram No. 2354 of 6 November from Tokyo
from ((to))"

End of the report.

ERDMANNSDORFF.

Certificate:-

I, Ulrich Straus, hereby certify that I am thoroughly conversant with the German and English languages, and as a result of the comparison between the German and the English texts, I have established that this is a true and correct translation of International Prosecution Document No. 4058A.

/s/ Ulrich A. Straus

AFFIDAVIT

I, W. P. Cumming, being first duly sworn on oath, depose and say:

1. That I am an Attache of the United States Department of State on the staff of the United States Political Advisor on German Affairs, and as such I am a representative of the Office of Military Government for Germany (U.S.). That in my capacity as above set forth, I have in my possession, custody, and control at the Berlin Documents Center, Berlin, Germany, the original captured German Foreign Office files and archives.

2. That said original Foreign Office files and archives were captured and obtained by military forces under the command of the Supreme Commander, Allied Expeditionary Forces, and upon their seizure and capture were first assembled by said military forces at a Military Document Center at Marburg, Germany, and were later moved by authorized personnel of said Allied forces to said central documents center, above referred to, and known as the Berlin Documents Center.

3. That I was assigned to said document center at Marburg, Germany, on August 15, 1945; and said captured German Foreign Office files and archives first came into my possession and control while I was stationed at Marburg, Germany, and that thereafter the same have continued in my possession and custody and under my control.

4. That the document to which this affidavit is attached is a true and correct photostatic copy of an original German Foreign Office document which was captured from said German Foreign Office files and archives, and which came into my possession and custody and under my control in the manner above set forth.

5. That said original document, of which the attached is a photostatic copy, is being held and retained by me in order that it may be examined and inspected by various interested agencies, and a photostatic copy of said original is hereby furnished and certified to because of the unavailability of said original for the reasons above set forth.

/s/ W. P. Cumming
W. P. CUMMING

Subscribed and sworn to before me this 23rd day of April 1946.

/s/ G. H. Garde
G. H. GARDE
Lt. Colonel, AGD
Acting Adjutant General

OFFICE OF MILITARY
GOVERNMENT FOR GERMANY (U.S.)

1173

Doc. No. 25374

Page 1

Churchill

EXTRACT FROM "THE TOKYO NICHU NICHU"

November 12, 1941

CHURCHILL CLAIMS BRITAIN IS READY FOR
ACTION IN INDIAN, PACIFIC OCEANS.
WILL FIGHT NIPPON IF AMERICA DOES

LONDON PRIME MINISTER DECLARES NO NEGOTIATIONS WILL BE CONDUCTED WITH HITLER
OR NAZI REGIME; LEASE-LEND BILL AND CHUNGKING GIVEN LAVISH PRAISE.

Special to Mainichi-Nichi Nichi

LONDON. Nov. 10. "Prime Minister Winston Churchill, in a speech at the
Lord Mayor's luncheon at Mansion House, warned that the war might soon
spread throughout the world.

"Should the United States be involved in a war with Japan," the Prime
Minister declared, "a British declaration will follow within an hour."

.....

"We do not know whether the efforts of the United States to preserve
peace in the Pacific will be successful."

"But if they fail, I take this occasion to say - and it is my duty
to say - that should the United States be involved in a war with Japan,
a British declaration will follow within an hour."

From: Tokyo.
To : Washington.
11 November 1941
(Purple)

#764 (In 3 parts, complete).

1. On the 11th, the British Ambassador, while calling on me on some other business, brought up the subject of the conversations. He advised me that he reported my talks of the other day (see contents of 2 of my message #723*) to his home government, to which his government replied along the following lines, he said:

"The British Government is not aware of the details of the conversations being conducted in Washington. Since its success would be of interest to Britain and Japan, it is fervently hoping for the success thereof. However, unless the basis of discussion is first settled upon, it would be useless to go ahead and enter into negotiations of the details. The British Government feels that discussions as to the basic principles could safely be left up to the U. S. Government. However, as soon as the real negotiations begin, the United States is to confer with Great Britain according to arrangement. Therefore, when that time arrives, negotiations will be carried on jointly with the United States and Japan."

2. I replied that in the matters being discussed between Japan and the United States there were some phases which greatly affected Great Britain. In the event of an agreement between Japan and the United States, Japan will simultaneously seek Britain's agreement. I wish to arrange matters so that the two agreements may be signed at exactly the same time. In view of the fact that to do the above is necessary, we have already requested the United States to give their approval to the terms, I said to the British Ambassador.

The British Ambassador said that he was not aware as to how much progress had been made between the United States and Japan, but he assumed that they were still in the preliminary stages.

I, therefore, replied that his assumption may have fitted in the past, but that at present they had already entered into the realm of the actual negotiations. Moreover, the Imperial Government has already submitted its final proposal, thus bringing the negotiations to the final phase. We have made this fact absolutely clear to the United States, I added.

I went on to say that I hear that the British Prime Minister made a speech at a luncheon given by the Mayor of London in which he stated that though he did not know the developments in the U.S.-Japanese negotiations, he would issue a warning to Japan. Would it not be more to the point, I challenged, if, instead of making threats without knowing of what he spoke, he were to try to more clearly understand the issues and to cooperate in an effort to clear them up? However, I said, with the U.S.-Japanese talks in the phase they are today, and in view of the fact that I realized that there were certain relationships between the United States and Great Britain, I have no intention of urging or opposing British participation in these talks at this time.

The Imperial Government has made the maximum concessions she can in drawing up its final proposal, I explained. We are of the opinion that the United States will find no objectionable points in it. I believe that it will be possible to sign the agreement within a week to ten days, I said. If, unfortunately, the United States refuses to accept those terms, it would be useless to continue the negotiations. Our domestic political situation will permit no further delays in reaching a decision.

I am making superhuman efforts at this time, I pointed out, in the attempt to ride out the crisis in the U.S.-Japanese and the British-Japanese relations. There are factions in the country which insist that there is no need for negotiating and point out the uselessness of doing so. The negotiations are being continued only after these factions were checked.

For these reasons, it is absolutely impossible that there be any further delays.

A speedy settlement can be made depending entirely upon the attitude of Britain and the United States, I said, and suggested that his country give serious consideration to this, and cooperate in bringing about an early agreement.

In the above manner, I pointed out the criticalness of the situation. The Ambassador listened to what I said very attentively, giving indications that he was realizing for the first time how critical the situation was. He advised me that he would send his government a report of the above conversation and that he himself would do his best to bring about a speedy settlement.

3. Thus, there are indications that the United States Government is still under the impression that the negotiations are in the preliminary stages and that we are still merely

exchanging opinions. This is further supported by the words of President Roosevelt reported by you in your message #1070** (that part in which he says that he hopes that these preliminary discussions will lead to the basis of the real negotiations, etc.)

That the United States takes this lazy and easy going attitude in spite of the fact that as far as we are concerned, this is the final phase, is exceedingly unfortunate. Therefore, it is my fervent hope that Your Excellency will do everything in your power to make them realize this fact and bring about an agreement at the earliest possible moment.

*JD-1: 6228. (SIS #24293-94)

**Not available.

Doc. No. 2593 (Certificate)

WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
INTELLIGENCE DIVISION
WASHINGTON, 25, D.C.

24 July 1946

I hereby certify that the attached photostats of Japanese messages have been intercepted by electric or physical means, decrypted, and translated by trained personnel of the War and Navy Departments, and are accurate and authentic to the best of my knowledge and belief insofar as it is humanly possible for an occidental accurately to translate Japanese script.

/s/ Carter W. Clarke

CARTER W. CLARKE
Colonel, G.S.C.

Doc. No. 2593-D (13)
Item No. 14

page 1

1177
SECRET

From: Washington (Nomura)
To: Tokyo
November 14, 1941
Purple

#1090 (Part 1 of 3)^a (Departmental Secret)
(To be handled in Government Code)

I am telling Your Excellency this for your own information only.

I believe that I will win out in the long run in these negotiations, and I will fight to the end. I will do my very best with infinite patience and then leave the outcome up to God Almighty. However, I must tell you the following:

1. As I told you in a number of messages, the policy of the American Government in the Pacific is to stop any further moves on our part either southward or northward. With every economic weapon at their command, they have attempted to achieve this objective, and now they are contriving by every possible means to prepare for actual warfare.

Munch
2. In short, they are making every military and every other kind of preparation to prevent us from a thrust northward or a thrust southward; they are conspiring most actively with the nations concerned and rather than yield on this fundamental political policy of theirs in which they believe so firmly, they would not hesitate, I am sure, to fight us. It is not their intention, I know, to repeat such a thing as the Munich conference which took place several years ago and which turned out to be such a failure. Already I think the apex of German victories has been passed. Soviet resistance persists, and the possibility of a separate peace has receded, and hereafter this trend will be more and more in evidence.

3. The United States is sealing over-friendlier relations with China, and insofar as possible she is assisting CHUNG. For the sake of peace in the Pacific, the United States would not favor us at the sacrifice of China. Therefore, the China problem might become the stumbling block to the pacification of the Pacific and as a result the possibility of the United States and Japan ever making up might vanish.

a - For Part 2, see S.I.S. #24857; Part 3 of 3 not available.

24877

Trans. 11/17/41 (2)

SECRET

SECRET

From: Washington (Nomura)
To: Tokyo
November 14, 1941
Purple (Urgent)

#1090 (Part 2 of 3)^a (Departmental Secret.) (To be handled in Government Code)

4. There is also the question of whether the officials of the Japanese Government are typing up very intimately with the Axis or not. We are regarded as having a very flexible policy, ready, nevertheless, in any case, to stab the United States right in the back. Lately the newspapers are writing in a manner to show how gradually we are typing up closer and closer with the Axis.

5. If we carry out a venture southward for the sake of our existence and our lives, it naturally follows that we will have to fight England and the United States, and chances are also great that the Soviet will participate. Furthermore, among the neutral nations, those of Central America are already the puppets of the United States, and as for those of South America, whether they like it or not, they are dependent for their economic existence on the United States and must maintain a neutrality partial thereto.

6. It is inevitable that this war will be long, and this little victory or that little victory, or this little defeat or that little defeat do not amount to much, and it is not hard to see that whoever can hold out till the end will be the victor.

7. It is true that the United States is gradually getting in deeper and deeper in the Atlantic, but this is merely a sort of convoy warfare, and as things now stand she might at any moment transfer her main strength to the Pacific.

a - Part 3 not available

SECRET

24857

JD 6553

Trans. 11/17/41 (7)

Dic. No. 2593 (Certificate)

WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
INTELLIGENCE DIVISION
WASHINGTON, 25, D.C.

24 July 1946

I hereby certify that the attached photostats of Japanese messages have been intercepted by electric or physical means, decrypted, and translated by trained personnel of the War and Navy Departments, and are accurate and authentic to the best of my knowledge and belief insofar as it is humanly possible for an occidental accurately to translate Japanese script.

/s/ Carter W. Clarke

CARTER W. CLARKE
Colonel, G.S.C.

(Item 15)

TOP SECRET

From: Tokyo
To: Washington
November 16, 1941
Purple (Ca) (Urgent)

#---

For your Honor's own information.

1. I have read your #1090^a, and you may be sure that you have all my gratitude for the efforts you have put forth, but the fate of our Empire hangs by the slender thread of a few days, so please fight harder than you ever did before.

2. What you say in the last paragraph of your message is, of course, so and I have given it already the fullest consideration, but I have only to refer you to the fundamental policy laid down in my #725.^b Will you please try to realize what that means. In your opinion we ought to wait and see what turn the war takes and remain patient. However, I am awfully sorry to say that the situation renders this out of the question. I set the deadline for the solution of these negotiations in my #736,^c and there will be no change. Please try to understand that. You see how short the time is; therefore, do not allow the United States to sidetrack us and delay the negotiations any further. Press them for a solution on the basis of our proposals, and do your best to bring about an immediate solution.

- a - See JD-:6553 in which NOMURA gives his views on the general situation. Part 3 not available.
- b - S.I.S. #24330 in which TOGO says that conditions both within and without the Japanese Empire will not permit any further delay in reaching a settlement with the United States.
- c - S.I.S. #24373 in which TOGO says that it is absolutely necessary that all arrangements for the signing of this agreement be completed by the 25th of this month.

ARMY 24878 JD-1:6638 SECRET Trans. 11/17/41 (S)

TOP SECRET

Doc. No. 2593 (Certificate)

WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
INTELLIGENCE DIVISION
WASHINGTON, 25, D.C.

24 July 1946

I hereby certify that the attached photostats of Japanese messages have been intercepted by electric or physical means, decrypted, and translated by trained personnel of the War and Navy Departments, and are accurate and authentic to the best of my knowledge and belief insofar as it is humanly possible for an occidental accurately to translate Japanese script.

/s/ Carter W. Clarke

CARTER W. CLARKE
Colonel, G.S.C.

(Item 121)

Despatched: 18 November 1941. P.M. WASHINGTON

Received: 19 November 1941. P.M. *Foreign Ministry*

Strictly Confidential -- Ambassador's Code

From: Ambassador NOMURA

To: Foreign Minister TOGO

#1133

KURUSU states:

(1)-----According to the views held by Ambassador NOMURA and myself, although the President maintains calm attitude outwardly, we feel that the President possesses keen desire to conclude the U.S.-Japanese negotiation. Now, that just because the other party does not take in whole-heartedly our proposal there is no reason for an immediate conjecture that it is a willingly-delayed policy. Moreover it is most important at this time not to resort to actions that could not be amended afterwards.

(2)-----Through the establishment of the Revised Neutrality Law, etc., the U.S. interests were all the more focused to the Atlantic, and therefore, although they are affirming preparations and determination to fight Japan if compelled to, it seems that they are seeking if possible to maintain security in their back front by negotiating with our country. In both of our interviews, with the President on the 17th and with HULL on the 18th, much emphasis was placed on the question of the Tri-Partite treaty. The reason for their giving more force to their assertion than is usual could be attributed chiefly to the consideration given therein. That is, as an assumption to U.S.-Japanese compromise, the U.S. Government shall give the American public in general, the impression of Japanese-German estrangement. To do this, it is desired that utilization be made regarding U.S.-Japanese joint declaration concerning non-discrimination in trade, or to let Japan participate in the agreement regarding the same question now being negotiated between the U.S. and Britain, or to utilize messages manifesting peaceful aims on the part of JAPAN as suggested by the Secretary of State HULL in our interview of the 18th.

(Item 121)

Nomura
Post War

(3)-----An acute change in the present state of Japanese-German relations is, of course, an impossibility, and in view of the aforementioned conditions, I believe it is most important for our country to give the United States sufficient security possible so that they could all the more concentrate deeply to the Atlantic, thereby enabling us to occupy favourable positions in the international situation that is to arrive after the war, not mentioning our full scale execution of the present Sino-Japanese hostilities. (Part 2) In regard to the question of whether the U.S. and Britain will, or will not turn the point of their swords to us after the present war and start suppressing us, I stated this at the conference on the 17th pointing out the bitter experience our country underwent during after the last World War (I) and bluntly explained the suspicion embraced by a group of our people toward the Anglo-Americans. To this, the President unhesitatingly replied that the new agreement also covers such points. (Cover it all).

(4)-----In view of the present state of affairs in our country's internal situation, I believe there are various difficulties to be met before being able to attain some measures along the lines desired by the United States. For the time being, as a link to fill the lapse in time, it is most desirous that a time limit be set in regard to American-Japanese negotiation and to pave a way through this confronting situation, I think that it is necessary to ask for an assurance to import a set quantity of petroleum and also the rescinding of freezing orders. In my interview of the 18th, I together with Ambassador NOMURA suggested a return to the condition prior to 24 July. As an equivalent to this, I think that the U.S. might not consent with only our B proposal stipulating the non-advancement of our armed forces outside French Indo-China, and our testimony given vague in condition regarding evacuation of troops from French Indo-China, as evidenced by our past negotiation. I suggest that at this time, you will show in advance, some degree of sincerity such as to commence evacuation of troops from Southern French Indo-China.

Now, as there is the question of your instructed time limit, I would like, if possible, to effect immediate disposal of the matter while the President is still in Washington, which I am urgently advising.

Item 134

- 134

To: Ambassador NOMURA in America

From: Foreign Minister TOGO

Despatch No. 43905

Depatched: 19²⁰ November 1941 - 0030 *Drafted; 19 November 1941.*

Telegram No. 800 (Ambassador Code) Very Urgent.

Re my Telegram No. 799

Re paragraph 1 of my telegram No. 780, Southeast Asia and South Pacific includes Dutch Indies and Thailand, but not China.

Re item 2 of paragraph 3, it is desirable that the required quantity be decided upon by agreement of both governments before the signatures are affixed to this present agreement.

Re paragraph 4, please bear in mind that it means the cessation of aid to Chiang by the United States.

Re paragraph 5. Article 2 (my #801) is an important concession we venture to make for the sake of speeding the conclusion of the agreement.

Re paragraph 6. We could not agree to the principle of non-discrimination in trade being applied only to China, as I have stated in my #784.

Re paragraph 7, latter part of item 2. As an explanation of our attitude as expressed in "Japan would decide entirely independently" in case the U.S. should enter the European War, you may point out that the Empire can decide independently as to whether or not there had been an attack, without being bound to the interpretations of the other countries involved in the Tripartite Treaty. You may make it clear that there are no secret agreements in the Tripartite Treaty. (However, you will please withhold your explanation of this item until you see prospects of this agreement materializing).

Item 134

To: Ambassador NOMURA in America

From: Foreign Minister TOGO

Despatch No. 43905

Depatched: ³⁰19 November 1941 - 0030 *Drafted: 19 November 1941*

Telegram No. 800 (Ambassador Code) Very Urgent.

Re my Telegram No. 799

Re paragraph 1 of my telegram No. 780, Southeast Asia and South Pacific includes Dutch Indies and Thailand, but not China.

Re item 2 of paragraph 3, it is desirable that the required quantity be decided upon by agreement of both governments before the signatures are affixed to this present agreement.

Re paragraph 4, please bear in mind that it means the cessation of aid to Chiang by the United States.

Re paragraph 5. Article 2 (my #801) is an important concession we venture to make for the sake of speeding the conclusion of the agreement.

Re paragraph 6. We could not agree to the principle of non-discrimination in trade being applied only to China, as I have stated in my #784.

Re paragraph 7, latter part of item 2. As an explanation of our attitude as expressed in "Japan would decide entirely independently" in case the U.S. should enter the European War, you may point out that the Empire can decide independently as to whether or not there had been an attack, without being bound to the interpretations of the other countries involved in the Tripartite Treaty. You may make it clear that there are no secret agreements in the Tripartite Treaty. (However, you will please withhold your explanation of this item until you see prospects of this agreement materializing).

The Excerpts from "Records of the Investigation Committee Meeting of Privy Council in re: Prolongation of Anti-Comintern Pact."

PP 1-7 inclusive; PP 11, 14, 15

1. Investigation Committee Meeting, about the conclusion of protocol on the prolongation of Anti-Comintern Pact among Japan, Germany, Italy, Hungary, Manchukuo, and Spain, and about the interchange of secret documents between Japan and Germany concerning the abrogation of the secret attached protocol of above pact.

Held on November 21st (Friday), 1941, in the Privy Council Office.

Attendants:

President HARA

2.

Vice President SUZUKI

Chairman of the Committee ISHII,
Councillor

Members of the Committee:

ARIMA, Councillor
ISHIZUKA, Councillor
MINAMI, Councillor
NARA, Councillor
FUTAKAMI, Councillor
OBATA, Councillor
TAKEKOSHI, Councillor
IZAWA, Councillor

3.

Ministers of State Affairs:

TOJO, Prime Minister, Minister of
Home Affairs and War Minister
IWANURA, Minister of Justice
TOGO, Minister of Foreign Affairs
and concurrently of Overseas
Affairs ()

Explainers:

4.

MORIYAMA, Directory-General of the
Legislative Bureau
SATO, Councillor of the Legis-
lative Bureau
MIYAUCHI, Councillor of the
Legislative Bureau
MATSUMOTO, Director of the Bureau
of Treaties () in the Depart-
ment of Foreign Affairs.
SAKAMOTO, Director of the Bureau
of European and () Asiatic
Affairs in the Department of
Foreign Affairs
NISHIMURA, Chief of the Second
Section of the Bureau of Treaties
in the Department of Foreign Affairs
NEITACHI, Chief of the Third Section
of the Bureau of East Asiatic
Affairs () in the Department
of Foreign Affairs
NARITA, Chief of the First Section
of the Bureau of European and

Asiatic Affairs in the Department
of Foreign Affairs
YOZANO, Chief of the Second Section
of the Bureau of European and
Asiatic Affairs in the Department
of Foreign Affairs
IDE, Secretary of the Department
of Foreign Affairs
IMANATSU, Director of National Police
Bureau in the Department of Home
Affairs
NAGANO, Chief of the Public Order
Section of National Police Bureau
in the Department of Home Affairs
IKEDA, Director of the Criminal
Bureau in the Ministry of Justice

5.

HORIE, Chief Secretary
MOROHASHI, Secretary
TAKATSUJI, Secretary

(Meeting opens at 1.35 P.M.)

Chairman of the Committee ISHII declares the opening of the meeting.

Foreign Minister TOGO explains the circumstances leading to the settlement of this proposal and the outline of the contents.

Committee Member ISHIZUKA asks a question about the relation between Japan and Germany regarding the South Sea regions. Foreign Minister TOGO replies that Germany has already recognized Japan's construction of a New Order in East Asia, and as for such a problem as how to deal with Dutch East Indies, consultation shall be effected by degrees. MATSUMOTO, the Director of the Bureau of Treaties in the Department of Foreign Affairs answers that concerning the South Seas Mandated area, former Foreign Minister MATSUOKA and German Ambassador OTT had exchanged letters to make the islands Japanese territory for a nominal compensation by Japan to Germany.

Committee Member MINAMI asks many questions, namely,

(1) He thinks that Germany's conclusion of the Treaty of Territorial Inviolability with Soviet is an infringement on the spirit of the preamble of the Anti-Comintern Pact and, therefore, the Pact had already lost its validity as far as Germany is concerned. He asks the opinion of the authorities concerned. Foreign Minister TOGO replies that though there is clearly a close connection between the Third International and the Soviet Government, still there exists a slight difference between them, so, it is not impossible to think of them separately, from which viewpoint, Japan has concluded the neutrality treaty with Soviet.

(2) MINAMI asks about the change of circumstances which made the Secret Protocol between Japan and Germany unnecessary. Thinking of the possibility of reconciliation between Germany and Soviet, he doubts if it would be better to continue the Secret Pact.

8. Foreign Minister TOGO responds that the changes in circumstances are (A) the outbreak of war between Germany and Soviet and the conclusion of the Neutrality Pact between Japan and Soviet, (B) Formation of alliance between Japan and Germany. He adds in the case if Germany would make peace with Soviet, Japan would resort to different means, beforehand or at the same time, to protect her interests.

/P. 11 Line 4-10/ Committee Member FUTAKAMI asks about Japan's present foreign relations. Foreign Minister TOGO, after the explanation about the whole circumstances of the Japanese-American negotiations, states that America, after all, sticks to her traditional theory on international policy and assumes an unrealistic attitude which makes it difficult to come to terms; for all this, however, a compromise is being attempted: As for the relation between Japan and Soviet, it is going, at present, on the foundation of the Neutrality Treaty.

/P. 13, line 10/ Committee Member IZAWA asks what are the concrete results of the Anti-Comintern Pact during these five years since it was concluded.

/P.14/ IHAMATSU, the Director of the National Police Bureau in the Department of Home Affairs, answers that by mutual information and connection, changes of the methods of communist' movements or such were learned, and thus, not a few facilities are given by it. Prime Minister TOJO states he will utilize more and more the Anti-Comintern Pact to control communism.

President HARA says it is very doubtful that the Anti-Comintern Pact has been used fully to realize its object, and he hopes now that the Government is going to prolong it, they ought to utilize it completely so as to destroy the Communists at the root.

/15/ After this, Chairman ISHII asks the Ministers and the Explainers to retire.

(Ministers and Explainers go out)

Then after the discussion among the committee members, it is decided unanimously to pass it as it is with request that the Government will make effort to make the Pact effective, positively making the most of its provisions. The drawing of the record of the investigation is committed all to the chairman.

Then Chairman of the Committee ISHII declares the closing of the meeting.

(Closed at 4.20 P.M.)

C E R T I F I C A T E

W. D. C. No. _____

I. P. S. No. 1072Statement of Source and Authenticity

I, M. Takatsuji hereby certify that I am officially connected with the Japanese Government in the following capacity: Secretary of Privy Council and that as such official I have custody of the document hereto attached consisting of 15 pages, dated 21 Nov, 1941, and described as follows: Records of Investigation Committee Meeting of Privy Council re "Prolongation of Anti-Comintern Pact and Abrogation of Secret Protocol". Dated 21 November 1941.

I further certify that the attached record and document is an official document of the Japanese Government, and that it is part of the official archives and files of the following named ministry or department (specifying also the file number or citation, if any, or any other official designation of the regular location of the document in the archives or files): Privy Council, Imperial Palace ground

Signed at Tokyo on this
17th day of Sept, 1946

/s/ M. Takatsuji
Signature of Official

SEAL

Witness: /s/ T. Swzuki

Official Capacity

Statement of Official Procurement

I, Edward P. Monaghan, hereby certify that I am associated with the General Headquarters of the Supreme Commander for the Allied Powers, and that the above certification was obtained by me from the above signed official of the Japanese Government in the conduct of my official business.

Signed at Tokyo on this
17th day of Sept, 1946

/s/ Edward P. Monaghan
NAME

Witness: s/Eric W. Fleisher 2d Lt.

Investigator, IPS
Official Capacity

1183

(Item 17)

TOP SECRET

neg

From: Tokyo
To: Washington
November 22, 1941
Purple CA (Urgent)

#812

To both you Ambassadors.

deadline
11-29
VVG

It is awfully hard for us to consider changing the date we set in my #736,^a as you know. However, I know you are working hard. The Imperial Government is maintaining its fixed policy and doing its very best, sparing no efforts to try to bring about the solution we desire. We desire by all means to prevent a breakdown^b in Japanese-American relations, but if within the next three or four days you can finish your conversations with the Americans; if the signing can be completed by the 29th;^c if we can get an understanding with Great Britain and the Netherlands through the exchange of notes and so forth; and in short if everything can be finished, despite difficulties unbelievably great, we (will?) make arrangements to wait until that date. This time we mean it, that the deadline absolutely cannot be changed. After that things are automatically going to happen. Please take this into your careful consideration and work as hard as you have in the past. This is for the information of you two Ambassadors alone.

a - See S.I.S. #24373. Tokyo wires Washington that because of the various circumstances it is absolutely necessary that arrangements for the signing of the agreement be completed by the 25th of this month.

b - HAKYOKU. c - Date repeated in code text for emphasis.

ARMY 25138

JD 6710

Trans. 11/22/41 (S)

TOP SECRET

Doc. No. 2593 (Certificate)

WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
INTELLIGENCE DIVISION
WASHINGTON, 25, D.C.

24 July 1946

I hereby certify that the attached photostats
of Japanese messages have been intercepted by electric
or physical means, decrypted, and translated by
trained personnel of the War and Navy Departments, and
are accurate and authentic to the best of my knowledge
and belief (insofar as it is humanly possible for an
occidental accurately to translate Japanese script.

WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
INTELLIGENCE DIVISION
WASHINGTON, D.C. /s/ Carter W. Clarke

CARTER W. CLARKE
Colonel, G.S.C.

I hereby certify that the attached photostats
of Japanese messages have been intercepted by electric
or physical means, decrypted, and translated by
trained personnel of the War and Navy Departments, and
are accurate and authentic to the best of my knowledge
and belief (insofar as it is humanly possible for an
occidental accurately to translate Japanese script.

(Item 142)

From: Ambassador NOMURA
To: Foreign Minister TOGO
Despatched: AM 23 November 1941, WASHINGTON
Received: PM 23 November 1941, Foreign Ministry
Machine cipher #1159 (Most Secret; Ambassador Code)

On the 22nd, I, together with Ambassador KURUSU, had a meeting with Secretary of State, HULL (BALLANTINE attended). The resume was as follows:

The Secretary conferred with the Ambassador and Ministers of Britain, Australia and the Netherlands on the 22nd, (according to the press reports, about two and a half hours) and he asked for their opinions on the Japanese proposals. They all said that if Japan has firm intention for carrying out a peaceful policy, they would naturally welcome it and they would be glad to cooperate in resuming normal trade relations. However, they said, Japan is expressing her peaceful intention even to the extent of dispatching a special envoy while on the other side, the speech of the politician and the commentary of the press of Japan seem to be running in a completely opposite direction, and so, there are some greatly incomprehensible points in Japan's real intentions. Furthermore, they pointed out that the amount of Japanese petroleum imports up to the execution of the freezing order took a very sudden upward swing and that it wasn't to be used solely for peaceful undertakings but was being stored away by the navy. Moreover, there was an opinion that it would be best to lift the embargo in slow degrees. However, he said, as it is expected that all the concerned ambassadors and ministers will seek their home government's instruction and will receive replies by Monday, he will make a reply again one way or the other at that time. (PART II) Then he expressed much concern over the recent trend of public opinion in Japan. He emphasized that the clarification of peaceful intention by the Japanese Government would be very important for making the American public opinion accept compromise with Japan. (BALLANTINE said that the conveyance abroad of sincerity of the Japanese Government heads toward the Japanese themselves would be more effective than the propaganda for foreign consumption sent through foreign press correspondents and others.) He even went on to say that, to speak the truth, was it not the duty of every politician to strive for peace up to the very day before war is unavoidable? He said that the president and he made the policy of peace clear five times and so it is desired that a response be made at least once. Then we asked,

(Item 142)

leaving British, Australian, and Dutch opinion aside for the time being, what the intention of America herself was regarding our proposal. To this, recognizing that an item by item reply was seemingly our demand, he showed a perplexed look and avoided to answer. In short, he said, the desire of AMERICA, BRITAIN, AUSTRALIA, etc., is to dissolve the pressing situation in the South Pacific area and they are eagerly desiring that the forces kept in check in the same area may be transferred for action in other parts. (PART III) And he said, from the viewpoint they, unfortunately, cannot recognize that our proposal is sufficient. I pointed out that our troop concentrations in the northern part of FRENCH INDO-CHINA were aimed at cutting CHUNGKING's lifeline, therefore, they were for the most part directed toward YUNNAN and were not intended to menace the South Pacific area. Then KURUSU said that the acceptance of our proposal would naturally lead to the conditions desired not only by AMERICA but by the other nations as well. To this, he /HULL/ replied, what these countries desired lay in the quick turn-about in the situation and with regard to resumption of normal trade relations, a gradual advance is desirable for the time being, but when JAPAN's peaceful intention becomes clear, a rapid change will be seen in a few days. He further replied that with regard to stopping aid to CHIANG, they cannot be a fair mediator if they make such a promise to JAPAN, considering the case when AMERICA acts as an intermediary. (PART IV) Furthermore, if they stop the aid with the opening of the negotiations, even though they made such a promise, its value will not be so high. In view of the fact that in any event, the so-called aid to CHIANG KAI-SHEK is not as great as it is propagandized, he replied he cannot accept the insertion of the above items considering the substance of Japanese proposals which intends to improve the pressing situation by the solution of immediate problems and to reach fundamental solution by going further on.

Furthermore, he replied that the time was not yet ripe for the president's mediation at present. I believe that on Monday, AMERICA will submit some sort of a counter proposal, but as I discerned that she would seek out participation in some kind of a proposal which aims to maintain peace on the Pacific and promote trade, I hastened to suggest that it is necessary to make the present problem on hand the agreement between AMERICA and JAPAN, and take the formality of making the other nations participate in this, and KURUSU stated that if it was intended that the above be a sort of a group organization and if it was an arrangement such as to vote us down by majority of voters, we would not accept such a proposal. (End)

Item 151

Supervised by: Chief of the America Bureau
YAMAMOTO

Person in Charge: Chief of the First Sect. of
the America Bureau.

Drafted on November 24, 1941

Cable No. 44502

Despatched: 8:10 P.M. November 24, 1941

Sent to Ambassador NOMURA in the U.S.A.

Sent by Foreign Minister TOGO

Subject: Negotiations between Japan and the U.S.A.

(Conference with Ambassador GREW.)

By Code: No. 822 (Ambassador's Code)

Re: My former telegram 821 A.

I asked the American Ambassador in Tokyo to call on me on the 23rd and explained to him according to the purport of my former telegram mentioned above. I stated at that time that the removal of the Japanese troops from the southern part of French Indo-China to the northern part is of great military significance, that our advance into the northern part of French Indo-China was originally undertaken in connection with the settlement of the China Incident, and the details of how America and Britain have frozen our capital upon our advance into southern French Indo-China. Further I related that it is now absolutely impossible to withdraw the troops entirely; that it is not only the natural, but also the only and best way for the settlement of the Chinese problem that we demand that U.S.A. not interfere with our efforts for peace, on the occasion that the American President as a mediator in connection with the Chinese problem has CHANG Kai Shek propose peace to Japan and Japan enters upon negotiation in acceptance of the proposal; that it is also absolutely impossible, from the point of Japanese national feeling to settle the negotiation between Japan and U.S.A. before this point is clarified, and that we cannot understand why the U.S.A. does not agree to this point. I added that in our new proposal I have made the utmost effort to simplify the situation and to reduce the

Item 151

desired terms of the Japanese side in order to cooperate with the U.S.A. in her peace policy and we intend to advance the Japanese policy more and more peacefully according to the above purport after conclusion of these negotiations. The Ambassador took his leave saying that he would immediately cable the above to his home government.

Item 152

Supervised by: Chief of the America Bureau
YAMAMOTO

Person in charge: Chief of the First Sect. of the America Bureau.

Drafted on November 24, 1941

Cable No. 44503

Despatched 8:15 p.m. November 24, 1941

Sent to Ambassador NOMJRA

Sent from Foreign Minister TOGO

By Code: No. 823 (Ambassador's code)

To both Ambassadors

The date of my former telegram No. 812 is in Tokyo-time.

By Way of Precaution.

Item 44

From: Bangkok.

To : Tokyo.

25 November 1941

(Purple)

#849 (In 2 parts, complete)

In the event of the Empire's taking decisive action in a southward advance, it will of course be necessary in the exercise of a belligerents rights to make clear the relations of sovereign and subjects. On the one hand it will be absolutely necessary to bring Thai into our camp. My conversation with Fibun as reported in my #834* was undertaken with this as the underlying motive. If and when Japan at last does make her proposals of joint defense, the following three points should be made especially definite, and Thai should be led to voluntarily take an attitude of cooperation with us.

(1) In the event of an attack upon Burma and Malay, there would of course be a temporary infringement upon the territorial sovereignty of Thailand, but after our objectives have been attained, restoration would immediately be made, and the independence of Thai would be respected even more than at present while Thai is maintaining neutrality.

(2) In case she cooperates in a positive way with Japan, full assurances will be given that Thailand's swamp lands will be reclaimed in the areas concerned.

(3) In the event of Thai's assets in England being frozen great fluctuation would result in the value of Thai's money, but Japan would make available sufficient funds to create a foundation for a yen "bloc" money system, and also give every consideration to providing petroleum and other essential commodities.

To summarize: By cooperating with Japan the racial longings of Thailand will be realized, and with indivisible relations with Japan her existence as an independent nation will be strengthened ----- (three lines missed) --- stop with as simple a ----- as possible to the effect that "will cooperate in every way for the realization of the objectives of East Asia coprosperity and stability", while the particulars as necessity may require will be put into a secret treaty -----

Furthermore, in the light of Japan's basic national policy which has for its purpose the establishment of an East Asia coprosperity sphere, and the emancipation of the

25389

JD-1: 6844

(continued) (F) Navy Trans. 11-27-41 (S-TT)

SECRET

Item 44

Asiatic peoples, it goes without saying that Thailand's sovereignty must not be impaired beyond the minimum limits of necessity, and that her standing as an independent nation must be maintained to the very last; while strictest military discipline must be used to reassure the Thai populace and strict control should by all means be exercised over any attempts at profiteering.

Have sent - - - by the hand of Consul General Asada who has returned to Japan, but to make doubly sure I am also cabling it to you.

*Available, Purple dated 21 November.

25389
JD-1:

SECRET

(F) Navy Trans. 11-27-41 (S-TT)

Doc. No. 2593 (Certificate)

WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
INTELLIGENCE DIVISION
WASHINGTON, 25, D.C.

24 July 1946

I hereby certify that the attached photostats of Japanese messages have been intercepted by electric or physical means, decrypted, and translated by trained personnel of the War and Navy Departments, and are accurate and authentic to the best of my knowledge and belief insofar as it is humanly possible for an occidental accurately to translate Japanese script.

/s/ Carter W. Clarke

CARTER W. CLARKE
Colonel, G.S.C.

Item 19

From: Hanoi.
To : Tokyo.
25 November 1941
(Purple-YO)

#118

(Strictly secret)

We are advised by the military that we are to have a reply from the United States on the 25th. If this is true, no doubt the Cabinet will make a decision between peace and war within the next day or two. It goes without saying here, of course, that if the U.S.-Japanese negotiations are brought to a successful termination, the various enterprises shall be launched in accordance with the plans which have been laid down in advance.

Should, however, the negotiations not end in a success, since practically all preparations for the campaign have been completed, our forces shall be able to move within the day.

Under these circumstances, however, there shall have to be some alterations in the program we have laid out for the various enterprises. We shall, undoubtedly, have to establish organs and conduct negotiations which will not conflict with the campaign. The thing that we are most concerned about is whether or not, in the event of war, the status quo will be maintained as far as the French Indo-China's governmental set-up is concerned. I feel that it is essential that we not only be advised of this, but it must be done immediately as we wish to make all prearrangements as far in advance as possible.

If you have any opinions as to the outcome of the Japanese-U.S. negotiations, will you please inform this office of them together with whatever other pertinent information you may deem wise to impart to us.

Of course, I realize that secrecy is of the utmost importance. According to press reports, however, the United States conferred with the representatives of Britain, Australia, the Netherlands, and even of China, in Washington, and hence the governments of these countries are now aware of the matters being discussed in the Japanese-U.S. negotiations. Moreover, by means of (courier ?) service, the military here are aware of not only our stand in the negotiations but also of the general atmosphere of the said negotiations.

We feel as if we, a Foreign Office organ, alone have been left out of the picture. As you pointed

25345

JD-1: 6838 SECRET

(continued) (D) Navy Trans. 11-26-41 (S-TT)

Doc. No. 2593 (Certificate)

WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
INTELLIGENCE DIVISION
WASHINGTON, 25, D.C.

24 July 1946

I hereby certify that the attached photostats
of Japanese messages have been intercepted by electric
or physical means, decrypted, and translated by
trained personnel of the War and Navy Departments, and
are accurate and authentic to the best of my knowledge
and belief insofar as it is humanly possible for an
occidental accurately to translate Japanese script.

/s/ Carter W. Clarke

CARTER W. CLARKE
Colonel, G.S.C.

(Item 20)

TOP SECRET

From: Washington
To: Tokyo
November 26, 1941
Purple. (Extremely urgent)

#1180. (Part 1 of 2)

From NOMURA and KURUSU.

As we have wired you several times, there is hardly any possibility of having them consider our "B" proposal in toto. On the other hand, if we let the situation remain tense as it is now, sorry as we are to say so, the negotiations will inevitably be ruptured, if indeed they may not already be called so. Our failure and humiliation are complete. We might suggest one thing for saving the situation. Although we have grave misgivings, we might propose, first, that President ROOSEVELT wire you that for the sake of posterity he hopes that Japan and the United States will cooperate for the maintenance of peace in the Pacific (just as soon as you wire us what you think of this, we will negotiate for this sort of an arrangement with all we have in us), and that you in return reply with a cordial message, thereby not only clearing the atmosphere, but also gaining a little time. Considering the possibility that England and the United States are scheming to bring the Netherlands Indies under their protection through military occupation, in order to forestall this, I think we should propose the establishment of neutral nations, including French Indo-China, Netherlands India and Thai. (As you know, last September President ROOSEVELT proposed the neutrality of French Indo-China and Thai.)

From NOMURA and KURUSU.

As we have wired you several times, there is hardly any possibility of having them consider our "B" proposal in toto. On the other hand, if we let the situation remain tense as it is now, sorry as we are to say so, the negotiations will inevitably be ruptured, if indeed they may not already be called so. Our failure and humiliation are complete. We might suggest one thing for saving the situation. Although we have grave misgivings, we might propose, first, that President ROOSEVELT wire you that for the sake of posterity he hopes that Japan and the United States will cooperate for the maintenance of peace in the Pacific (just as soon as you wire us what you think of this, we will negotiate for this sort of an arrangement with all we have in us), and that you in return reply with a cordial message, thereby not only clearing the atmosphere, but also gaining a little time. Considering the possibility that England and the United States are scheming to bring the Netherlands Indies under their protection through military occupation, in order to forestall this, I think we should propose the establishment of neutral nations, including French Indo-China, Netherlands India and Thai. (As you know, last September President ROOSEVELT proposed the neutrality of French Indo-China and Thai.)

ARMY 6891 25435 Secret Trans. 11-28-41 (1)

TOP SECRET

(Item 20)

From: Washington
To: Tokyo
November 26, 1941
Purple. (Extremely urgent)

#1180. (Part 2 of 2)

We suppose that the rupture of the present negotiations does not necessarily mean war between Japan and the United States, but after we break off, as we said, the military occupation of Netherlands India is to be expected of England and the United States. Then we would attack them and a clash with them would be inevitable. Now, the question is whether or not Germany would feel duty bound by the third article of the treaty to help us. We doubt if she would. Again, you must remember that the Sino-Japanese incident would have to wait until the end of this world war before it could possibly be settled.

In this telegram we are expressing the last personal opinions we will have to express, so will Your Excellency please be good enough at least to show it to the Minister of the Navy, if only to him; then we hope that you will wire us back instantly.

ARMY 25436

SECRET

Trans. 11-28-41 (1)

TOP SECRET

Doc. No. 2593 (Certificate)

WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
INTELLIGENCE DIVISION
WASHINGTON, 25, D.C.

24 July 1946

I hereby certify that the attached photostats of Japanese messages have been intercepted by electric or physical means, decrypted, and translated by trained personnel of the War and Navy Departments, and are accurate and authentic to the best of my knowledge and belief insofar as it is humanly possible for an occidental accurately to translate Japanese script.

/s/ Carter W. Clarke

CARTER W. CLARKE
Colonel, G.S.C.

Extract from "PEARL HARBOR - Intercepted Diplomatic Messages Sent by the Japanese Government Between July 1 and December 8, 1941" - Printed for the use of the Joint Committee on the Investigation of the Pearl Harbor Attack by the United States Government Printing Office, Washington.

p. 188 - 191, inclusive

(Secret)

FROM: Washington

TO : Tokyo

27 November 1941 (2327-2334 EST)
(Telephone Code)--(See JD-1: 6841) (S.I.S. #25344)

Trans-Pacific
Telephone

(Conversation between Ambassador Kurusu and Japanese Foreign Office American Division Chief, Yamamoto)

Literal translation

Decode of Voice Code

(After connection was completed:)

KURUSU: "Hello, hello. This is Kurusu".

YAMAMOTO: "This is Yamamoto."

KURUSU: "Yes, Hello, hello."

(Unable to get Yamamoto for about six or eight seconds, he said aside to himself, or to someone near him:)

KURUSU: "Oh, I see, they're making a record of this, huh?"

(It is believed he meant that the six second interruption was made so that a record could be started in Tokyo. Interceptor's machine had been started several minutes earlier.)

Literal translationDecode of Voice Code

KURUSU: "Hello. Sorry to trouble you so often."

YAMAMOTO: "How did the matrimonial question get along today?"

KURUSU: "Oh, haven't you got our telegram* yet? It was sent--let me see--at about six--no, seven o'clock. Seven o'clock. About three hours ago.

"There wasn't much that was different from what Miss Umeko said yesterday."

YAMAMOTO: "Oh, there wasn't much difference?"

KURUSU: "No, there wasn't. As before, that southward matter--that south, SOUTH--southward matter, is having considerable effect. You know, southward matter".

YAMAMOTO: (Obviously trying to indicate the serious effect that Japanese concentrations, etc. in French Indo-China were having on the conversations in Washington. He tries to do this without getting away from the "Miss Umeko childbirth, marriage" character of the voice code.)

YAMAMOTO: "Oh, the south matter? It's effective?"

KURUSU: "Yes, and at one time, the matrimonial question seemed as if it would be settled."

KURUSU: "But--well, of course, there are other matters involved too, but--that was it--that was the monkey wrench. Details are included in the telegram* which should arrive very shortly. It is not very long and you'll be able to read it quickly."

:
:"How did the negotiations go today?"
:

:
:"There wasn't much that was different from Hull's talks of yesterday."
:

:
:"Yes, and at one time it looked as though we could reach an agreement."
:

Literal TranslationDecode of Voice Code

YAMAMOTO: "Oh, you've dispatched it?"

KURUSU: "Oh, yes, quite a while ago. At about 7 o'clock."

(Pause.)

KURUSU: "How do things look there? Does it seem as if a child might be born?"

YAMAMOTO: (In a very definite tone): "Yes, the birth of the child seems imminent."

KURUSU: (In a somewhat surprised tone, repeating Yamamoto's statement): "It does seem as if the birth is going to take place?"

(Pause)

KURUSU: "In which direction..." (stopped himself very abruptly at this slip which went outside the character of the voice code. After a slight pause he quickly recovered, then to cover up the slip, continued:)

KURUSU: "Is it to be a boy or a girl?"

YAMAMOTO: (Hesitated, then laughing at his hesitation took up Kurusu's cue to re-establish the voice code character of the talk. The "boy, girl, healthy" byplay has no other significance):

YAMAMOTO: "It seems as if it will be a strong healthy boy."

KURUSU: "Oh, it's to be a strong healthy boy?"

(Rather long pause.)

:
:"Does it seem as if a
:crisis is at hand?"
:
:
:!"Yes, a crisis does
:appear imminent."
:
:
:"A crisis does appear
:imminent?"
:

Literal Translation

Decode of Voice Code

YAMAMOTO: "Yes.

"Did you make any statement
(to the newspapers) regarding your
talk with Miss Kimiko today?"

: "Did you make any state
: ment regarding your
: talks with the
: President today?"

KURUSU: "No, nothing. Nothing except
the mere fact that we met."

YAMAMOTO: "Regarding the matter con-
tained in the telegram**of the other
day, although no definite decision
has been made yet, please be advised
that effecting it will be difficult."

KURUSU: "Oh, it is difficult, huh?"

YAMAMOTO: "Yes, it is."

KURUSU: "Well, I guess there's nothing
more that can be done then."

YAMAMOTO: "Well, yes."

(Pause.)

YAMAMOTO: "Then, today..."

KURUSU: "Today?"

YAMAMOTO: "The matrimonial question,
that is, the matter pertaining to ar-
ranging a marriage--don't break them
off."

: "Regarding negotiations
: don't break them off."
:
:

KURUSU: "Not break them? You mean
talks."

(Helplessly:)

KURUSU: "Oh, my."

(Pause, and then with a resigned laugh:)

KURUSU: "Well, I'll do what I can."

(Continuing after a pause:)

KURUSU: "Please read carefully
what Miss Kimiko had to say as con-
tained in today's telegram*."

: "Please read carefully
: what the President had
: to say as contained
: in today's telegram*."

Literal TranslationDecode of Voice Code

YAMAMOTO: "From what time to what time were your talks today?"

KURUSU: "Oh, today's was from 2:30."

(Much repeating of the numeral 2)

KURUSU: "Oh, you mean the duration? Oh, that was for about an hour."

YAMAMOTO: "Regarding the matrimonial question."

: "Regarding the negotiations."

"I shall send you another message. However, please bear in mind that the matter of the other day is a very difficult one."

KURUSU: "But without anything,--they want to keep carrying on the matrimonial question. They do. In the meantime we're faced with the excitement of having a child born. On top of that Tokugawa is really champing at the bit, isn't he? Tokugawa is, isn't he?"

: "But without anything, they want to keep on negotiating. In the meantime, we have a crisis on hand and the army is champing at the bit. You know the army

(Laughter and pause).

KURUSU: "That's why I doubt if anything can be done."

YAMAMOTO: "I don't think it's as bad as that."

YAMAMOTO: "Well, -- we can't sell a mountain."

: "Well, -- we can't yield."

KURUSU: "Oh, sure, I know that. That isn't even a debatable question any more."

YAMAMOTO: "Well, then, although we can't yield, we'll give you some kind of a reply to that telegram."

KURUSU: "In any event, Miss Kimiko is leaving town tomorrow, and will remain in the country until Wednesday."

: "In any event, the President is leaving town tomorrow, and will remain in the country until Wednesday."

Literal Translation

Decode of Voice Code

YAMAMOTO: "Will you please continue to do your best."

KURUSU: "Oh, yes. I'll do my best. And Nomura's doing everything too."

YAMAMOTO: "Oh, all right. In today's talks, there wasn't anything of special interest then?"

KURUSU: "No, nothing of particular interest, except that it is quite clear now that that southward--ah --the south, the south matter is having considerable effect."

YAMAMOTO: "I see. Well, then, good bye."

KURUSU: "Good bye."

25443
JD-1: 6890

(M) Navy Trans. 11-28-41 ()

*JD-1: 6915 (S. I. S. #25495). Outline of interview on 27 November with Roosevelt-Hull-Kurusu-Nomura.

**Probably #1189 (S.I.S. #25441-42). (JD-1: 6896).
Washington reports the two proposals presented by the U.S. on 26 November.

Item 184

To: Ambassador NOMURA
From: Foreign Minister TOGO
Dispatched: 28 November 1941 8:05 P.M.
Subject: Japan - United States Negotiation
Telegram No. 844 (Ambassador's Code)

Your telegram No. 1189 and others have been received. In spite of the efforts you two ambassadors have made, it is surprising and regrettable that such a proposal as the recent one had been made toward Japan by the United States. It is impossible for us to negotiate on the basis of their proposal. With the submission of the Imperial government's opinion of the American proposal (which will be telegraphed in two or three days), the situation will be such that there will be nothing left but to practically drop the negotiation. But we wish you to refrain from giving the impression to the United States government that the negotiation is broken off. Tell them that you are waiting instructions from the home government and while not making clear to them the intentions of the government, explain to them, as your personal opinion, that Japanese claims have been just and especially that although Japan has made intolerable concessions and has taken a conciliatory attitude in maintaining peace in the Pacific area, the United States government has not reacted to cooperate and has made the solution of the negotiation extremely difficult.

Futhermore, because of the aforementioned situation, the measures which you have suggested in your telegram No. 1180 have all been considered improper at this time, although they had been referred to the parties you mentioned. Please acknowledge the above-mentioned situation.

/end/

PEARL HARBOR. Intercepted Diplomatic Messages Sent by the Japanese Government Between July 1 and December 8, 1941. Printed for the use of the Joint Committee on the Investigation of the Pearl Harbor Attack by United States Government Printing Office, Washington, 1945, p. 199.

* * * *

(Secret)

FROM: Tokyo

TO : Washington

29 November 1941

#857

Re my #844.

We wish you would make one more attempt verbally along the following lines:

The United States government has (always?) taken a fair and judicial position and has formulated its policies after full consideration of the claims of both sides.

However, the Imperial Government is at a loss to understand why it has now taken the attitude that the new proposals we have made cannot be made the basis of discussion, but instead has made new proposals which ignore actual conditions in East Asia and would greatly injure the prestige of the Imperial Government.

With such a change of front in their attitude toward the China problem, what has become of the basic objectives that the U.S. government has made the basis of our negotiations during these seven months? On these points we would request careful self-reflection on the part of the United States government.

(In carrying out this instruction, please be careful that this does not lead to anything like a breaking off of negotiations.)

Item 193

To: Ambassador NOMURA in U.S.A.

From: Foreign Minister TOGO

Subject: U.S.-Japanese Negotiations

Dispatched 30 Nov. 1941 4:20 A.M.

Telegram No. 857 (Ambassador Code)

Re my telegram No. 844 /Explanation of the telegram missing in English/

We wish you would make one more attempt verbally along the following lines:

The U. S. Government considers that it is difficult for them to base discussion on our new proposal of the 20th, which was drawn up after considerable deliberation bearing in mind the claims of both sides and based on our just standpoint.

The Imperial Government is at a loss to understand the new proposal of the 26th which has ignored actual conditions in East Asia and would greatly injure the prestige of the Imperial Government.

We cannot but hold a doubtful attitude towards the fundamental plans of the American Government in the negotiations during the past seven months. / Sentence in the margin not translated/ On these points we request careful self-reflection on the part of the United States Government.

(S-TT)

Item 24

From: Tokyo
 To: Berlin
 November 30, 1941
 Purple

#986 (Strictly Secret) (To be handled in Government Code) (Part 1 of 2)
 (Secret outside the Department)

1. Japan-American negotiations were commenced the middle of April of this year. Over a period of half a year they have been continued. Within that period the Imperial Government adamantly stuck to the Tri-Partite Alliance as the cornerstone of its national policy regardless of the vicissitudes of the international situation. In the adjustment of diplomatic relations between Japan and the United States, she has based her hopes for a solution definitely within the scope of that alliance. With the intent of restraining the United States from participating in the war, she boldly assumed the attitude of carrying through these negotiations.

2. Therefore, the present cabinet, in line with your message, with the view of defending the Empire's existence and integrity on a just and equitable basis, has continued the negotiations carried on in the past. However, their views and ours on the question of the evacuation of troops, upon which the negotiations rested, (they demanded the evacuation of Imperial troops from China and French Indo-China), were completely in opposition to each other.

Judging from the course of the negotiations that have been going on, we first came to loggerheads when the United States, in keeping with its traditional ideological tendency of managing international relations, re-emphasized her fundamental reliance upon this traditional policy in the conversations carried on between the United States and England in the Atlantic Ocean. The motive of the United States in all this was brought out by her desire to prevent the establishment of a new order by Japan, Germany, and Italy in Europe and in the Far East, that is to say, the aims of the Tri-Partite Alliance. As long as the Empire of Japan was in alliance with Germany and Italy, there could be no maintenance of friendly relations between Japan and the United States was the stand they took. From this point of view, they began to demonstrate a tendency to demand the divorce of the Imperial Government from the Tri-Partite Alliance. This was brought out at the last meeting. That is to say that it has only been in the negotiations of the last few days that it has become gradually more and more clear that the Imperial Government could no longer continue negotiations with the United States. It became clear, too, that a continuation of negotiations would inevitably be detrimental to our cause.

3. Therefore, the present cabinet, in line with your message, ARMY 6944 25554 SECRET Trans, 12/1/41 (NR) 10
 TOP SECRET

Item 24

From: Tokyo
To: Berlin
November 30, 1941.
Purple.

#986. (Part 2 of 2)

3. The proposal presented by the United States on the 26th made this attitude of theirs clearer than ever. In it there is one insulting clause which says that no matter what treaty either party enters into with a third power it will not be interpreted as having any bearing upon the basic object of this treaty, namely the maintenance of peace in the Pacific. This means specifically the Three-Power Pact. It means that in case the United States enters the European war at any time the Japanese Empire will not be allowed to give assistance to Germany and Italy. It is clearly a trick. This clause alone, let alone others, makes it impossible to find any basis in the American proposal for negotiations. What is more, before the United States brought forth this plan, they conferred with England, Australia, the Netherlands, and China -- they do so repeatedly. Therefore, it is clear that the United States is now in collusion with those nations and has decided to regard Japan, along with Germany and Italy, as an enemy.

Doc. No. 2593 (Certificate)

WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
INTELLIGENCE DIVISION
WASHINGTON, 25, D.C.

24 July 1946

I hereby certify that the attached photostats of Japanese messages have been intercepted by electric or physical means, decrypted, and translated by trained personnel of the War and Navy Departments, and are accurate and authentic to the best of my knowledge and belief insofar as it is humanly possible for an occidental accurately to translate Japanese script.

/s/ Carter W. Clarke

CARTER W. CLARKE
Colonel, G.S.C.