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Exhibit 6

HEADQUARTERS,
OCCUPATION FORCES,
TRUK AND CENTRAL CAROLINE ISLANDS.

Information relative to the date of	*	Perpetuation of testimony
construction of fortifications and	*	of Michuo Nachuo, chief,
military installations in the Truk	*	Dublon Island.
Atoll prior to December 1941, use	*	
of forced native labor without	*	
adequate remuneration, and denial	*	
of equal rights to Americans on Yap.	*	

*Truk
Caroline*

Taken at: Moen Island, Truk and Central Carolines.

Date: February 25, 1946.

In the presence of: Thomas Santamaria, first lieutenant, U. S. Marine Corps Reserve.

Reporter: George C. Lishka, corporal, U. S. Marine Corps Reserve.

Interpreter: Artie Moses, chief of Uman Island.

Questions by: Thomas Santamaria, first lieutenant, U. S. Marine Corps Reserve.

Q. State your name, permanent home address, and occupation.

A. Michuo Nachuo, chief, Dublon Island.

Q. How long have you lived on the island of Dublon?

A. Twenty-five years.

Q. How long have you been living in the Truk Atoll?

A. Twenty-five years.

Q. Have you any knowledge of fortifications or military installations constructed by the Japanese on this island prior to December 1941?

A. Yes.

Q. State what you know of your own knowledge about the installations.

A. About the middle of 1941 on the island of Dublon on the east side on top of a hill the Japanese commenced construction. They built two barracks, two warehouses, and one radar station. Concrete emplacements were set and three guns, appearing to be six inch guns, were installed there. A platform was erected and a searchlight placed there. On the south side of Dublon a fuel dump was established. Close to the fuel dump one large cave was dug and concrete reinforced. This was used to store ammunition and provisions. No other fortifications or military installations were erected prior to December 1941.

Q. On the island of Dublon I notice numerous buildings, barracks, warehouses, radio stations, and a hospital, when were these built?

A. After December 1941.

Q. Along the west shore line of Dublon I notice many guns, when were these installed?

A. After December 1941.

Q. In the central section of Dublon, up in the hills, I notice many guns, caved housed guns, and machine guns, when were these installed?

A. After December 1941.

Q. Do you recall any other installations established before December 1941?

A. A lookout tower was built before December 1941 and wireless communication established with Japan.

Q. On Dublon they have radio stations inside caves, when were they installed?

A. After December 1941.

Q. On the south side of Dublon I notice a seaplane base, when was that constructed?

A. After December 1941.

Q. On top of the hills in the west section of Dublon there are many large guns, when were these installed?

A. After December 1941.

Q. Do you know of any military installations and fortifications constructed before December 1941 on other islands thereabout?

A. Yes.

Q. What island?

A. Eten.

- Q. What was built there?
- A. During 1937 on the island of Eten the Japanese built an airfield. A platform was erected and a searchlight placed there. A concrete emplacement for one large gun was constructed and a gun about five inches in diameter was placed thereon. They also installed machine guns, a radar station, and dug three caves, reinforced them with concrete and stored ammunition and provisions in the caves.
- Q. Do you know of any natives that were forced to work by the Japanese and not adequately remunerated?
- A. Yes.
- Q. State what you know of your own knowledge about these cases.
- A. During 1943, 1944, and 1945 we were forced to furnish the Japanese two hundred fifty men, who were paid at the rate of one yen and twenty sen per day, and one hundred fifty women, who were paid eighty sen per day. From January 1944 until the end of the war one hundred sixty-seven persons worked thirty-two days without pay.
- Q. How many hours per day did these people have to work?
- A. Eight hours a day.
- Q. How many days did you have to furnish working personnel?
- A. Seven days a week.
- Q. Do you know the names of any of the persons who were in charge while the construction of military installations and fortifications was going on at Eten prior to December 1941?
- A. Topyama was the navy officer in charge.
- Q. Do you know the names of any of the persons who were in charge while the construction of military installations and fortifications was going on at Dublon prior to December 1941?
- A. I don't know.
- Q. Do you know who was in charge when you had to furnish forced labor?
- A. Nisichawa, Japanese commander, in charge of Dublon, was the person our forced labor had to report to daily.
- Q. Do you know of any circumstances of denial of equal rights to Americans on Yap?
- A. No.
- Q. Is there any information that I haven't requested that you would like to add to the testimony already given?
- A. No. There were quite a few mines put around the Truk Atoll after December 1941.

/s/ Mitsuo Natsuo
Mitsuo Natsuo
chief,
Dublon Island.

Moen Island

Truk and Central Carolines

I, Michuo Nachuo, of lawful age, being duly sworn on oath, state that I have read the foregoing transcription of my interrogation and all answers contained therein are true to the best of my knowledge and belief.

/s/ Mitsuo Natsuo
Mitsuo Natsuo

Subscribed and sworn to before me this 4th day of March 1946.

/s/ T. Santamaria
T. SANTAMARIA,
1st Lt., USMCR.,
Legal Officer

Moen Island

Truk and Central Carolines

I, Artie Moses, of lawful age, being duly sworn upon oath state that I truly translated the questions asked and answers given and that after being transcribed, I truly translated the foregoing deposition containing 3 pages, to the witness; that the witness thereupon in my presence affixed his signature thereto.

/s/ Artie Moses
Artie Moses

Subscribed and sworn to before me this 4th day of March 1946.

/s/ T. Santamaria
T. SANTAMARIA,
1st Lt., USMCR.,
Legal Officer.

I, T. Santamaria, first lieutenant, 032989, U.S.M.C.R., certify that on February 25, 1946, personally appeared before me Michuo Nachuo, and gave the foregoing answers to the several questions set forth; that after his testimony had been transcribed, the said Michuo Nachuo read the same and affixed his signature thereto in my presence.

Place: Headquarters Military Government,
Truk and Central Caroline
Islands.

/s/ T. Santamaria
T. SANTAMARIA,
1st Lt., USMCR.,
Island Command, Truk

Date: March 4, 1946

U.S.S.R.
People's Commissariat
of the Navy

See P2

CHIEF of
Naval General Navy Staff
of the U.S.S.R. Navy

TO GOLUNSKY S.A.
ASSOCIATE PROSECUTOR FOR THE
SOVIET UNION IN THE INTERNA-
TIONAL MILITARY TRIBUNAL IN
TOKYO.

February, 20th 1946

append. to N. 34563 c

Moscow

I Inform you that the Naval General Staff of the U.S.S.R. Navy has at its disposal the following data on the measures taken by Japan to tie up the Soviet navigation in the course of World War.

These measures may be divided into the following three groups:

- 1. Closing for navigation the straits connecting the open seas which was a violation of the freedom of the seas and violation of article 9 of the Portsmouth treaty concerning the navigation in the straits of Laperuse..
- 2. Examining and holding up on Soviet ships by the Japanese command accompanied by the violation of generally recognised principles of international law:
- 3. Attacking and sinking of Soviet ships.

1. At the beginning of World War II Japan proclaimed the Straits of Laperuse, Sangar and Korea her "Naval defensive zones" (Statement N 38 of the Naval Ministry, in the official government Bulletin "Kanpo", December 8, 1941).

This measure enabled the Japanese authorities to control the Japanese Sea and its outlets and was directed against the U.S.S.R.

An attempt to establish a control of this kind on the part of Japan had already taken place before Japan entered the war.

This is testified by the statement of the Japanese Ambassador in Moscow addressed on August 25, 1941 to the People's Commissar of Foreign Affairs of the U.S.S.R. to the effect that the shipment from the U.S.A. to Vladivostok of the materials purchased by the U.S.S.R. creates an "embarrassing and a very delicate situation" for Japan, so far as these purchases are shipped close to the Japanese territory. In connection with this the Japanese government requested that the Soviet government should pay serious

attention to that fact, especially to the question of the routes and means of these shipments.

In reply to this the Soviet government found it necessary to make a statement that it could not but consider the attempt to hinder the trade between the U.S.S.R. and the USA through the Far-Eastern ports and unfriendly act towards the U.S.S.R. ("In The People's Commissariat of Foreign Affairs" - statement published in the Moscow Press, August 26, 1941).

Since June, 1941 the Japanese Authorities proclaimed the stretch of water to the west of the Pescador Islands to the Chinese mainland in the straits of Formosa a dangerous zone for navigation. The said zone practically blocks the straits of Formosa (it stretches about 60 miles longitudinally and about 100 miles latitudinally).

Since August 15, 1944 a zone around Formosa Island stretching 25 miles from the shore was additionally proclaimed dangerous for navigation. Furthermore, according to the earlier data the approaches to the straits of Hoko-ko from the South and the North (On the Formosa Island to the east of the Pescador Islands) were mined. The approaches to the ports of the Chinese coast located in the Straits were mined as well.

Whereas there is an agreement (exchange of notes, 19/VII - 18/X 1895) between the Russian and the Japanese governments on the status of the straits in accordance with which the Japanese government assented that the straits of Formosa were an important international sea-route, and that "therefore this straits are outside the sphere of its exclusive control and use". (E.D. Grimm. Symposium of treaties and other documents on the history of international relations in the Far East, 1927).

Legal status of Soviet trade shipping (before the declaration of war by the U.S.S.R. on Japan) was determined by their belonging to a neutral country. Since the straits were proclaimed by Japan "naval defensive zones" the neutral Soviet trade ships might have had the right to go not only through the Straits of Laperuse (art. 9 of the Portsmouth treaty), but also through the Sangar, Korean and Formosa Straits, straits of international importance.

The Soviet Union was particularly interested in using the Sangar Straits, which directly connect the Japanese Sea with the Pacific.

The use of Laperuse Straits for navigation is less advantageous. In the first place, the straits connect the Japanese Sea with the Sea of Okhotsk, and the latter with the Pacific through the Kuril Straits, which naturally, makes the route longer and hampers shipping, and secondly, soviet ships can pass through the Laperuse straits from January to April only with the help of powerful icebreakers.

The Soviet government frequently requested that the Japanese governments open the Sangar straits free from ice in the winter months for Soviet trade ships, but those requests were declined under the pretext that this zone was a defensive one.

By way of compromise the Japanese suggested that Soviet ships navigate through the Korean straits and further North, to the East of the Kyushu and Honshu Islands.

At first it was not necessary to keep to a definite fairway to pass through the straits, but on February 14, 1942, the Japanese Command fixed the limits of fairways, and on January 21, 1943, the conditions of navigation for Soviet ships passing through the Korean Straits were again changed. In the straits and around the Island of Kyushu new fairways were fixed. For the navigation in the Pacific were indicated boarder limits which the Soviet ships were not allowed to cross and approach the coastline of the Island of Honshu besides the fact, that the route through the Korean straits indicated by the Japanese was disadvantageous, it was dangerous for navigation and threatened the safe sailing of Soviet vessels, which is corroborated by the shipwreck of the "Angarstroi", the "Kola", and the "Ilmen" (Appendix N 4).

After these shipwrecks Soviet boats stopped navigating in the Korean Straits. The Straits of Laperuse were practically closed since the Japanese had left only two narrow fairways for the passage of Soviet ships.

The passage through the fairways of the Laperuse Straits during the winter months took extra fifteen days for the ships could only pass with the help of icebreakers there often was a danger for the ships to get jammed and drift icebound.

2. The right of the belligerent party to stop and examine the tradeships of neutral countries, was resorted to by the Japanese Naval Command, not only in full measure but also so captiously (including holding up ships for a long time) that it rendered navigation in the Laperuse, Korean and Kuril Straits practically impossible. Below is given a table of the number of stoppages and delays by the Japanese of the Soviet ships bound overseas in the Pacific from August 1941 to the end of the year 1944.

T A B L E

Destination Regions	Laperuse Straits	Korean Straits	Kuril Straits	Other regions	Total	Notes
En route to USA	45	28	3	2	78	Out of 178 ships 3 were held up by the use of arms; 8 ships were taken to the Japanese ports.
En route from USA	63	24	9	4	100	
Total	108	52	12	6	178	

The "Ingul" bound in April 1943 for Vladivostok from Seattle (USA), and having on board as a general cargo heavy loads and foodstuffs is an example of prolonged holding up of Soviet ships.

At 9.02, April 29, the ship was held up by a Japanese patrol boat and was released only on June 28, 1943. (Appendix N 1).

On examining the ships the Japanese officers offered the captains to sign certificates prepared beforehand by the Japanese Naval Command according to a certain form (Appendix N 2) Demanding signing such certificates is contrary to the principles of international law.

3. Deliberately creating difficulties for the navigation of Soviet trade vessels on the routes Vladivostok-Petrozavodsk-USA ports, the Japanese did not hesitate to destroy soviet ships, whenever they considered it expedient.

The following documents are given in the appendixes:

a. Extracts from the detailed report of the captain of the "Vanzette" which was attached by a Japanese plane and later was towed to the harbour of Kusimoto (Appendix N 3).

b. Description (based on the captains' reports) of the sinkings of the ships: the "Krechet", "Penkop", "Mailkop", "Argarstroy", "Ilmen", "Kola", "Belorussia" (Appendix N 4).

ADMIRAL OF THE FLEET (Signed Isakov)

CERTIFICATE OF TRANSLATION OF
THE ABOVE DOCUMENT

I, A. KUMIN, hereby certify that I am thoroughly conversant with the Russian and English languages; and the above is a correct and true translation of the indicated document.

A. KUMIN

*Marshall
Wotje*

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DEPOSITION

I, FERDINAND Z. EMIZ of WOTJE ATOLL, MARSHALL ISLANDS, being duly sworn, depose and say that I am now employed as an interpreter at Naval Air Base No. 3234, MAJURO ATOLL. I was attending school in Japan until 1938 when I returned to the MARSHALL ISLANDS, JALUIT ATOLL.

AFFIANT further states that in August, 1938 he went to WOTJE ATOLL and was employed as an assistant to a surveyor who was taking measurements of the different islands. The Japanese commenced construction on the airfield at WOTJE in June 1939. About fifty Japanese laborers worked on this job. The complement there called for three officers and five chiefs. Three hundred natives were hired to construct a Japanese prison camp. Natives were paid one yen a day. Construction of the prison camp was completed in October, 1939 and the same month prisoners came from Japan to finish their sentences in the WOTJE prison camp. After the arrival of the Japanese prisoners all Native labor with the exception of ten men and five women were returned to ORNEJ island, WOTJE ATOLL.

AFFIANT further says that in November, 1939 all trees on WOTJE island, WOTJE ATOLL were cut down so that the airfield could be constructed. About this time all prisoners (over two thousand) were returned to Japan and about one thousand Koreans and about two thousand Japanese laborers arrived at WOTJE to continue the work on the airstrip. Native laborers were again drafted thru the headman of each island.

AFFIANT further says that he saw large quantities of cement, asphalt and other construction material being delivered at WOTJE island, WOTJE ATOLL for use on the airstrip. Before construction was completed, in February 1942 an American plane bombed and strafed the island. In the night Native laborers were set to work to repair the damage.

AFFIANT further says that Native labor in 1941 was paid 85 sen a day. They were employed as masons, bricklayers and carpenters. Sickness was no excuse to

stop working. A Native was obliged to work for the Japanese. If he refused to work he usually suffered beatings and sometimes was sent to prison.

FURTHER AFFIANT SAITH NOT.

/s/ FERDINAND Z. EMIZ
AFFIANT.

I, FERDINAND Z. EMIZ, AFFIANT, say that I have read the above and foregoing; I have subscribed and that the same is true to the best of my knowledge and belief.

/s/ FERDINAND Z. EMIZ
FERDINAND. Z. EMIZ.

Before me, an officer authorized to administer oaths appeared the affiant whose name is subscribed above, this 14th day of March, 1946.

/s/ FRANK E. O'REILLY
Lieutenant, U.S.N.M.

I, FERDINAND Z. EMIZ, AFFIANT, say that I have read the above and foregoing; I have subscribed and that the same is true to the best of my knowledge and belief.

/s/ FERDINAND Z. EMIZ
FERDINAND. Z. EMIZ.

Before me, an officer authorized to administer oaths appeared the affiant whose name is subscribed above, this 14th day of March, 1946.

/s/ FRANK E. O'REILLY
Lieutenant, U.S.N.M.

Excerpt from "Pearl Harbor, Intercepted Diplomatic Messages
sent by the Japanese Government between
July 1 and December 8, 1941" P.19

From: Tokyo (Secret)
To: Washington
August 20, 1941
#487 (Part 2 of 2)

If ----- the United States Government asks you questions concerning the increase of Japanese troops in the North, will you explain to them suitably as your own view of the matter what I have pointed out above. Impress upon their minds that the movement of the troops has for its objective purely preventive precautions against unforeseen emergency and that by it we will be able to forestall any possibility of peace in the Far East being disturbed.

Recently when the Soviet Ambassador in Tokyo inquired about this matter, I replied that so long as the Russian Government lives up to the treaty Japan also will be faithful to it. The Ambassador was very much pleased to hear this, saying that my statement had clarified the matter. This is solely for your information.

ve } If it becomes definitely known that the United States is shipping iron, airplanes and other materials by way of Japanese coastal waters to assist Soviet Russia, this fact would unnecessarily provoke the feelings of the Japanese people, and it cannot be said that it will not have an unfavorable effect on the question of readjusting Japanese-American relations- a question which is at the present stage a very delicate one. We would like, therefore, to see the United States refrain from such action. Will you take a good opportunity and tactfully call the attention of the United States authorities to this fact. Today I personally called the attention of the American Ambassador to it.

Army 21235

Trans. 8/20/41 (S)

DEPOSITION

I, ABISA, of IMEJ island, JALUIT ATOLL, MARSHALL ISLANDS, being duly sworn, depose and say that I am now employed at the Native Labor Unit, Naval Air Base, Navy No. 3234. In 1938 the Japanese hired Natives to cut trees on IMEJ island, JALUIT ATOLL to make a place for the air field. There were two divisions of Native Working parties. One would work on gun emplacements and the other on the pier. These would be rotated. The Japanese Navy paid Yen 1.50 per day and the Japanese Company Yen 1.20 a day. The Company was in charge of all supplies for the Japanese Navy and supplied Natives to work for the Japanese Navy. Before the war the Natives that were paid Yen 1.50 a day had to buy their own food. Others were given food by the Navy. The Japanese gave the Natives only rice and canned fish. When the war started and until it ended both the Company and the Navy paid the Natives 85 sen per day. Before the war the food was good but during the war it was bad. The Natives were forced to work in the airfield. The Natives who worked at JALUIT airfield came from other atolls and when they wished to return to their homes the Japanese would not let them.

/s/ ABISAI
AFFIANT.

We, MANUEL DEBRUM and FERDINAND Z. EMIZ, Interpreters state that we translated the deposition of ABISA from Marshallese to English, and that the above and foregoing is a true and correct translation, to the best of our knowledge and belief.

/s/ MANUEL DEBRUM
MANUEL DEBRUM

/s/ FERDINAND Z. EMIZ
FERDINAND Z. EMIZ

Before me, an officer authorized to administer oaths appeared the AFFIANT and the Interpreters whose names are subscribed above, this 16th day of March, 1946.

/s/ FRANK E. O'REILLY
Lieutenant, U.SNR.

R E P O R T

On detaining the ship "Sergei Kirov" of the Far Eastern State Maritime Agency in the Bay of Ito by the Japanese Military Authorities from 17th to 22nd of April 1942.

On April 5, 1942, the ship "Sergei Kirov" left the port of Petropavlosk on Kamchatka bound for Vladivostok through the Strait of Korea with a cargo of provisions.

In spite of compliance with all the established rules of navigation in the vicinity of Japanese Islands, at 10:00 hours on April 17, 1942 near the Island of "Mikura Jima" latitude 33 degrees 30 minutes North and longitude 140 degrees 02' East, the said ship was stopped by a Japanese destroyer which without finding out the nationality of the ship, the nature of her cargo and her route, and regardless of the protests of Captain Ushakov, proposed that the ship follow them into the Tokyo Bay.

In spite of non-resistance on the part of the crew of the ship, in executing the orders given from the destroyer, the latter was repeatedly threatening to commit violence against the ship, and wantonly, fired two volleys from her guns, and, likewise, twice at night machine-gunned the ship.

Besides, at the time the ship "Sergei Kirov" was being escorted, two Japanese Military Aircraft came on April 17, at 15:45 hours and started for an unknown reason maneuvering and diving above the mast.

On April 18 at 14:00 hours the Soviet merchantman seized by the Japanese was escorted into the Bay of Ito, where the Japanese Military Authorities conducted a superficial inspection of the ship and its cargo and although nothing prejudicial was detected, yet the ship was not freed. The Japanese kept the ship in the Bay under the surveillance of a trawler until April 22 inclusive and only in the morning of April 23, was it allowed to follow its own course.

In this way the Japanese Military Authorities committed the aforesaid unlawful action keeping the ship "Sergei Kirov" without any reason for 6 days and nights in the Ito Bay.

The Military Prosecutor of the Pacific Area
Lt. Colonel of Justice /SFLICPKOV/

March 20, 1946, Vladivostok.

CERTIFICATE OF TRANSLATION OF THE ABOVE DOCUMENT:

I, G. Minenko, hereby certify that I am thoroughly conversant with the Russian and English Languages; and the above is a correct and true translation of the indicated Document.

Signature: George Minenko.

DEPOSITION

I, LANEN, of MALOELAP ATOLL, MARSHALL ISLANDS, being duly sworn, depose and say that I am now employed in the Native Labor Unit, Naval Air Base, Navy No. 3234. In 1939 I was living on MALOELAP ATOLL and in that year three hundred Japanese and four officers came to TARAWA ISLAND on MALOELAP. They put to work fifty natives to remove trees for an airfield. A little later five hundred more Japanese came from Japan. Eighty more natives were given work. The Japanese made the natives work from 6:00 AM to 5:00 PM for 85 sen a day. The natives worked at cutting down trees and making concrete. The trees were carried by four men to a specific place. Natives were also used to carry heavy loads of sand from the beach to the air strip. If the native did not work to suit the Japanese he would be beaten. The Japs sent people with broken limbs to the hospital but those who had internal injuries were not taken care of at the hospital. The airfield was finally completed in 1941 but barracks for the soldiers and other buildings were not completed.

/s/ LANEN
AFFIANT

I, FERDINAND Z. EMIZ, Interpreter state that I translated the deposition of LANEN from Marshallese to English and that the above and foregoing is a true and correct translation, to the best of my knowledge and belief.

/s/ FERDINAND Z. EMIZ
FERDINAND Z. EMIZ.

Before me, an officer authorized to administer oaths appeared the AFFIANT and the Interpreter whose names are subscribed above, this 16th day of March, 1946.

/s/ FRANK E. O'REILLY
Lieutenant, U.S.N.R.

REPORT

On the detention of the ship "Dwina" of the Far Eastern Shipping Agency by the Japanese authorities on July 20, 1943.

On July 20, 1943 at 11 hours in the Strait of Laperuzo near the "Rock of Danger", a Japanese patrol-boat had stopped the ship "Dwina", heading for Petropavlosk, and took her under escort to Port "Otomari", where Captain Watanabe and Junior Lieutenant Tezuka, Masatoshi of the Japanese Navy conducted inspection of the cargo and then handed to the local police authorities.

The ship was in the hands of the Japanese authorities since July 20 till August 25, 1943 i.e. during the period of 35 days.

16 | The crew of the ship, and her 30 passengers were all the time subjected to interrogation during which the Japanese officials and in particular the prosecutor of the town of Otomari and the officer Toni-Mari, attached to him, were rude and threatening. The Captain of the ship "Dwina" Peer was taken by force from the steamer by Japanese officials and police who beat and insulted him. After this Peer was arrested and kept in custody, then was sentenced in absence to 100-day imprisonment or 2000 yen fine.

From the date of investigation the ship "Dwina" was detained under the following circumstances:

On July 16, 1943 at 10 hours the ship "Dwina", under command of Captain Peer and having a load of 900 tons of chrome ore and with 30 passengers aboard, left Vladivostok on a voyage bound for Portland of the USA.

On July 18 at 5:30 hours the ship, being in the latitude of 45 degrees 49' north and in the longitude of 139 degrees 05' 2" east, and having the radio-location of Velkin radio-beacon took the course of 97 degrees (-9 degrees) leading 2 miles to the south of Cape Notora Misaki, with the intention of correcting her course to go through the Laperuzo Strait. Due to thick fog at 14:45 hours the ship went at a medium speed, whilst at 16:10 hours she went at a slow speed. Soon after the ship lost its orientation and went aground in the latitude of 46 degrees 00, 7 north and in the longitude of 141 degrees 57.

On July 19 at 5:05 A.M. the ship got afloat by her own power.

On July 20, 1943 having partly checked the leak in the oil-tank, and having cleaned the oil in the ceter, and adding some fresh oil, the ship took off at 7:50 A.M. to continue the voyage.

On July 20 having passed the "Rock of Danger", the ship was stopped at 11 A.M. by a Japanese patrol-boat, and regardless of the protest of the captain, she was directed to Port Otomari.

On July 21, 1943 at 0 hour 25 minutes the ship reached Otomari and cast an anchor in the outside roadstead at a distance of 1/4 mile from the ship "Nogin". At 8:05 A.M. the ship was inspected by two Japanese officers who then sealed the radio station.

After the documents were examined, a lieutenant of the Japanese Navy made a note in Japanese in the ship log to the following effect: (translation made by an interpreter) "On July 21, 1943 ordered by our chief Captain Watanabe, I have made an inspection and acknowledge that the ship's papers and the cargo are all in order---21 July 1943, Inspector Junior Lieutenant of the Imperial Japanese Navy Tezuka Masatoshi. Captain Peer was informed that another inspection will yet be made by the local authorities.

At 16,20 hours a Japanese patrol-boat approached the ship, and 16 armed soldiers and officers together with the prosecutor of the town of Otomari an interpreter and 4 officials of the local police got aboard the ship.

Captain Peer was asked a series of questions and then told by the interpreter that the ship will be put under arrest.

The prosecutor confiscated a series of ship's documents and photographed the ship.

Peer handed a written protest concerning the illegal detention of the ship to the prosecutor who did not give him any receipt for it. A copy of the protest addressed to the Consul of the U.S.S.R. was not accepted by the prosecutor.

On July 24 at 14:30 hours the Japanese authorities came aboard the ship with the demand to change the anchor-hold which was fulfilled. At 17 hours the ship anchored 3 miles off the shore near Rutaka village.

On July 25 at 15 hours the Japanese authorities with 31 soldiers armed with rifles came and told Captain Peer and his mates to follow them to the shore for an inquest by the prosecutor

The Captain refused to comply with this demand and proposed that he and the mates above-mentioned be interrogated on the ship in the presence of the Soviet Consul. After this the Captain was not even given an opportunity to pass orders to the chief mate, and was by force rudely pushed down from the ship, whilst the Prosecutor forbade the members of the crew to come ashore.

At 19 hours the Captain was put under arrest in a police office in Rutaka village.

On July 26 the Prosecutor called Peer for interrogation during which he shouted and was rude to him accusing the latter of violating the Japanese territorial waters. His interrogation was conducted in this manner till August 1. Simultaneously the other members of the crew were interrogated and treated as rudely as their captain.

During the interrogation the Prosecutor and the officials tried to get corroboration of the fact that the ship "Dwina" was bought by the Soviet Union in the U.S.A., after the outbreak of the American-Japanese war, so as to confiscate the ship as trophy.

On August 10 a court official came to Peer, who was in custody and announced him the sentence of the Japanese court, according to which Peer was found guilty of unlawful violation of the Japanese territorial waters, and sentenced to 100 days imprisonment or fine of 2000 Japanese yen. Peer refused to pay the fine, stating that the sentence of the court was unlawful, and continued to sit in custody.

In connection with this the Prosecutor called Peer for an interrogation nearly every day and subjecting him to ill-treatment and to indignities categorically insisted that the fine be paid and recommending as a means to raise the funds to sell a part of cargo fuel and the ship's equipment, also agreeing to be paid in Soviet currency yet Peer refused categorically to fulfill these demands.

On August 25 the Prosecutor set Captain Peer free, returning him all the documents of the ship, and permitting the ship "Dwina" to go on her voyage.

When Peer was freed, he was searched once more, all of his things were inspected, whilst the Japanese money taken away from him at the time of search was not returned.

On August 25 at 18 hours the ship started for her port of destination.

Thus the Japanese military, court and police authorities detained the Soviet ship "Dwina" without any ground for 35 days and subjected the Soviet sailors to indignities.

Military Prosecutor of the Pacific Area
Lt. Colonel of Justice Shlychkov

March 22, 1946

Vladivostok

CERTIFICATE OF TRANSLATION OF THE ABOVE DOCUMENT:

I, Minenko, G., hereby certify that I am thoroughly conversant with the Russian and English languages: and the above is a correct and true translation of the indicated Document.

Signature: George Minenko

Marshall 904
DEPOSITION

I, AJIDRIK, of LAURA Island, MAJURO ATOLL, MARSHALL ISLANDS, being duly sworn, depose and say that I am employed as an Interpreter at Naval Air Base, Navy No. 3234. In the year 1940 I was living on LAURA Island, MAJURO ATOLL. In that year the Japanese started to cut down trees on RITA Island, MAJURO ATOLL to make an airfield. The Japanese did not pay for the trees they destroyed as they promised to do. This airfield was never completed. About the middle of 1941 the Japanese started to take all men from MAJURO ATOLL, to MILIE, MALLOELAP and JALUIT ATOLLS to work on the bases. Force was used in securing labor and those who did not wish to go were told that they would be put in prison or they would be threatened with a beating.

FURTHER AFFIANT SAITH NOT.

/s/ AJIDRIK
AFFIANT.

I, AJIDRIK, AFFIANT, say that I have read the above and foregoing by me subscribed and that the same is true to the best of my knowledge and belief.

/s/ AJIDRIK
AJIDRIK.

Before me, an officer authorized to administer oaths, appeared the AFFIANT whose name is subscribed above this 15th day of March 1946.

/s/ Frank E. O'Reilly
Lt. USNR.

904
151-9

Prosecution Office of the U.S.S.R.
Military Prosecutor of
Pacific Area
April 4 1946

#21

Vladivostok

REPORT

On detaining the ship "Ingul" of the Far Eastern State Maritime Agency in 1943.

The results of investigation conducted by the Military Prosecution of the Pacific Area, showed that:

The ship "Ingul" following its course in the northern fair-water of the Laperuzo Strait, northern latitude 45 degrees 49' and eastern longitude 141 degrees 53', was on April 29, 1943 at 9:42 hours stopped by a Japanese war-ship.

A Japanese lieutenant, an interpreter, a signal-man and 10 others of the crew came to the ship "Ingul" by the Japanese ship's boat.

The documents on the cargo and the ownership of the steamer were examined, and under suspicion that the steamer was bought in America during the war, the said ship was placed under arrest, and with threat of arms, the ship "Ingul" was escorted to Port "Otomari," where it arrived on April 30, 1943 at 2:55 hours.

After the arrival of the ship "Ingul" in the Port "Otomari," a Japanese armed detachment consisting of twelve men headed by a junior-Lieutenant Tezaki, set themselves up in various parts of the steamer. The radio operator's cabin was closed by the Japanese. In the following days the Japanese military men were reviewing documents and interrogating the Captain on various questions, in the hope of obtaining an explanation that the steamer was received in America during the war.

When Captain Bashkatov refused to present the documents of the steamer on May 18, 1943, motivating that they were repeatedly examined, the Japanese started to threaten. A battle-alarm was given on the Japanese war-ship and her guns were directed on the ship "Ingul". An armed Japanese guard was running and loading rifles on the deck of the ship "Ingul".

Without giving a special accusation the ship "Ingul" was kept under arrest in the port "Otomari" till 13.15 hours of June 23, 1943, i.e. 60 days.

Military Prosecutor of the Pacific Area

Lt. Colonel of Justice

Shlichkov.

CERTIFICATE OF TRANSLATION OF THE ABOVE DOCUMENT.

I, Minenko, G., hereby certify that I am thoroughly conversant with the Russian and English languages; and the above is a correct and true translation of the indicated document.

SIGNATURE: /s/George Minenko

NATIVE DEPOSITIONS

905

Eniwetok

U.S.N.O.B., NAVY NUMBER 3237
Tuesday, March 12, 1946.

DEPOSITION NUMBER 1.

The witness, Johaniz, Chief of Eniwetok tribe, Eniwetok Atoll, was duly sworn and informed of the subject matter.

The interpreter, Chief Petty Officer Brown Smith, R.F.N.V.R., was duly sworn and informed of the subject matter.

The recorder, Ensign W.A. Helseth, (D) L, U.S. Naval Reserve was duly sworn and informed of the subject matter.

The following interrogations made by me, through the interpreter are herewith submitted:

1. Q. State your name and title.
A. Johaniz, Chief of Eniwetok tribe, Eniwetok Atoll.
2. Q. Have you been Chief of your tribe from January 1941 to the present time.
A. Yes.
3. Q. When did the Japanese marines arrive on this atoll.
A. In January, 1942.
4. Q. When did the Japanese Navy arrive.
A. April 27, 1941.
5. Q. When did the Japanese Army arrive.
A. In January 1944.
6. Q. Did the Japanese military personnel force members of your tribe to work for them.
A. Yes.
7. Q. Did they repay you in any form for this work.
A. No.
8. Q. Did you request payment for this work.
A. Yes.
9. Q. Do you know the name of any of the Japanese units or their officers or men under whom the members of your tribe worked.
A. No.

/s/ Joaniz
JOANIZ

/s/ Brown Smith
Chief Brown Smith, interpreter.

Sworn to and subscribed before me this twelfth day of March A.D. 1946.

/s/ R.G. Dietiker
R.G. Dietiker
Lt. (jg) S(E) USNR
Military Government Officer

R E P O R TON THE CIRCUMSTANCES OF THE WRECK OF THE STEAMER
"KRECHET", BELONGING TO THE STATE SEA-SHIPING
AGENCY, IN THE HARBOR OF HONG KONG

Hong Kong

The Military Prosecution Office of the Pacific Ocean Area has established by investigation following:

That at the end of August, 1941, the ship "Krechet" arrived at the harbor of Hong Kong to be put under recondition. On December 8, 1941, the recondition of the ship was interrupted because of the opening of hostilities between Japan and USA and Great Britain.

To avoid the damaging of the ship during artillery bombardments of the docks by the Japanese forces, the ship "Krechet" was led off to the roadstead state flag of the Soviet Union being on the stern, and other flags painted on her deck and boards. There were no other ships belonging to any other country on the roadstead.

Late in the afternoon of December 14, 1941, artillery bombardment of the ship "Krechet" was began from the Koulun Island, occupied by the Japanese.

The first shells fell on the stern and the bow. Then an incendiary shell hit one of the deck-cabins, and fire broke out on the ship. After this the ship was several times directly hit by explosive and incendiary shells, which damaged the hull and the engine-room. The ship was ablaze and in about two hours sank.

The witnesses: the captain of the ship "Krechet" Bazhanov, the senior radio-operator of the ship Pokrytiuk, the mechanic of the ship "Svirstroy" Iordansky and others estimated that there were 34 shells discharged by the Japanese armed forces at the ship "Krechet" from the distance of less than half a mile.

On leaving the ship on fire, the crew consisting of 10 men got into a boat and made for Hong Kong. But a gun shot was made at the boat from the Japanese side, and the boat was forced to sail in the direction of the Koulun Island.

After Hong Kong was occupied, the captain of the ship "Krechet", the representative of the Commercial Mission Prokhorov and the employee of the "Exportkhleb" Ageev were summoned by the military authorities to negotiate on the matter of the wreck of the ship "Krechet".

During the talk which lasted about 3 hours, the representative of the Japanese command repeatedly threatening with responsibility for giving false testimony endeavoured to prove that the ship "Krechet" could not have been fired at by the Japanese, and tried with all means to make them testify that it was the English who had fired at the ship.

During the months that the crew stayed in Hong Kong they were constantly subjected to indignities by the Japanese, who beat them, robbed them of their personal things, money in foreign currency and food, and as a result of it the crew of the ship "Krechet" were half starving and suffered from inanition and various diseases.

The losses sustained by the state amounted to 17,700,000 rubles, which was the cost of the ship.

Military Prosecutor of the Pacific Ocean Area,

Lieutenant-Colonel of the Judicial Corps

Shlychkov

20.III.46 CERTIFICATE OF TRANSLATION OF THE ABOVE DOCUMENT

I, M. Gildenblat, hereby certify that I am thoroughly conversant with the Russian and English languages: and the above is a correct and true translation of the indicated Document.

Signature: /s/ M. Gildenblat

5 ex.be
12.Yl.46.

R E P O R TON THE FIRING ON AND PLUNDERING IN THE HARBOR OF HONG KONG
BY THE JAPANESE TROOPS OF THE SHIP "SVIRSTROY" BELONGING TO
THE FAR EASTERN STATE SHIPPING AGENCY, IN DECEMBER, 1941

The Military Prosecution Office of the Pacific Ocean Area established by investigation the following:

That since July, 1941, the ship "Svirstroy" had been overhauled in the docks of the English company "Pampy-Dock" at Hong Kong, and by the beginning of December 1941, she was 80-90 per cent ready.

On December 8, 1941, the Japanese troops made a surprise attack on Hong Kong from the North and drove the English troops defending the town back to the Victoria Island.

In order to avoid the Japanese troops mistaking the Soviet ship for an English or American one, the crew led out the ship "Svirstroy" to the roadstead and put her far from the other ships, keeping at a distance of 200 m. from the shore; large state flags with the inscription "The USSR" on them were painted on the roof of the round-house and on the boards.

Although it was obvious that what the nationality of the ship "Svirstroy" was and that she belonged to the Merchantile Marine of the Soviet Union the Japanese planes twice bombed her, but without any results. After this on December 18, the Japanese forces began artillery ranging from the shore batteries and opened gun fire on the ship "Svirstroy." Five shells directly hit the hull of the ship, considerably damaging her and the deck-structures.

The 3rd mate Kovernikov and baker Elagin were killed during the bombardment.

During the Japanese bombardment of the ship the crew sailed in boats and landed on the Japanese-held-shore, where the Japanese troops put them under guard and took to the zone under the fire of English batteries on Victoria Island.

Stoker Krivoruchko was killed and sailor Bochko badly wounded during one of the bombardments. The Japanese did not render Bochko any medical aid in due time.

Notwithstanding their lawful requests to the Japanese command to transfer them to some safe place, the Soviet sailors were forced to stay in the zone under the artillery fire during the whole time of fighting.

During and after the fighting the Soviet sailors were kept like prisoners in the area surrounded by barbed-wire and under guard of the Japanese soldiers.

As the crew of the ship "Svirstroy" had left the ship during the bombardment, they could not have taken food and personal belongings with them, for a month the Japanese authorities did not allow the Soviet sailors to return to the ship assuring them that the ship was guarded by them. But when the Soviet sailors succeeded to

get there, they found out that the Japanese flag had been hoisted on the ship and the Japanese had given her a trophy number. It also turned out, that besides the damage done by the artillery fire, the principal parts of the engine and of the stokers room were covered with rust, there were about 200 tons of rainwater in the holds; the ship equipment, machinery, food and personal belongings of the crew were stolen by the Japanese soldiers.

The ship was put out of commission but the Japanese authorities responsible for the bombardment and the plundering of the ship, refused to compensate the damage caused by them to the Soviet Union and to her citizens.

Those of the crew of the ship "Svirstroy" who had left the ship before the bombardment and stayed on the Victoria Island, were constantly subjected to various indignities and were robbed by the Japanese soldiers when the latter occupied the island.

Because of the hostilities on the part of Japan the ship "Svirstroy" had to stay in Hong Kong and having been damaged by the bombardment and plundered she sank afterward. She could not have been led away into a Soviet port because of the hostilities.

The amount and the articles of the plundered property are specified in the act

MILITARY PROSECUTOR OF THE PACIFIC
OCEAN AREA LIEUTENANT-COLONEL OF
JUDICIAL CORPS /SELYCHKOV/

5 ex. be.
12. YI.

CERTIFICATE OF TRANSLATION OF THE ABOVE DOCUMENT:

I, M. GILDENBLAT, hereby certify that I am thoroughly conversant with Russian and English languages: and the above is a correct and true translation of the indicated document.

Signature: /s/ M. Gildenblat

Eniwetok

986

DEPOSITION NUMBER 2.

The witness, Abream, Chief of Engebi tribe, Eniwetok Atoll, was duly sworn and informed of the subject matter.

The interpreter, Chief Petty Officer Brown Smith, R.F.N.V.R. was duly sworn and informed of the subject matter.

The recorder, Ensign W.A. Helseth, (D) L, U.S. Naval Reserve was duly sworn and informed of the subject matter.

The following interrogations made by me, through the interpreter are herewith submitted:

1. Q. State your name and title.
A. Abream, Chief of Engebi tribe, Eniwetok Atoll.
2. Q. Have you been Chief of your tribe from January 1941 to the present time.
A. Yes.
3. Q. When did the Japanese Marines arrive on this atoll.
A. In January, 1942.
4. Q. When did the Japanese Navy arrive.
A. April 27, 1941.
5. Q. When did the Japanese Army arrive.
A. In January 1944.
6. Q. Did the Japanese military personnel force members of your tribe to work for them.
A. Yes.
7. Q. Did they repay you in any form for this work.
A. No.
8. Q. Did you request payment for this work.
A. Yes.
9. Q. Do you know the name of any of the Japanese units or their officers or men under whom the members of your tribe worked.
A. No.

/s/ Abream

/s/ Brown Smith
Chief Brown Smith, interpreter.

Sworn to and subscribed before me this twelfth day of March A.D. 1946.

/s/ R.G. Dietiker
R.G. Dietiker
Lt. (jg) S(E) USNR
Military Government Officer

R E P O R TON THE BOMBING BY THE JAPANESE AIRCRAFT OF THE
SHIP "SERGEY LASO" IN THE HARBOR OF HONG KONG AND
ON THE PLUNDERING OF THE SOVIET STATE PROPERTY
BY THE JAPANESE

The Military Prosecution Office of the Pacific Ocean Area has established by investigation following:

That the ship "Sergey Laso" was under recondition in the Harbor of Hong Kong since the end of August, 1941, and the recondition was stopped because of the opening of hostilities between Japan and USA and Great Britain.

On December 9, 1941 the ship "Sergey Laso" was put on anchor at the buoy 4, on the dock roadstead.

On December 11, 1941, the ship "Sergey Laso" was twice bombed by Japanese planes, but the bombs missed her. The ship had identification signs and the state flag of the Soviet Union.

By the order of the Japanese command the crew of the ship "Sergey Laso", including captain Guk left the ship and settled down in 272, Prince Edward Street, the town of Koulun, near the Japanese Staff, and lived there under Japanese watch.

On December 23, 1941, stoker Krivoruchko was killed and sailor Bochko badly wounded by the shell that hit the house where the crew lived. The crew carried Bochko to the hospital.

The main part of the sailors of the ships "Krechet," "Svirstroy" and "Simpheropol" was at Hong Kong. The Japanese command forbade those who lived in Koulun to have intercourse with the Soviet sailors staying at Hong Kong.

The Japanese command through Lieutenant Mitana who was at the head of the soldiers guarding the crew of the ship "Sergey Laso" at Koulun, repeatedly demanded that Captain Guk should officially write that the ship "Krechet" had been sunk by the English, and that the ship "Svirstroy" had also been fired at by them. Besides, they demanded that he should write two letters of gratitude, no matter in what language, one addressed to the Japanese Command telling that the Japanese treated the Soviet sailors well; and the other to Lieutenant Mitana, personally,

thanking him for good treatment of the crew of the ship "Sergey Laso." Mitana said that if he did that, they would transfer the crew to Hong Kong where they might join the main group of the Soviet sailors and would be allowed to go aboard their ship. If Captain Guk refused to do that, then the whole crew of the ship "Sergey Laso" would stay in the town of Koulun for an indefinite time and would not be allowed to go to the ship.

The Japanese authorities did not allow the crew of the ship "Sergey Laso" to go aboard their ship, but it was noticed, that the Japanese replaced people on the Soviet ships every day and that the Japanese flag was hoisted on them.

On June 23, 1942, the Japanese Command gave Captain Guk, second mate Timofeev, first mate Kiriy, chief mechanic Tarulius and others permission to go aboard the ship with the aim of conservation of the ship, which was standing at the pier of the docks of Koulun. They found out that the Japanese had plundered the deck equipment the skipper, pilot, buffet, caboose and fire equipment, the life-rescuing equipment, overalls, things pertaining to cultural entertainment, the ship radio-station, personal belongings of the crew, food, details of machines, various tools and materials.

Military Prosecutor of the Pacific Ocean Area

Lieutenant Colonel of the Judicial Corps Shlychkov.

5 ex6be.

CERTIFICATE OF TRANSLATION OF THE ABOVE DOCUMENT:

II.Y.

I, M.Gildenblat, hereby certify that I am thoroughly conversant with the Russian and English languages; and the above is a correct and true translation of the indicated Document.

Signature: /s/ M. Gildenblat

R E P O R TON THE ARTILLERY BOMBARDMENT OF THE SHIP "SIMPHEROPOL"
BY JAPANESE AT KOULUN AND ON THE LOOTING BY THE
SOLDIERS AND OFFICERS OF THE JAPANESE ARMY.

The Military Prosecution Office of the Pacific Ocean area established by investigation following:

The ship "Simpheropol" was under recondition at the town of Koulun, which was stopped because of the opening of hostilities between Japan and USA and Great-Britain. The ship was moored at the pier of the Koulun Docks.

From December 18, 1941, to June 23, 1942 the Japanese authorities did not allow any member of the crew to go aboard the ship, and refused to give them permission to go to the docks territory to inspect the ship "Simpheropol" and to take measures for preserving the equipment and other valuables which were on the ship.

On the twentieth of December, 1941, a Japanese descent coming from the Koulun direction landed on the Victoria Island and occupied the territory where the house where more than one hundred Soviet sailors - the crews of the ships "Krechet", "Simpheropol", "Svirstroy", "Sergey Laso" and some groups of Philippine sailors lived, was.

Having occupied the Victoria Island, the Japanese officers and soldiers burst into the house of the Soviet sailors and threatening with arms, opened valises belonging to the Soviet sailors with bayonets and took things of some value. They also searched the sailors and took away money, watches and other valuables. So, for instance, they took commander Sokolov's gold watch, and robbed stoker Starostin of his gold watch, etc. Then the Japanese officers and soldiers took all the sailors out in the street and, though the area was under unceasing machine-gun and artillery fire, they lined them up in the square in front of the house, and during the lining up the Soviet sailors were beaten with bamboo sticks receiving blows on their heads. A Japanese officer twice stroke stoker Diachuk on the brow with a stick. The Soviet sailors again were searched, and valuables were taken from them. That lasted for 2 hours. Then the sailors were allowed to return to the house. During a month and

a half the Japanese authorities did not give the Soviet sailors any food and the latter suffered from starvation. Later they gave each of them 100 gr. of rice per day.

The indignities to which the Japanese officers and soldiers subjected the Soviet sailors were committed systematically. The following intolerable fact of humiliation of dignity and honour of Soviet sailor will show what these indignities were like: in the middle of May, 1942, the chief radio-operator of the ship "Krechet", Pokratiuk, Vladimir Senenovich and the chief-mechanic of the ship "Simpheropol" were returning from Hong Kong to Koulun, when being not far from the harbour they were searched by the Japanese policeman on guard. When Pokratiuk was approaching the bocking-office he was called back by a Japanese sentinel who checked his passport and afterwards ordered him to stand on his knees and to ask pardon for the alleged offence he had given the sentinel. Pokratiuk got a stoke of bayonet for refusing to stand on his knees, and two other Japanese soldiers who had meanwhile approached him, beat him with sticks. Then Pokratiuk was taken to the Police Station where the Japanese officer having learned from the passport that Pokratiuk was a Soviet sailor, interrogated him for half an hour in the Japanese language inapprehensible to Pokratiuk, the interrogation being accompanied with beating his face. Then his left ear was injured with a strong blow inflicted with fist, and as a result of it Pokratiuk had a dull hearing for a long time.

On June 23, 1942 the Japanese command allowed the captain of the ship "Simpheropol", second mate Korsakov, first mate Sidorov and others to go aboard their ship with the aim of conservation of the ship which was moored at the pier of the Koulun Decks. They found out that there was a hole in the hull of the ship "Simpheropol" made by the artillery shell which had hit the left upper deck of the bow, that the cabin doors were torn away, the writing tables broken, the velvet from the sofas cut off. Besides, the deck equipment, the pilot, skiper, buffet caboose and fire equipment, the life-rescuing equipment, overalls, personal belongings of the crew, things pertaining to cultural entertainment, cabin equipment, the ship radio station and the whole stock of food for the crew were plundered, and some damage was deliberately done to the engine room.

The losses sustained by the state amount to 10,615,000 rubles.

Military Prosecutor of the Pacific Ocean Area

Lieutenant Colonel of the Judicial Corps

Shlychkov.

CERTIFICATE OF TRANSLATION OF THE ABOVE DOCUMENT:

I, M. Gildenblat, hereby certify that I am thoroughly conversant with the Russian and English languages: and the above is a correct and true translation of the indicated Document.

Signature: /s/ M. Gildenblat

5 ex.be
12.YI.

Branch #185

March 20, 1933

Yoshiharu Nagajima,
Head, Passenger Dept.

Re: Deferring the booking of passengers desiring to go to places in Inner South Seas Area.

Lately, there has been a tendency toward the increase in the number of foreigners deciding to go to the islands in the Inner South Seas area, but since the facilities of this line are not only not suited in many respects to accommodate foreign passengers, but also the hotel facilities of the South Seas area, in general, are not suited to accommodate foreigners and since considerable inconveniences are apt to be experienced in case of stop-overs because of the poor shipping connections (besides, occidental meals aboard ships of this line may be wholly abolished), we would like to advise you not to book any foreign passenger, if possible, for the South Seas line until further notice.

If obliged to do so, secretly inform whoever is in charge to accept applications only after they have been first approved by the proper authorities.

Passenger, South Seas Branch, #115
To Takaishi Hamano
Ass't Manager, Chicago Branch
Oct. 14, 1935

From Yoshiharu Nagajima
Head of Passenger Dept.

Re: Ban against accepting foreign passengers for South Seas line.

We acknowledge receipt of your wire, dated October 7, as follows:

" ----- please reserve 1st class 2 outside two-berth cabins Kasuga Maru 12th December from Yokohama Jaluit thence to Palao also Yamashiro Maru 17th January Palao Menado."

We believe that the above was made in reference to the schedule of last year, but in reply, we sent the following wire, dated the 11th, as follows:

"Referring to your telegram of 7th N.Y.K. South Sea Island Line no accommodation available until March."

As you have already received it, we believe that you understand it.

As indicated in the Passenger Department's out Passenger, South Seas Branch #185, dated March 28, 1933 (copy sent to you), every effort is being made not to accept foreign passengers for this line. Taking this into consideration, we suggest that you politely refuse this application.

This is to affirm receipt of your telegram.

As an actual problem, in accepting a foreigner, even if he is a resident of the South Seas, it is necessary for us to give notice of his name, age, occupation, nationality and so forth, to the South Seas Government, which confers with the Navy and Foreign Ministries and directs us either to accept or not to accept the application.

Such being the case, we cannot accept any application unless approved by the proper authorities. As indicated in the aforementioned letter, we advised you "to secretly inform whoever is in charge to accept applications only after they have been first approved by the proper authorities." Hence, application merely by wire is of no use and even if an application is accompanied by a detailed letter, it is not certain that the approval of the proper authorities can always be obtained. Instead, it is believed that they have been rejected in the majority of cases.

Although there may be some business reasons, it would be wise to make it a general rule not to book any passenger for the South Seas line at agencies abroad.

As reference, we are sending you a copy of Passenger, South Seas Branch #185.

Passenger, South Seas Branch #121
To Kazuo Takahashi
Manager, New York Branch
Oct. 26, 1935

From Yoshiharu Nagajima
Head, Passenger Dept.

Re: Ships sailing in February and March, 1936, on South Seas line.

In regard to the above, we acknowledge receipt of the inquiry from the American Board of Commissioners for Foreign Missions of Boston through your letter dated September 28.

However, as indicated in the circular, Passenger, South Seas Branch #135, dated March 28, 1933, we have adopted a policy of not accepting foreign passengers for this line and since the schedule is of practically no use as a schedule because of the frequent changes, we have stopped sending schedules of this line to our foreign agencies, lately. However, we are sending you a copy for reference.

Through circular, Passenger, South Seas Branch #115, dated the 14th of this month and addressed to employees of Chicago (copies sent to all branch officers in America), we advised that all overseas branches make it a general rule not to handle passengers for this line, but since the missionaries of the American Board, Boston, which has made the inquiry, engage in missionary work throughout the South Sea Islands and frequently make round trips between Japan and the islands, Rev. Harold W. Hackett, representative of the above-mentioned American Missionary society in Japan and residing in Kobe, handles their passages. He seems to have a considerable number of friends in the government offices concerned. Hence, even if you do not handle their booking, we are sure that they will not experience any inconvenience. We are mentioning this for your reference.

Furthermore, since the matter concerning South Seas line and foreign passengers is a very delicate problem and the actual reasons cannot be frankly revealed to the foreign agents, who thus might make useless and irrelevant inquiries, it is suggested that you make arrangements to have only Japanese employees handle problems pertaining to the South Seas line and foreign passengers and to have all correspondence written in Japanese.

Passenger, South Seas Branch #129
To Tadashi Ashino
Manager, Honolulu Branch
November 4, 1935

Yoshiharu Nagajima,
Head, Passenger Dept.

Re: Ban against booking occidental passengers for
South Seas line.

As stated in the circular, Passenger, South Seas Branch #185, dated March 28, 1933, no foreign passenger is to be booked for this line, if possible. However, there has been a trend, lately, for two or three branches abroad to apply for cabin reservations by wire or to order English schedules of this line for distribution. Hence, we are again listing the reasons for the difficulty of booking foreign passengers for this line and seeking your cooperation in this non-acceptance policy.

1. General reason.

The meals aboard ships of this line are of Japanese standard and will not satisfy foreigners because only Japanese foods are served, breakfasts and suppers. Also, there are no hotel facilities in the South Seas, in general, to accommodate foreigners.

2. Special reasons (secret).

The year before last, we received a secret order from the South Seas Government office to the effect that if an application for passage aboard this line is received from a foreigner, regardless of the fact that he is a resident of the South Seas, said application should not be accepted until his name, age, residence, occupation and so forth have been reported to and approved by the said government office.

With the receiving of the above-mentioned report, the South Seas Government confers with the Navy and Foreign Ministries and directs us either to accept or not to accept the application, but to obtain approval appears not to be an easy task, for absolutely no foreigner, regardless of whether he is a resident of the South Seas or not, is accepted during naval maneuvers (which sometime last over several trips).

From the standpoint of national policy, the above measure is necessary, but since the authorities concerned cannot

directly handle the policy of approving (or disapproving) entry of foreigners to the islands because of the international situation, their entry is being controlled indirectly through our firm although it is a great deal of trouble to us. Besides, since the schedule for this line is often changed for governmental reasons, the schedule is apt to be of no use. Such being the case, it may cause you some difficulties in dealing with your clients, but it would be a wise policy for agencies, particularly those in far off places, not to handle passengers for the South Seas line.

The above being the case, we, desire all publicity in regard to this line cancelled, have stopped the publication of the English schedule (List No. 12) and the English guide (List No. 58) of this line. Since the mentioning of the latter in this department's English circular, P. Ad. No. 77, dated March 15 of this year, and pertaining to the necessary amount of advertisement and printed matter for next (this) year, was a mistake, please abstract it from your copies.

Since the above mentioned special reasons are matters that should not be revealed to your foreign passenger agents and since without this information they cannot be expected to carry out their work fully in dealing with passengers, it is suggested that you make arrangements to have only Japanese employees handle problems pertaining to foreign passengers for the South Seas line and to have all correspondence written out in Japanese.

P.H. #347

To the president of NYK
(Passenger Dept.)
July 28, 1936

From Kagu Takahashi
Manager, San Francisco Branch

Re: Advertisement of South Seas Line in August issue
of Travel Bulletin.

As we have been repeatedly directed to refuse all applications for passage on the South Seas line when applied for by foreign passengers, we find it difficult to understand the reasons for the publicity given to conditions in South Sea Islands and the ships with excellent passenger facilities in the Travel Bulletin, our magazine for foreigners. As long as there is no special reason, we would like to request that arrangement be made to withhold publication of items pertaining to this line in the future.

Today, for example, a passenger desiring to book passage on that line appeared at our office. We had a difficult time in dealing with him and even our foreign agent, regretting his inability to supply sufficient information in spite of the existence of such a new line, suggested that we send a wire to you inquiring about the schedule and the existence of vacancies.

However, explaining to him the uselessness of sending such a wire because of the frequent change of schedule of the said line according to conditions in Japan, the complete booking of cabins by Japanese passengers on every voyage, the existence of no hotel facilities in the South Seas and the preparation of meals aboard ship according to Japanese taste, I refused the application of the said passenger.

Passenger, South Seas Branch #183
To all branch managers
December 21, 1936

Yoshiharu Nagajima
Head, Passenger Dept.

Re: Sending of revised South Seas line passenger rate schedule.

Since we have sent under separate cover 10 copies of the revised South Seas line passenger rate schedule, which becomes effective from Yokohama Maru's 2nd out voyage from Kobe to the various South Sea islands on December 16 for sailings from Japan and From Saipan Maru's 1st out voyage from Saipan on December 5 for return sailings, please examine and accept them.

Furthermore, for certain reasons, the rates for the out trips of the Osaka-Kobe-Moji-Yokohama run of all lines and the out trips of the Osaka-Kobe-Moji-Kulung-Naka run and the return trips of Naka-Kobe run of the Saipan line have been omitted from the schedule, but for caution's sake, we would like to add that the rates have not been changed and are the same as usual.

(References) Company report #1591, published May 2, 1936.
Notice, Passenger, #18

Passenger, South Seas Branch #50
Copies sent to all branch offices
April 8, 1937

From Yoshiharu Nagajima
Head, Passenger Dept.

Re: Mailing of revised South Seas line passenger rate schedule.

The revised passenger rate schedule for this route, which has been sent to and is awaiting the approval of the South Seas government at present, is being sent to you (one set enclosed; ten sets under separate cover). Hence, use it as stated below, as though it had been approved. However, for caution's sake, we would like to add that the out trip rates for Osaka-Kobe-Moji-Yokohama run of all lines and the out

trip rates for the Osaka-Kobe-Moji-Kulung-Naka run and the return trip rates for the Naka-Kobe run of the Saipan line have not been changed and are the same as stated in the notification, Passenger, South Seas Branch #183, dated December 21, 1936.

Note: West Loop Line - Three times - By each ship after out trip of Yamashiro Maru from Kobe on April 15. However, for Yap-Rota, by each ship after 1st return trip of Yokohama Maru on West Loop line from Yap on April 15.

To overseas branches:

The above is being disseminated for reference, and the restriction against accepting foreign passengers has not been changed, as notified previously.

Passenger, South Seas Branch #211
To Honolulu Agency
Mar. 13, 1939

From Minoru Ikoma
Head, Passenger Dept.

Re: Ban against accepting foreign passengers for South Sea line.

In regard to this matter, instructions were given in Passenger, South Seas Branch #185, dated March 28, 1933, and in Passenger, South Seas Branch, #129, dated November 4, 1935, but in view of the current trend of increase in the number of foreigners desiring passage to Inner South Sea Islands, it is desired that further attention be given to the following items:

1. As a general principle, do not accept foreigners for this route. If a foreigner is to be accepted, send in the application with the details of the Passenger Department of the main office for approval.

2. As reasons for refusal, state that the ships on this route are not equipped to accommodate foreigners in regard to facilities and meals and that there are no vacancies at present.

3. Point out the fact that there is no hotel equipped to accommodate foreigners in the Inner South Seas Area.

4. When information is obtained in regard to foreign passengers planning to tour Inner South Seas, refer to this directive and notify the branch offices concerned.

CERTIFICATE
as to
SOURCE AND AUTHENTICITY OF DOCUMENT.

I, YALE CANDEE MAXON, Commander, United States Navy Reserve, do hereby certify as follows:

1. I was employed in the District Intelligence Office of the 14th Navy District at Honolulu from September 1941 to August 1945.
2. I have a competent knowledge of the Japanese language.
3. In the course of my official duties I became aware soon after the 7th day of December 1941 that all the property in Honolulu of the Nippon Yusen Kaisha, a Japanese Shipping Company generally referred to as the "N.Y.K." had been taken possession of either by the United States Alien Property Custodian or by the Foreign Funds Administration, and that this property included a number of correspondence files.
4. I am aware by reason of my official duties that the said property including the said correspondence files remained in the custody of one or other of these authorities until some time in 1944 or 1945 when in accordance with instructions from my superior officer I inspected all such correspondence files.
5. I identify the portion of the file attached hereto (being I.P.S. Document No. 2378) which is in the Japanese language and comprises eight documents as one of the files which I inspected at that time. I took possession of the said eight documents at that time and lodged them with the District Intelligence Office.
6. I identify the portion of the said file which is in the English language as being the original translations of the eight documents referred to in para. 5 hereof. I caused the translations to be made immediately I had taken possession of the said documents and I supervised and corrected the translations, the alterations written thereon having been made by me in my own writing at that time.
7. The said translations are correct translations of the said Japanese documents excepting that the printed N.Y.K. letter-head and the printed list of N.Y.K. Agencies which appear in the original documents have not been translated and do not appear in the English translations.

SIGNED at Tokyo this 14th) /s/ Yale Maxon
day of October 1946)

Witness: /s/ Eric W. Fleisher
2nd Lt. AUSMI
Investigation Div.
I.P.S., Tokyo

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(Incl. Top
and Signature)

AFFIDAVIT OF BUDARIN B.I. FORMER
FIRST MATE OF THE SHIP MATE OF THE
SHIP "PEREKOP" OF MARCH 14, 1946,
ON SEVENTEEN SHEETS.

A F F I D A V I T

of Boris Alexandrovich BUDARIN.

On March 14, 1946 Military Prosecutor of the Pacific Ocean area lieutenant-colonel of Judicial Corps SHLICEKOV having warned of responsibility for giving false testimony interrogated as a witness.

(Signature)

-
1. Surname, first name, father's name: BUDARIN Boris Alexandrovich.
 2. Age: Born in 1908.
 3. Place of birth: the town of Saratov.
 4. Occupation before the October Revolution: I was on my parents allowance.
 5. Occupation at present: Second mate.
 6. Education (graduate of what school): high technical school.
 7. Relations with the defendant: no relations.
 8. Origin: of a worker's family.
 9. Previously under trial? No.
 10. Party membership -
 11. Permanent address: 35 Bestuzhev Street fl.7 Vladivostok

I can give the following testimony concerning the case of the sinking of the steamer "Perekop" by a Japanese aircraft. The testimony is written by my own hand.

At the end of November 1941 I was appointed first mate on the steamer- "Perekop".

Urgent preparations for the voyage were made, and early in the morning of December 3 we left Vladivostok without cargo, bound for the Surabaya Harbor on Java.

The ship was not armed; we had neither a gun, nor a single machine-gun, there were only a few rifles for guarding the ship. It was a most harmless commercial timber-carrying ship.

Our crew consisted of 37 men and 3 women who worked day and night during the period of preparations for the voyage. On the fourth day after leaving Vladivostok we were located by a Japanese aircraft.

We were not far from Shanghai, and the day being bright, we could clearly see the bright red circles on the wings of the plane; they were the military identification signs of the Japanese planes. At the same time it was evidently very easy to discern the USSR flag, the name of the ship written in Russian and English and the flags of the USSR painted on the canvases of the holds from the plane. It happened on December 6, 1941, and we felt that now we were under the watch of the Japanese.

In the night of December 9, being in the East-Chinese Sea, we listened to the radio news "Tikhookeansky Moriak" ("The Seaman of the Pacific Ocean") and learned about Japan having opened hostilities against the English and Americans.

In connection with this news we took a number of measures: an inquiry was sent to the Chief of the Commercial Fleet, the crew was informed of the events, etc.

Two days later, on December 11 or 12, 1941 we, being this time near the coast of the Formosa Island, were again located by a Japanese aircraft. The plane made several circles over the ship at a low altitude, and we clearly saw the Japanese signs on its wings and fuselage.

Our national ensign was clearly seen, and the pilot evidently identified the ship quickly. After a while the plane disappeared.

On December 15, 1941, in the day-time, we saw an aircraft again. The bright weather allowed us to identify its nationality. It was a Japanese bomber. This plane, also located the vessel. It was impossible not to discern and not to see our state flag on the flagstaff and the flags painted on the holds, and when the aircraft went away, it occurred to me that the Japanese had been watching us all the time and that they exactly knew that ours was a Soviet ship, otherwise they would have attacked her long ago.

Besides, it was quite clear that the Japanese must have been well aware of the presence of the Soviet ship in the waters which were under their thorough control.

The Japanese reconnaissance planes, as it was already stated met us systematically, identified our nationality and did not touch us. But on December 17, early in the morning, we again saw a Japanese aircraft under following circumstances: the third mate, comrade Andrianov who was on watch saw the aircraft and reported to captain Demidov about it, the latter sounded the alarm signal (as is usually done when an aircraft is located) and summoned me to his bridge.

I went there. It was about 9 a.m. The aircraft made two or three circles and then made for the ship. The captain and I watched it through the binoculars and when it came nearer, we saw on its wings the Japanese "sun" the red circles which showed, that was a Japanese aircraft. The plane was making for the ship, and when it was almost directly above it, two bombs were dropped and fell off the starboard (near the engine-department), but did not inflict any damage.

The plane was identified; it was a Japanese two-engined bomber, and it again began lowering for the attack. The captain ordered the battle unit on duty (7 men armed fifth rifled) to enter into action, and the plane was met with rifle fire. Flying too low when it was fired at, the plane changed its course, made a circle, gained altitude and being already at a considerable altitude it glided into battle course and dropped two more bombs. This time the bombs fell near the starboard again, and damaged the ship in the sector of the hold N 3. The damage was located and fixed. We continued our voyage thinking that Japan had declared war on the USSR.

It could not have been otherwise, because the Japanese knew that it was a Soviet ship which had several times been located by the Japanese planes. The last plane, too, had evidently identified the nationality of the ship, because had he not done this, he would not have bombed us because he might have hit a ship of his own country a number of which were sailing in these waters.

Therefore I am sure that the Japanese sank the ship "Parskop" being aware that it was a Soviet vessel. I must add that the last plane belonged to Japan. I myself saw the identification signs on its wings. And not only myself but everybody on deck did.

After the plane had dropped the first two bombs which missed the ship, I myself, with the aid of two members of the crew set fire to the barrels filled with oakum which had been prepared beforehand on the stern, to irritate a fire.

Those who were in the plane saw the dense smoke coming from the deck, and evidently decided to look at "their work" at a shorter distance. The plane lowered, made a circle (and it was then that we discovered its nationality) and flew away.

It must be stressed that the national flag on our ship was clearly seen during the bombing and that besides that we hoisted our identification flags. Flags with the inscription "The USSR" made in English were painted on the canvases of the hold.

As soon as we identified the plane, and the bombs were dropped the captain ordered to send a wireless message to Singapore, and the wireless operator, comrade N.F.Plisko, transmitted something like this: "I, the Soviet ship "Perokop" is in latitude..., in longitude.... I am attacked by a Japanese plane which is bombing us. I ask for help."

The message was received by an English radio station not far from Singapore and our operator received following answer: "Singapore does not hear you, but I shall forward your message to them". We received no help from Singapore, though we hoped that English planes would come, for we were only 250-300 miles of Singapore.

Believing that Japan had declared war on us (for we thought that the Japanese would not have bombed a peaceful ship if there had been no declaration of war, if they had not been at war with the USSR), we carefully blacked-out and continued our voyage intending to pass the Netherlands Islands "Natuna" on their left.

In the morning of December 18, 1941, between 8 and 9 o'clock we heard the roar of engines, but no one saw the planes.

At noon the gong for dinner sounded. At that time I was on the sterndeck taking a shower together with other members of the crew.

At 12.20 the watchman in the crow's-nest, sailor Nechaev cried: "I see a number of planes left of the bow".

I saw 17 twin-engined planes. They fell in two groups and made for the ship, one (there were 9 of them) were making for the bow, the other 8 for the stern.

The identification signs (flags on the holds) of our ship were clearly seen, we had hung out our identification flags, the ensign was new and fluttered in the breeze, its colour and emblem brightly displayed. The planes attacked the ship and started bombing and machine-gunning at low flight our unarmed commercial vessel belonging to the Soviet country neutral to Japan (by this time we knew that there were no hostilities between the USSR and Japan). The Japanese were sure to know that the ship belonged to the USSR. They were flying very low over the masts and having dropped the bombs followed the ship for a while.

Then turning back flew along the board at the masts height machine gunning the ship. They flew so low that we saw their faces, to say nothing of the Japanese signs on the wings and fuselages of the planes.

The Japanese clearly saw that they were bombing a Soviet ship. The bombing continued for about 2 hours. During this time bombs were constantly dropped, and the fire of the machine-guns did not cease. Bombs hit the bow, the mate's storeroom where 4 men were instantly

killed, the hold N I and 2. Two fires broke out on the bow and on the stern, the bridge was destroyed, plaster and all other life-saving equipment was torn away.

When captain Demidov saw that the ship was in a hopeless position he ordered to leave it. Part of the crew were already in the water, thrown out by an air-wave; others began to descend on the water trying to swim up to the boats which were not controlled by people being machine-gunned all the time.

Captain Demidov, the chief mechanic Pogrebnoy the charwoman Serdiuk and I remained on the ship. The ship was sinking fast; now the planes began dropping bombs not on the ship, but on the men in the water who were constantly machine-gunned at the same time.

It was in the water that Stokers Onipko, Ogarkov, and engineer Budoyan were killed. It was a horrible picture. The drowning people were cruelly and atrociously shot.

In the end, one of the Japanese planes made two circles over the burning and sinking ship, then flew very low over the people in the water and, having evidently taken pictures, flew South following the other planes.

The charwoman Serdiuk, the chief mechanic Pogrebnoy, the captain and I were the last to leave the ship. With great difficulties were the crew fished out into the boats. 12 men of the crew were wounded, 2 - badly wounded, the 3d mate Andrianov had his arm broken, and the stewardess Dokhmanova had a wound in the leg. 3 men perished.

By night we reached an island. As we learnt later it was Natuna island. We spent the night lying at anchor, and on landing in the morning sailor Bordan and I went to reconnoitre the territory.

When we reached a thicket we were met by armed soldiers with a Dutch officer at the head. He asked us who we were and said: "We are your friends, and I shall help you".

We returned to our comrades awaiting us on the beach, told them, that we were asked to carry the wounded and to send the captain to the Dutch officer.

After some time we came to the village of Ranai and learnt that we were on one of the islands of the Dutch East Indies, called Great Natuna. Lieutenant Peter Engers was representing Dutch authorities on the island, and besides him, there were his sergeant, the Dutchman Yanson, 25 Malay soldiers and the civilian governor of the island Emir.

The village where we came was the centre of the island, and there were no more than 10 cabins there, and among them the "school", the "Emir's office" and

the lieutenant's cabin. We were given room in the school. They gave us some rice and cigarettes.

On the same day of December 19, 1941 we sent a cable through the lieutenant's radiostation (he had one) to the Dutch authorities asking them to inform Moscow and Vladivostok of what had happened to us and to give us help.

On December 20, 1941, the lieutenant told the captain, that the Dutch radio had broadcasted that the Japanese had sunk the Soviet ship "Perekop".

The island, where we were staying, was a rather hilly country. A lot of coco-palms grew there, and therefore before the war ships would come there twice a month to fetch copra.

A kind of a pier was built where the ship used to come, and colonial merchants had there a kind of storehouses for copra and kept there some supplies of rice, and of simple clothing and other trifles indispensable for the natives; in other words, the supply of food of the island was kept there.

And so, on December 23, 1941, a Japanese plane bombed that pier and destroyed all the supplies of food. Therefore the lieutenant could help us no more, the villagers frightened by the bombing went away into the mountains, and we were left alone.

With the lieutenant's help we learnt how to extract oil out of coco-nuts, to obtain salt by boiling of the sea-water, to bake sago pancakes, to catch turtles and fish, etc. But working very hard each of us could get only 50-60 grams of copra with a drop of oil in it, and the rest of what we had was water.

Without clothes, food and medicines, wounded and sick running all sorts of danger in the jungles Soviet sailors suffered great hardships due to the pirate action of the Japanese.

After the Japanese planes had bombed the village of Ranai once more, the scanty population of the island and the lieutenant with his soldiers ran backwoods and the crew was left alone in the thickets of the jungles.

So we lived there for half a year. In the beginning of June, 1942, seeing the helplessness of our position, we discussed the situation. All the islands, and among them Borneo, Java, Sumatra, as well as Singapore, Malay, Indo-China and Philippines were occupied by the Japanese. There was no war between the USSR and Japan, therefore we put the question of sending a group of men to Singapore or to Kuching on Borneo who would state before the Japanese authorities the hardships of the Soviet sailors and demand permission to get connected with Moscow, or Vladivostok or with the USSR consul in Japan.

After a long and thorough deliberation of this problem, captain Demidov decided to send a group of 9 men to fill the above said task. The captain thought that the whole crew could not go, for we had no reliable boats.

The group was formed, and I together with other 8 men set to work of preparing our halfbroken boat (a very small one) for the voyage. It took us 11 days to make it, but a little fit for a voyage of 250-300 miles. But at last the work was finished, I myself tested the boat, and though it was clear to everybody that our enterprise was very dangerous because the boat was very old and had not even 10 per cent. of the equipment which should have been on it, we still decided to set off on our voyage.

Early in the morning of June 14, 1942, I with a crew of 8 men left the island. The comrades who saw us off had no hope to see us again. The boat was very small and so crowded that no one could lie down. The board was only 15 cm. above the water. We had following supplies: fresh water, coco-nuts, dried roots of the ubyu plant.

We sailed in the open sea 7 days; and at the beginning of June arrived at the Borneo Island. We were worn out, hungry, naked and with a growth of hair. The Japanese already were on Borneo. At first we arrived at the town of Srikey on the Rajey River, where on the following day we were met by Japanese soldiers who asked us who we were and having learnt it, treated us rudely and searched us all. On the same day we were taken to the town of Shiba, where by order of a Japanese officer who had learnt that we were Russian sailors, we were sent to lunatic asylum. Half the house was occupied by mad Chinese and Malays, the other - by us. I never saw a baser treatment, to put quite sane men into a lunatic asylum was a refined mockery.

Soon all the 9 men fell ill with malaria, and we were laid up in a hospital. It must be said, that our clothes were nothing but miserable rags. But although the Japanese saw our suffering, no help was given us. After several days stay in the hospital we were taken to the town of Kuching, where we were asked: "What do you want?"

We asked permission to cable to Moscow, Vladivostok and to the Soviet consul in Tokyo. We were refused all this, and received no help there either. We were not given even a small piece of soap.

Next day we were sent to Singapore. We went in a dirty hold accompanied by two soldiers.

In Singapore we looked still more horrible. We were so dirty and ragged that crowds of people followed us when we walked in the port.

We were put into prison, where we stayed for 30 days. We got no reply to all our requests to get into contact with the consul, and in general, and they spoke with us only once for 5 minutes. We lay on the dirty cement cold floor.

Once a day a dirty bucket was brought in. There was some stale kitchen drags with flies and worms in it. We were given no water, and drank from the lavatory sink. Japanese soldiers often treated us brutally, beat us, made us stand on our knees.

After 30 days, at the end of August we were taken aboard a ship and were escorted to the Kuching harbor on the Borneo Island.

While our group had been travelling from Borneo to Singapore and back the condition of the group remaining on the Natuna Island had become desperate and they had managed to leave the island with the help of some Malays and to come to the same harbor on the Borneo Island where we were brought to from Singapore.

We were gathered together at that harbor and sent back to the Natuna Island. We were put ashore, ordered not to leave the island; and the cutters with the Japanese went away.

So, we had seen Japanese authorities, asked them to help us and to communicate with our consul, but got nothing. We had been brought back to a remote island and left to our fate.

Emir confirmed the Japanese' order that we should not leave the island and added that we had to start cultivating land (to clear away a part of the thicket to plant there roots of ubi, something like potatoes), because he, Emir would not be able to provide us food in future. We realized that it was decided to keep us on the island for a very long time.

Having remained on the island with no hope of receiving help from the Japanese we had to provide food ourselves, and therefore we began to clear a piece of land for a "kitchen-garden". It was a very hard work. Half naked, without shoes, suffering from tropical heat we cut trees and lianas with small Malay knives (parans).

And all this time we thought of leaving the island and of requesting the Japanese once more to send us back to our country.

We talked much about the way of leaving the island. Many considered it impossible. But I did not give up the idea and kept thinking about it all the time. After a while a Japanese ship arrived at the island, and 40 soldiers landed there. We could not make out what they had come for. We asked them to give us food and to take us from the island to Singapore or somewhere else where we could receive help and get in touch with the USSR consul. The Japanese refused to take us and leaving us a scant supply of food sailed off.

This visit of the Japanese to the island had proved to us that they had no intention to help us to reach our country, and the idea of finding a way for escaping

from the island became permanent.

Once we learnt from the Malays that somewhere very far away, in the Northern part of the island a schooner had been cast ashore by the tide I decided to see it and to find out whether it was true. Having obtained captain's consent I together with the 3rd mechanic comrade Baranov set off on search of the place where the schooner had been cast ashore.

We walked all the day making our way through the thickets. We had made not less than 25 km. when we found the iron carcass of a barge lying on the shore. She had evidently been on voyage when planes bombed HER. We found out that some iron details were a little damaged, and that all the wooden parts had been burnt. There was only the carcass of a ship in front of us. It was 15 m. long and 4 m. wide. The carcass had one large and two small holds on the bow and on the stern.

We returned to our camp, told about our finding and after long discussions decided to put it in the water, to bring it nearer to the camp and to begin equipping it. I took up this job, and in a day the barge was near from the camp. We cut a tree for the mast and started putting the barge into a decent state.

Emir learnt about our work and became suspicious. He had once seen a group of Russian sailors leave the island in a small boat. Emir evidently remembered my group who had been rebuilding the boat, and one morning when I together with several other members of the crew was walking to the barge to work there he met us and asked, "Are you going to leave the island again?" "Yes, - I answered, - but this time not for Singapore but for Australia".

I saw that Emir believed us, and saying nothing he bid us good bye.

We were working on the barge. A Malay approached me and said that Emir would send a boat to Borneo this day to inform the Japanese that we were going to leave.

In the evening a small boat sailed off from the island, and 6-7 days later a Japanese transport ship came to the island and the Japanese announced that they were going to take us away. They asked us why we wanted to leave the island when they told us to stay there.

We began to make preparations for our departure, and Emir led the Japanese to show them our barge. The Japanese examined her and came back to the village.

On the day of our departure the Japanese gave us shoes (shirts and trousers had been given to us some time before), several combs, some soap, and when we got all this the Japanese ordered us to come together and

to sit down on the ground. Then a photographer appeared and made us hold the shoes in such a way that we could be seen on the picture with the shoes in our hands. We understood that the Japanese wanted to film us with their alms, and we tried either to disperse or to take such postures that to avoid the falsification.

Then we were made to form a line on the shore, and, the Japanese banner being brought, we were ordered to bow to it. It was evidently done also with the view of taking pictures of this scene as well. Some of the men tried to go away, but the Japanese made them step back into the line with their bayonets.

The Soviet sailors refused to bow before the Japanese flag, and the Japanese started beating them. A Japanese soldier struck me, the stoker Zinchuk standing by my side, and several others, but it was no food.

30-40 minutes later we came up sailing in boats to the Japanese mine-layer, went on board and were put into the hold.

In a day we arrived at Singapore. On board all of us had been searched under the pretext of looking for a china cup (its price was not more than 2 cents). We saw that it was only a pretext.

We spent a night in Singapore, and on December 1, 1942, after a one year stay on the island, we were put in a small house near the town of Dzohor-Baru which was not far from Singapore, at the very end of the Malacca peninsula.

The Japanese commandant told us how we should behave and added, that Japanese soldiers would inspect us every morning and evening and by this time all of us should be on the spot.

We were given little food of bad quality and some cigarettes.

Several times the captain asked the commandant to let him communicate with the USSR Consul in Tokyo or to dispatch cables to Moscow and Vladivostok, but each time he was not allowed to do this. We stayed in Dzohor-Baru exactly 6 months. On June 1, 1943 it was announced that we were leaving for home. The Japanese official Matsubara who had come to accompany us began "taking care" of us. We were given a little money and taken in groups to the dirty native bazaar in Singapore where we were offered to buy some clothes in the rag-shops. We were given so little money that we could not buy more or less decent clothes even in the rag-shops. Japanese soldiers followed each of us close at our heels, and mister Matsubara was afraid that some of us might escape (he understood that no one would run away if he were treated well). But his fears were groundless. The Soviet sailors were disciplined and did not break any regulations.

Having bought some articles of clothing we went on board the Japanese ship. Akachi-Maru which took us to Sayghon (Indo-China), where we were put ashore because, they said, the point of the destination of the ship was cha

We were sent to town and placed in a vast empty barrac. We were forbidden to go out.

There we met English prisoners of war. They worked in the yard every day building some sheds there. We regarded them as allies having been taken prisoner and however poor, we decided to share with them what we had. We handed them secretly 12 shorts, 8 shirts, about 250 packs of cigarettes, some soap, tooth-powder and other small things.

Many of our sailors gave them the last they had. Although the Japanese forbade us categorically to approach the English soldiers, our desire to help them was great and we did it. The English soldiers lived under very bad conditions, and they were heartily grateful for our attention.

In Saygon we were under watch all the time.

We left Saygon on the ship "Alice" previously belonging to Norwegians and captured by the Japanese.

On July 5, 1943 after stopping at Hon Kong we arrived at Shanghai where we were met by comrade Volgin, the chief of the Consul Department of the USSR Embassy in Tokyo who had come for the special purpose of meeting us.

We settled down in the Consulate in Shanghai and began to put ourselves in order. We were heartily welcomed and given enough money, clothing etc.

It was here that we could see ourselves. It turned out that we had grown so thin, that the men's weight was from 45 kgm. to 60 kgm. But we already felt our government's care and began to recover.

We stayed in Shanghai over 4 months. When we left Shanghai our sailors who were placed in the hold were searched. On arriving at Dairen we stopped for a while there, and it is very interesting to point out that we were shadowed all the time. We left Dairen by train being under constant observation of the Japanese gendarmes. But the Soviet vice-consul in Dairen accompanied us, and nobody bothered us.

On November 19, 1943 we arrived at the Station Otpor and found ourselves on our native soil.

The crew of the Soviet sailors suffered privations for nearly two years, and it was the fault of the Japanese pirates who had sunk the ship "Perekop" by instructions of the Japanese Government.

All the time when the crew of the ship "Perekop" was abroad the Japanese authorities notwithstanding the captain's frequent requests for help and sending us back to our country had deliberately kept the crew for nearly two years under very hard conditions.

Signature

THE MILITARY PROSECUTOR OF THE
PACIFIC OCEAN AREA, Lt. Colonel
of the Judicial Corps

Shlychkov

C o r r e c t :

Golubev

CERTIFICATE OF TRANSLATION OF
THE ABOVE DOCUMENT

I, M. GILDENBLAT, hereby certify that I am thoroughly conversant with the Russian and English Languages; and the above is a correct and true translation of the indicated Document.

/s/ M. GILDENBLAT

The Eighth Meeting of the Investigation Committee
regarding the Ratification of the
London Naval Treaty of 1930.

Held at the Offices of the Privy Council
on 8 September (Monday), SHOWA 5 /1930/

Those present:

President KURATOMI
Vice President HIRANUMA

Chairman of the Investigation Committee, Councillor ITO

Members of the Investigation Committee:

Councillor KANEKO	Councillor KURODA
Councillor KUBOTA	Councillor ARAI
Councillor YAMAKAWA	Councillor KAWAI
	Councillor MIZUMACHI

Absent: Councillor DEN

Ministers of State:

Prime Minister HAMAGUCHI
Navy Minister TAKARABE
Foreign Minister SHIDEHARA

Chief Secretary FUTAKAMI
Secretary HORIE
Secretary MUTO

(The meeting was opened at 1:00 P.M.)

Chairman of the Committee ITO called the meeting to order.

Councillor KURODA asked what was the basis upon which the naval strength stipulated for each country in the present treaty was agreed upon. The Navy Minister replied that the existing naval strength was taken as the basis in the Washington Conference and that our country made the existing strength our basis in the Geneva Conference also; that it could be said that in the latest conference although both Britain and the United States advocated parity, Britain generally made the existing naval strength as the basis, while the United States, too, made the existing strength in a broad sense as the basis, and Japan also used the existing strength as the basis in a general way. Thereupon the Councillor calculated the tonnage which the United States should possess on the basis of Japan's existing strength and also pointed out the tonnage which Japan

should possess in case the existing strength of the United States is taken as the standard. Then he asked the reason why our country had agreed to a ratio of strength which was very unfavorable to our country and was content with a result which was tantamount to the annihilation already of numerous warcraft without engaging in a single battle. The Navy Minister replied that, although we need not be shy at all from the standpoint of right, the Japanese Government, since the Washington Conference, had been satisfied with the ratio of 70% as against the United States, and since its instructions for the London Conference were based on the rate of 70% against the United States in total tonnage, the agreement was made accordingly.

Next, the same Councillor, after explaining the spirit of disarmament in the KELLOGG Treaty, which Delegate WAKATSUKI had referred to in his speech at Seattle, U.S.A., asked whether it was not inconsistent with this spirit that the installation of taking off and landing equipment for aircraft on 25% of the cruisers was newly approved in the present treaty, and he asked to know what attitude and means our delegates had taken against it. The Navy Minister confessed that it would have been simple if we had followed the KELLOGG Pact, but that we had agreed upon the strong insistence of the United States.

The same Councillor then inquired of the Prime Minister why the authorities concerned had signed such a treaty as this one which would cause a defect in our national defense, and what counter-measures the authorities had to remedy this defect. The Prime Minister answered that absolutely no defect would be allowed to occur in our national defense, as he believed that, although there might be a deficiency from the standpoint of operational tactics with only the naval strength permitted by the treaty, this could be supplemented by other naval strength outside of the restrictions. He explained that there would be various ways for supplementing the naval strength: One way would be the repletion of the substance, and the other would be the improvement of strategy, but that its practical plan was now under consideration by the departments and bureaus of the Navy Ministry and was not yet in a stage for announcement.

Councillor KAWAI said that, although it was said that submarines were not so effective as they were believed to be by the public, he thought they were most necessary and effective to a country possessing topography, national traits and economic conditions like our country. Stating that he could not understand the reason why submarines were being replaced by airplanes which had an entirely different capacity, he asked for the views of the Navy Minister. The Navy Minister explained that he had only said that opinions did not necessarily agree as to the fighting value of submarines. After comparing the capacity of submarines and airplanes, he explained the merits and demerits of the two and declared that the future of airplanes was becoming more and more promising. To this, the same Councillor argued that the Navy Minister's words might have the result of repudiating the operational plans of the Imperial Navy. He said that the United States was extremely afraid of the submarines of the Japanese Navy which had made great progress since the Great

War, and expressed the view that so long as our country maintained the existing naval strength, the United States would surely not dare to fight our country. He then asked the Navy Minister if the latter was confident of success in regaining in the next conference the submarine strength which had been lost in the latest conference. The Navy Minister replied that our Naval General Staff had decided to make up for the shortage of submarines by airplanes, and that utmost efforts would be made in the next conference to raise the ratio against the United States, although there were no great prospects of success.

Next, the same Councillor said that the ratio against the United States would fall below 70% in 1936, that it was very clear that a time would come when it would become very disadvantageous to our country even if we gained the ratio of 70% in the conference of 1935; and that, generally speaking, he believed the essence of national defense lies in being prepared for emergencies with standing armaments and not to be exposed to danger even for half a day. He asked to hear the views of the Navy Minister on this matter. Then he said that there would be a great difference in competition for warship construction between the present time and the year 1936, asserting that it was needless to say that Japan would be left far behind the United States if competition was started after the naval strength had been once depleted. He asked to hear the Navy Minister's views on this point.

The Navy Minister replied that if the treaty failed to be concluded, then the United States would be hostile to Japan and there would be no guarantee that she would not undertake direct competition with our country in warship construction; that although the ratio against the United States in the 8-inch gun cruiser class would fall to 60% and the cruisers would be of old age, as pointed out by the Councillor, and no one could say that no trouble would occur then, it was not true that 6-inch gun cruisers could not necessarily stand up against 8-inch gun cruisers. He added that some admirals even asserted that they could successfully sink one 8-inch gun cruiser with four destroyers.

Next, the same Councillor asked about the circumstances for the failure of our delegates to obtain the reduction of the tonnage of capital ships and also their guns, as had been instructed. The Navy Minister answered that Japan insisted on lowering the tonnage of capital ships, but that Britain and the United States, making parity between them their main object, had not agreed to our proposal. The same Councillor further stated that he was of the opinion that there was no way of making up the defects in national defense unless we carried our point, and he asked for the Navy Minister's view on this matter. In reply, the Navy Minister explained that by defects in national defense it was meant that a shortage in naval strength would arise if the tactical plan based on the already established national defense plan should be carried out as it stood; that the shortage was not impossible of being supplemented by something else; that even if we possessed 70%, this did not necessarily mean complete victory, but that it meant that a fifty-fifty battle could be fought; and that he was of the opinion that there was no error in the deficiency supplementation plan, because it had been unanimously approved by

the Supreme War Council. Thereupon, the Councillor asked if there was no defect in national defense, to which the Navy Minister replied in the negative.

Councillor YAMAKAWA raised a question to the following effect. Whereas the other day Prime Minister HAMAGUCHI answered that, in regard to the fixing of naval strength, there had been an agreement of opinion between the Acting Navy Minister and the Chief of the Naval General Staff KATO, it is a fact that in the Diet he stated that he took into consideration /"SHINSHAKU"/ the opinion of the Naval General Staff. Now, as to the meaning of the word "SHINSHAKU," the "GENKAI," which is considered the most reliable dictionary in our country, defines "SHINSHAKU" as "to compare and then select." The "DAINIPPON KOKUGO DAJITEN," also defines it as "to select after taking into consideration this and that." This word does not have by any means the same meaning as "DOI" /TN "agreement; consent approval"/. Now which is true?

Thereupon the Prime Minister asked the Committee Chairman for permission to explain, but the latter refused it, suggesting that the matter be taken up later as the question of Supreme Command was to be deferred for the time being. Accordingly, the same Councillor turned to the Navy Minister and asked whether or not the agreed opinion of our present highest naval authorities considered the naval strength stipulated by the treaty to be defective. The Navy Minister explained in detail that since the naval strength stipulated by the treaty involved excesses and shortages depending upon the categories, it had been decided to supplement as much as possible those portions having shortages by making accommodations among the various categories. The same Councillor requested him to answer simply "yes" or "no".

Thereupon the Navy Minister answered that although there was a shortage of naval strength numerically, no defect in national defense would be allowed to arise. The Councillor further asked whether although the Navy Minister said that no defect would be allowed to arise, it was not true that it was the second best, whereas the naval strength demanded by us was the best. The Navy Minister replied that although it was correct to consider it as the second best, it was possible to achieve the object of national defense with this naval strength.

Next, Councillor KANEKO said that national defense as conceived by the Prime Minister was quite different in meaning from the accepted definition of the term; that so-called "KOKUBO" means "national defense," which is defense against the invasion of a foreign army; and that economics, diplomacy, etc., as expounded by the Prime Minister was not national defense. He then asked the concept of national defense as spoken by the Navy Minister. The Prime Minister explained that what he had stated before was national defense in a broad sense, and that the accepted definition of national defense was the same as defined by the Councillor.

Councillor YAMAKAWA pointed out that, whereas the Navy Minister replied that our national defense under the treaty was the second best, it had been explained at the time of the departure of our delegate that this demand was the

minimum limit of national defense; and that if the second best would do, it was a lie to have called it the minimum limit. Then he asked if the highest naval authorities considered it possible to almost complete national defense by supplementation of naval strength. Replying in the affirmative, the Navy Minister said that it was possible to remove almost all defects although perfection might not be attainable. Continuing, the Councillor said that there were many factors which decide the issue of battle, but considering other factors to be the same for the time being, we should make the naval strength necessary to make possible a fifty-fifty battle as our standard and make it the minimum limit of the national defense plan; that the Government's instruction to the delegates was based on this standard. Accordingly, he argued whether a concession from this instruction would not make a fifty-fifty battle impossible. The Minister answered that there was a chance of carrying on a fight at almost fifty-fifty basis.

Thereupon, the Councillor asked in return whether it was not true that a fifty-fifty fight was impossible because of this "almost" /"HOBO"/. The Navy Minister said that the Councillor was perfectly right in this opinion, but that, of course, he considered himself capable of assuming the responsibility for it. Nevertheless, the Councillor declared that from a comparison between the plan to be drawn up within the scope permitted by this treaty and the original plan, he could not but consider the former as the best and the latter as the second best,

Lastly the Prime Minister explained that the statement that the naval strength stipulated by the treaty was insufficient meant that the naval strength was insufficient for maintaining and carrying out the operational plans based on the established national defense policy, but that this was naturally different from the defects in internal defense.

Chairman ITO announced that the meeting would be closed today, although there were further questions to be asked.

(The meeting was closed at 3:50 P.M.)

The Ninth Meeting of the Investigation Committee
regarding the Ratification of the
London Naval Treaty of 1930.

Held at the Offices of the Privy Council

on 10 September (Wednesday), SHOWA 5, /1930/

Those present:

President KURATOMI
Vice President HIRANUMA

Chairman of the Investigation Committee, Councillor ITO

Members of the Investigation Committee:

Councillor KANEKO	Councillor ARAI
Councillor KUBOTA	Councillor KAWAI
Councillor YAMAKAWA	Councillor MIZUMACHI
Councillor KURODA	

Absent: Councillor DEN

Ministers of State:

Prime Minister HAMAGUCHI
Navy Minister TAKARABE
Foreign Minister SHIDEHARA

Chief Secretary FUTAKAMI
Secretary HORIE
Secretary NUTO

(The meeting was opened at 1:00 P.M.)

Chairman ITO called the meeting to order.

Councillor KANEKO, after saying that it was his belief that the delegates, at the time of signing this treaty, had already investigated how much the burden on our people would be reduced by the treaty, asked the amount of this reduced burden. The Navy Minister, saying that he would give his mental calculation at that time, mentioned the rough amount of expenditures in case the treaty was successfully concluded and also in case it failed to materialize. The Councillor further requested the investigation of the maintenance expenditures required for auxiliary aircraft under the treaty. Councillor ARAI, too, inquired about the amounts of expenditures in case the treaty is concluded, and in case it failed to materialize.

Supplementing the reply of the Navy Minister, the Prime Minister explained the difficulty of calculating the figures and said that the reduction in amount would be almost nil.

Next Councillor MIZUMACHI said that he appreciated the circumstances which made the calculation of maintenance costs difficult, but he asked to know the source of revenue for the supplementary expenditures. The Prime Minister answered that the sum of ¥520,000,000 appropriated as a continuing expenditure from Showa 6 /1931/ to Showa 11 /1936/ would be its source. Thereupon the Councillors questioned how this amount would be distributed. The Prime Minister replied that both the supplementary expenditures and the amount of tax reduction would not be decided until after the matter had been discussed by the General Staffs and Ministries and also after consultation with the Finance Minister and the Foreign Minister.

Councillor YAMAKITA, citing figures, discussed the expenditures for national defense and declared that if we exercised our rights under the treaty only ¥60,000,000 would be left, which, if divided into five years, would give ¥10,000,000 per year. He asked whether airplanes and other facilities could be provided and the security of national defense ensured with such a small amount. He further asked whether it was not true that if this amount were expended, the reduction of the burden on the people would become impossible. The Prime Minister replied that if we built substitute warcraft to the full extent of our right, the amount remaining would be ¥170,000,000, but that it was still an undecided issue whether we would avail ourselves to the full extent of the right to build substitute warcraft.

Next, Councillor ARAI asked whether the main points of the budget had not yet been decided even after the lapse of five months since the signing of the treaty. The Navy Minister replied that they had not yet been decided. The Councillor said that there was no way but to defer the examination of the bill under consideration until the time of the compilation of the budget, inasmuch as it was impossible to approve or disapprove it before seeing the supplementation plan. He requested that, if postponement was impossible, steps be taken to show at least the outline of the plan. Councillor MIZUMACHI also made the same request. The Navy Minister explained that he had been of the opinion that no plan for the construction of auxiliary warships need be submitted, because no such request had been made by the Privy Council on the occasion of the submission by the Navy Minister of the Washington Naval Treaty for imperial ratification on the ground that, although the ratio of 60% for capital ships would cause a defect in our national defense, there would be no hitch inasmuch as no restrictions had been placed on auxiliary warcraft.

Councillor KANEKO said that, according to the report of the United States Senate, what the United States fears most is submarines, and therefore the more the number of Japanese submarines was reduced, the more powerful the United States would become. Stating that as long as Japan possessed submarines, there was nothing to be afraid of from the United States, that world peace and international faith were merely outward courtesies, and that peace was untenable without repletion of military strength, he discussed the indispensability of submarines.

The Prime Minister stated that the arguments on the treaty fall on two points, namely, the fear that we would be bound in the future by the ratio of 60% against the United States and the reduction of our submarine force, but that it was the agreed opinion of both the Navy Minister and the Chief of Naval General Staff that through the perfection of armaments other than those restricted there would be no insecurity in national defense. He then expressed the hope that the Councillors trust the Government and proceed with the deliberations.

Councillor ARAI again requested that the supplementation plan and the rough amount of tax reduction be shown, but the Navy Minister explained the reasons why this could not be done. Councillor KANEKO pointed out that, since a national defense plan was a matter under the direct supervision of the Chief of Naval General Staff and transmitted to the Navy Minister after it had received Imperial sanction, he could not understand the reason given to the effect that we might rest assured because the Cabinet assumed responsibility for it.

With the conclusion of the foregoing, Chairman ITO announced the closing of the meeting.

(The meeting was closed at 4:00 P.M.)

The Tenth Meeting of the Investigation Committee
regarding the Ratification of the
London Naval Treaty of 1930.

Held at the Offices of the Privy Council
on 12 September (Friday), SHOWA 5, /1930/

Those present:

President KURATOMI
Vice President HIRANUMA

Chairman of the Investigation Committee, Councillor ITO

Members of the Investigation Committee:

Councillor KANEKO	Councillor DEN
Councillor KUBOTA	Councillor ARAI
Councillor YAMAKAWA	Councillor KAWAI
Councillor KURODA	Councillor MIZUMACHI

Ministers of State:

Prime Minister HAMAGUCHI
Navy Minister TAKARABE
Foreign Minister SHIDEHARA

Chief Secretary FUTAKAMI
Secretary HORIE
Secretary MUTO

(The meeting was opened at 1:00 P.M.)

Chairman ITO called the meeting to order. Interrogations were continued.

Councillor KAWAI argued that the fact that the former Chief of Naval General Staff had drawn up the plan for the supplementation of naval strength did not necessarily prove that he did not disapprove the naval strength of the bill under consideration. He then asked whether it was really possible to avoid insecurity of national defense by supplementation of armaments. The Navy Minister, asserting that there was no difference at all between the direct report to the Throne made by Chief of Naval General Staff KATO on 2 April and the purport of the Supreme War Council's reply to the Throne, and further that there was also no contradiction between his /TN. KATO's/ statement and this reply, he read the statement in question. Then he further stated that, according to his own understanding regarding the contents of the Supreme War

Council's reply to the Throne, defects would arise if the established national defense plan were to be maintained and operations based thereon were to be carried out with the naval strength agreed in this treaty; that, therefore, besides always maintaining, of course, the naval strength agreed upon, it was necessary to strive to replenish the air force, improve the warcraft belonging to categories not subject to the restrictions, replenish the substance of other naval armaments in general, and improve tactics, once the treaty was considered. If these counter-measures were carried out, he said that he considered there would be almost no hitch in national defense under present conditions.

The same Councillor further declared that the term "zensho" /TN "to take proper steps"/ of Chief of the Naval General Staff KATO could be interpreted in many ways and could not always be taken to mean only that the military strength was not disapproved, and asked why, if the new Chief of the Naval General Staff had already drawn up a replacement plan, it could not be presented. The Prime Minister explained that although the military strength provided for in this agreement would cause some defects in the execution of the established operations plan, as this was a short-term treaty, he believed that proper replacement would enable us to clear away almost all sense of insecurity regarding national defense. He continued that as there was a way of replenishing our strength and because the treaty was of short duration, the treaty had been signed. The Navy Minister answered that it was difficult to produce the replacement plan of the Military immediately that day.

Subsequently, Councillor YAMAKIWA said that the other day the Navy Minister had stated that he could not reply to Councillor KAWAI's inquiry as it involved the honor of General KATO, yet now he (the Navy Minister) said that General KATO had never changed his principles. If that was the case, in what way was the honor of General KATO involved? The Navy Minister replied that he had simply said that he could not talk about his /TN General KATO's/ report to the Throne on 10 June for the sake of the General's honor. The same Councillor asked if he might take this to mean that the Navy Minister would not mention the ungentlemanly actions /TN. taken by the General/ aside from matters concerning military strength. The Navy Minister replied that it concerned His Imperial Majesty and the General's own movements; it was not concerned directly with military strength. The same Councillor argued that a gentleman should make his movements most clear and subsequently asked whether or not it was true that at the time of the interview of Plenipotentiaries WAKATSUKI and Stinson in London, Mr. Stinson became extremely angry at Mr. WAKATSUKI's assertion and tore up the document given to him by Mr. WAKATSUKI before the latter's face and throw it away. The Navy Minister acknowledged the fact and gave a detailed account of it.

Citing the Parkes case in which Parkes committed an outrage in the Japanese Foreign Ministry on about the first year of Meiji /about 1868/, the said Councillor discussed the proprieties of true gentlemen, and said it was a superstition to think that the United States was a country of justice.

He asked if there were not persons in the Foreign Ministry holding such a superstition. Furthermore, the Councillor said, there were people in this world who misunderstood the Japanese nation as being extremely warlike, but Japan had maintained her peace for two hundred and thirty years from the time of the AMAKUSA Rebellion of three hundred and thirty-three years ago until the HAILIGURI GOMON Battle, after which only six wars had been waged, namely, the Conquest of CHOSHU, the HAKODATE Fighting, the Southwestern Rebellion, and the wars with foreign nations, namely, the Sino-Japanese War, the Russo-Japanese War and the German-Japanese War. On the other hand, the United States during the one hundred and fifty-five years since her independence had fought as many as six times, namely, the Independence War, the British-American War, the Mexican War, the Civil War, the Spanish-American War and the German-American War. Therefore she had fought more than twice as many times as Japan. They speak of humanity and justice, but they never practice them. In 1926 the United States claimed the Sino-Japanese Treaty consisting of 21 articles to be null and void and attempted to purchase the South Manchurian Railway. The capital was to be borrowed from the United States with the railway as security. As a consequence, the South Manchuria Railway and the Chinese Eastern Railway would have come under the control of the United States, and Japan would finally have been compelled to withdraw from Manchuria and Mongolia. People were apt to believe that the United States was a country of humanity, but she was far from being so.

According to the minutes of the U. S. Senate concerning the ratification of the London Treaty, Admiral Pratt stated that within the century the United States would fight for the sake of China. A century is a figure of speech in English, meaning "in the not too distant future." These were the words of a prominent high official in the United States Government. Then who can guarantee that there will be no war between Japan and the United States? The only way to prevent such a war would be to complete Japan's armaments. Although Japan could still bear the deficiency in her armaments, it was greatly to be feared that this deficiency would cause a gap, from which a Japanese-American war might arise, and the Councillor asked if it were not possible to build up Japan's naval armaments a little more.

X The Foreign Minister stated that there were in the Foreign Office no superstitious persons such as previously mentioned, and after reading the notes of the speech made by Plenipotentiary WAKATSUKI in Seattle, expressed his approval of the principle of the speech. Then explaining the matter of the 21 articles of the Sino-Japanese Treaty, he said that after all the United States had acknowledged her own participation in the said treaty only because she had recognized the validity of the treaty. The Minister also declared that he believed the United States would never fight for the sake of China though Admiral Pratt might have said so, and said that in order to prevent a war with the United States, it was more important to increase the national power rather than armaments.

To this the same Councillor argued that neither did he think that the state of the national power did not matter. However, he did not think that the

peoples' power would be positively fostered by the conclusion of the treaty and that it would be impossible to lessen their burden should the treaty remain unmaterialized. On the contrary, would not more money be saved if the treaty were abrogated?

According to the stenographic records of the Foreign Relations Committee of the U. S. Senate, it was their unanimous opinion that the United States should be active in the Western Pacific Ocean and that only Japan could prevent her from her activity. The Western Pacific, the Councillor continued, meant the Republic of China and it virtually meant that the Japanese Navy should be demolished. Then, saying that although he could not obtain any satisfactory answers, he would conclude his questions, he closed his speech.

Subsequently the Prime Minister stood up and contended that though Councillor YAMAKAWA had said that the military strength provided in the treaty and its replenishment did not make national defense secure, there probably is no country that has a complete armament. Japan's military experts have affirmed that a fair fight was possible with this strength. Should the conference end in a rupture because of Japan's attitude, Japan would have to be prepared for a ship-building race which would have no other alternative than an increase of taxes, and it seems impossible for Japan's national power to last thus. Moreover, the rupture of the conference might cause a war.

Then Councillor YAMAKAWA said that, according to that reply, Japan would have to yield to the United States in fear of a ship-building race. However, in 1936 her ratio as against that of the United States would be 60%, and later it would fall to 50% and thus Japan would have to submit without fighting; and saying that he thought there was no other way but to come to a decision at this time he asked what the others thought of the matter.

Councillor KUBOTA expressed opinion that for national defense, wealth and diplomacy were necessary in addition to military power, and although knowledge and spirit were most essential, yet there was no other way to settle international disputes but to resort to arms in the end. Japan's importance today in the world lay in her military power alone. The London Conference was where Britain and the United States gave expression to their avarice under the fine names of universal peace and the lightening of burdens, but they were only afraid of Japan's military power. Such being the situation, he said, he was most concerned over the recent question of the Supreme Command and thought it was essential that the Navy Minister and the Navy Chief of Staff come to an agreement in deciding the military strength. Therefore, upon hearing that the Minister concerned had replied in his recent instructions that the two had come to an agreement he was greatly relieved.

Next, Councillor KANEKO declared that he had become more anxious after hearing the Foreign Minister's reply. As far as he knew the United States was generally opposed to Japan. At the time of the Russo-Japanese War, the United States had said that it was proper that Korea be annexed to Japan and Manchuria be developed by Japan with the South Manchuria Railway as the foundation.

However, as soon as Taft became President, her policy suddenly changed and she attempted to establish the AIGUN Railway, but in vain as she met Japan's opposition. Since then she has been trying to make Manchuria a market for American products. Thus some Americans were shouting that a war between Japan and the United States was inevitable in the near future, that docks should be built in Seattle and other places on the Pacific Coast, and preparations should be made. Also, a prosecutor, in connection with the oil graft case, had read a telegram in court that war would break out soon between Japan and the United States; and when the Japanese people were suffering from the earthquake disaster in the Kanto District in TAISHO 12 /1923/ the American Senate and House of Representatives passed the Immigration Law rejecting the Orientals. Such is the history of the United States. Yet the Foreign Minister said a while ago that there would be a time when the people of the United States would awaken. That, the Councillor said, he could not understand.

Japanese-American relations would be at their most dangerous point about 1937. The United States would most certainly purchase the South Manchuria Railway in cooperation with China and would attempt to drive Japanese influence out of Manchuria and Mongolia. Such being the case, it was extremely important to supplement the lack of military strength caused by the London Treaty. Justice, he said, was only superficial courtesy between nations, and the last resort was military power alone. That Japan could abolish extra-territoriality was due entirely to the Sino-Japanese War. On the other hand, the Netherlands which had once been known as the world's wealthiest country had fallen today to the position of a third-rate country because of the limitation of her armaments. That a small country like Japan could advance into the world as one of the Five Great Powers was due entirely to the military men. The Treaty of Portsmouth was also a reward of Japan's military's victory.

In Meiji 22 /1889/ when he /TN Councillor KANEKO/ had gone to Europe with the newly established constitution and asked constitutional scholars of the different countries for their criticisms, Articles 11 and 12 of the Constitution drew their attention most. They highly praised these provisions saying that such a constitution was unequalled in the world, that it was only in Japan that the Emperor himself exercised supreme military authority, that this was entirely the fruit of the special characteristics of Japanese history which the various European countries wished to obtain but could not, and that with such articles, military command could be firmly secured. National defense was the guarantee for national life, the Councillor asserted, and its deficiency should be most feared.

As the Japanese military system was characteristic of Japan, being based on the Japanese fighting spirit, soul, and national structure, it should be perfected to the last. On the basis of the speeches made in the United States Senate there could be no doubt that the London Treaty was a preparation for pressure against Japan after 1936.

Committee Chairman ITO announced the closing of the meeting.

(The meeting was closed at 4:00 P.M.)

The Eleventh Meeting of the Investigation Committee
regarding the Ratification of the
London Naval Treaty of 1930.

Held at the Offices of the Privy Council
on 15 September (Monday), SHOWA 5 /1930/

Those present:

President KURATOMI
Vice President HIRANUMA

Chairman of the Investigation Committee, Councillor ITO

Members of the Investigation Committee:

Councillor KANEKO	Councillor KURODA
Councillor KUBOTA	Councillor ARAI
Councillor YAMAKAWA	Councillor KAWAI
	Councillor MIZUMACHI

Absent: Councillor DEN

Ministers of State:

Prime Minister HAMAGUCHI
Navy Minister TAKARABE
Foreign Minister SHIDEHARA

Chief Secretary FUTAKAMI
Secretary HORIE
Secretary MUTO

(The meeting was opened at 1:00 P.M.)

Committee Chairman ITO called the meeting to order.

Councillor KURODA asked whether the rumor was true that the Government had sent a document to the Naval General Staff. The Prime Minister at the time the instructions were sent replied that he was requested by the Navy by letter, in case the treaty were passed in the original form, to fully consider each and every item for the sake of technical improvements and completeness of content of the national defense plan, and he had answered that he would consider them thoroughly after it had passed the Cabinet. Again, the same Councillor stated that though the authorities had often explained that the determination of military strength was the responsibility of the Government, he wondered what this meant, because it could not be decided without

the agreement of the Navy Chief of Staff. The Navy Minister replied that he thought it necessary to get the agreement of the Navy Chief of Staff. The same Councillor said that according to the reply made by the Government, the opinions of both the parties are said to have agreed, but, he asked, did they agree in practice? The Navy Minister replied that the practical matters were now under negotiation.

Next, Councillor ARAI and the Navy Minister discussed the financial aspects of the conclusion or non-conclusion of the treaty, particularly the amount of supplementary expenditures and the reduction of taxes in case the treaty were concluded. With the figures in hand, the discussion grew. The Councillor requested roughly estimated figures on these two points, saying it was necessary to know the approximate figures in order to comment on the treaty. To this, the Navy Minister answered that the figures for supplementary expenditures were not calculated as yet, and it was impossible to announce them until the budget-making period. Councillor KURODA also requested the estimates be presented and the Navy Minister made almost the same reply. Next, Councillor KANEKO explained that, regarding the military strength for national defense, correspondence had been exchanged in March, the 29th year of Meiji /1896/, between the Prime Minister ITO and the Ministers of the Army and the Navy. Up to that time a direct appeal to the Throne had never been discussed with the Cabinet, and sudden orders concerning military strength for national defense were customarily given to the Cabinet; but after the above correspondence had been exchanged, it became customary to first consult the Cabinet on matters dealing with expenses.

Navy Chief of Staff TOGO and Army Chief of Staff OKU once made a direct appeal to the Throne concerning Army and Navy expansion and when the Imperial assent was granted to the SAIONJI Cabinet, a meeting of Marshals and Admirals was held concerning financial aspects and it was decided that the plan would be carried out gradually, but with regard to national defense requirements the decisions would always be made by the Navy General Staff and the Army General Staff.

Then the Councillor asked if this draft was the gist of the supplementary plan agreed upon by the Military Authorities. The Prime Minister replied that as he had explained many times before, the plan for supplementary military strength could not be established without regard to finances. To the inquiry of the same Councillor about the budget surplus which would result from the London Conference and the estimated amount of military power desired by the specialists, the Navy Minister replied that he was sorry he could not answer at the moment, as he had stated many times before.

Next, there were several questions and answers between the Councillor and the Navy Minister in regard to supplementing by airplanes, the lack of submarines, and the Councillor pointed out that according to the treaty, Japan was to wait with folded arms until the United States had built fifteen heavy cruisers, and to the United States this was not the reduction of armaments, but on the contrary, an expansion; and he asked if this matter was not discussed in the London Conference. The Navy Minister answered that the number

of United States heavy cruisers already built was two, but that she had more than ten if we included those under construction, and the total number would reach twenty-three if we included those provided for in the budget; and although our delegate had endeavored at first to limit the number to fifteen, it was in vain, and it was finally decided at eighteen; hence, we could call it an expansion of armaments for the United States if considered from the point of view of her present strength. Thereupon, the same Councillor, pointing out the fact that the United States had expanded her armaments by the London Conference, explained that she would be able to build up a well-balanced fleet for the first time through the treaty.

Councillor APAT asked if he could hear about the replacement plan agreed upon by both the Navy Minister and the Navy Chief of Staff, and if any special obstacles might occur, if the investigation were to be postponed until the budget had been made. The Prime Minister replied that it could not be delayed until the completion of the budget because if the plan did not receive Imperial assent the political situation would probably become unsettled, causing depression in economic circles. And he expressed his anxiety because so much gold had been flowing out during the latter half of that year.

Next, Committee Chairman ITO took the floor and stated that since September 18, eleven committee meetings have been held in the course of which many problems have been discussed and investigated. But as to the decision on military strength, the question has been raised whether it has been agreed to by the Military Authorities or not, to which the Prime Minister has declared repeatedly that he regards it as having been agreed to by the Military Authorities. As there were some, however, who still doubted the fact, they requested the Government to summon Mr. KATO, but the Government did not respond, and, therefore, it has become impossible for this body by its own powers to directly investigate the facts. But, as the Navy Minister has explained that an Imperial decision was given to the effect that the agreement of the Military Authorities is necessary in dealing with matters of Military strength, and the Cabinet has received the information already, the problem of the Supreme Command must be said to have ceased to exist.

No answer as to the telegram of the Navy Chief of Staff has been received, and such being the case, you will kindly understand that there is no further necessity to request the Government to tender it. With regard to the replacement and financial plans, which are essential for investigating this treaty, the Government requests us, as it were, to sign blindly without their being submitted to us at all; but we cannot place too much faith in the Government, considering the duty of our Council. At the previous meeting, however, the Navy Minister stated the contents of the Supreme War Council's reply to the Throne in connection with the present treaty. According to that statement, it is certain that there were some items in the said reply concerning the replacement of naval strength, and since this is the only key for deciding the approval or disapproval of the treaty, that is why we intended to request the Government to submit it at the opening of these committee hearings, but as we feared that it might cause delay in the proceedings, we had hoped

that the Government would present it voluntarily; but now, however, as the Navy Minister himself has described its contents, there can be no harm in presenting the reply to the Privy Council, so today we again request its presentation. I believe it to be the responsibility of the Cabinet to show us the reply, for the Prime Minister must have been informed about it privately as its contents are a state affair, and I think it is the Government's duty to show us the reply. I hope the Government will show its sincerity by proceeding to do so no matter how important it considers the matter to be. We will expect a reply by letter after due consideration.

To this, the Prime Minister replied that although it was stated that he altered his answer in this meeting from that which he had made in the Diet concerning the Supreme Command, he has not changed the principle but only was discreet in his choice of words. The extent of replacements /of naval strength/ and the reduction of taxes, cannot be published at this moment as they are now under investigation as well as negotiation. The Cabinet believes that they are not obliged to present such documents as materials for the purposes of investigation though they have no objection to producing them if they are completed; but they are not finished as yet.

He also stated that when this draft was presented for discussion, the President requested that the reply to the Throne be produced as it was a necessary material for investigation before the bill was submitted to the Committee. But he had answered that, as the Government did not keep it at hand, the document could not be produced, and therefore, the Committee should be convened again as soon as possible to hear the explanations of the Ministers concerned. Though the same request has been again received from the Chairman of the Committee, it is hoped that he will be satisfied with what the Navy Minister stated in detail the other day in regard to his opinion in approving the reply, and if he still insists on the request, there is only one way left, that of refusing it at once, the Prime Minister declared.

Committee Chairman ITO announced the meeting closed.

(The meeting was closed at 3:00 P.M.)

The Twelfth Meeting of the Investigation Committee
regarding the Ratification of the
London Naval Treaty of 1930.

Held at the Offices of the Privy Council
on 17 September (Wednesday), SHOWA 5, /1930/

Those present:

President KURATOMI
Vice President HIRANUMA

Chairman of the Investigation Committee, Councillor ITO

Members of the Investigation Committee:

Councillor KANEKO	Councillor DEN
Councillor KUBOTA	Councillor ARAI
Councillor YAMAKAWA	Councillor KAWAI
Councillor KURODA	Councillor MIZUMACHI

Chief Secretary FUTAKAMI
Secretary HORIE
Secretary MUTO

(The meeting was opened at 1:00 P.M.)

Chairman ITO called the meeting to order and the Committee went into discussion.

By the request of Councillor KUBOTA, the Chairman of the Committee expressed his opinion as follows: As the Government unfortunately has not consented to present the investigation materials which were requested by the Committee, we have no choice, taking in consideration the limits of the authority of the Privy Council, but to close the investigation at this stage and make out a report. However, although we can say that the investigation of the treaty was made impossible because necessary materials were not produced, there is the consideration that such an attitude may cause the Privy Council to lose its dignity. Moreover, we are somewhat lacking in grounds for argument that the treaty should be abrogated. Therefore, I think it best that we state in a part of our report that if full cooperation be maintained with the Military, if the replacement plan for national defense be carried out, if the people's burdens be lightened and if thus a complete fulfillment of the objectives of the treaty can be expected; then, it will be proper for the Emperor to ratify the treaty on the grounds that the Government and the military authorities are responsible for the treaty.

To this, Councillors KURODA and ARAI expressed their opinions, and Councillor KANAI asked if the investigation of this bill might not be postponed until after the completion of the national defense plan. Councillor DEN stated that it was regrettable that they could not be informed about the reply to the Throne and about the replacement and finance plans. He continued that, as he thought it proper, however, for the Privy Council to continue to the end to give appropriate replies to the Emperor, in this case there would be no other way but to act in accordance with the opinion of the Committee Chairman. He said that he believed that by doing so the duty of the Privy Council was fulfilled. Councillor YAMAKAWA stated that he wished to postpone the day's decision for further consideration, for according to the treaty our military strength would eventually be 60% of that of the United States, and in case of a war our country would be defeated. To this, the Chairman of the Committee expressed his opinion. The same Councillor further contended that the matter of whether or not the opinion of the Committee was adopted by the Council had nothing to do with the honor of the Committee and argued on two or three points with the Chairman. Subsequently, Councillor MIZUMACHI stated that although he regretted the lack of investigation material, as the financial world had not been in a normal condition recently, he agreed entirely with the Chairman's point of view.

Councillor KANEKO explained the purport of Articles XI and XII of the Constitution, and gave the details of the time the Constitution was made and stressed that military strength should be decided by a direct appeal to the Throne by the military and should not be decided in the Cabinet. Councillor KUBOTA then stated that although Councillor YAMAKAWA was right in his opinion, the situation would not allow it, and so unity of action should be practiced as much as possible, and he hoped that such measures as fighting for the decision by a majority would be avoided. Councillor YAMAKAWA agreed with Councillor KUBOTA.

After a number of discussions among the Committee members it was decided to pass the bill in accordance with the opinion of the Committee Chairman.

Chairman ITO announced that the Committee would convene once more in order to examine the draft of the report, and declared the meeting closed.

(The meeting was closed at 3:00 P.M.)

The Thirteenth Meeting of the Investigation Committee
regarding the Ratification of the
London Naval Treaty of 1930.

Hold at the Offices of the Privy Council
on 26 September (Friday), SHOWA 5 /1930/

Those present:

President KURATOMI
Vice President HIRAHARA

Chairman of the Investigation Committee, Councillor ITO

Members of the Investigation Committee:

Councillor KANEKO
Councillor KUBOTA
Councillor YAMAKAWA
Councillor KURODA

Councillor DEN
Councillor ARAI
Councillor KAWAI
Councillor MIZUMACHI

Chief Secretary FUTAKAMI
Secretary HORIE
Secretary NUTO

(The meeting was opened at 1:00 P.M.)

Chairman ITO called the meeting to order and expressed his desire to omit clause by clause consideration of the treaty as a preliminary investigation had already been made. The Committee then began to deliberate on the draft of the investigation report.

Reading of the draft of the investigation report. (Secretary HORIE read it several times.)

During this time questions and suggestions were made by the various members of the Committee. Finally the draft of the report was decided upon.

Chairman ITO announced the closing of the meeting.

(The meeting was closed at 2:00 P.M.)

C E R T I F I C A T E

I.P.S. No. 1124

Statement of Source and Authenticity

I, T. SUZUKI 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 240 pages, dated _____, 1930, and described as follows:

Book entitled "Minutes of the Committee Meetings for the Years 1930, Secretariat of the Privy Council."

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

Signed at Tokyo on this 1 day of Oct., 1946.

T. SUZUKI
Signature of Official

Witness: J. A. CURTIS, 2d Lt.

SEAL
Secretary of Privy Council
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 1 day of Oct., 1946

J. A. CURTIS, 2d Lt.
NAME

Witness: T/4 TAKEO TOGUCHI

Investigator
Official Capacity

To the Consulate General of U.S.S.R. in Shanghai:

MARINE PROTEST

I, Captain Levchenko, Anatoly Vasilievich, Commander of U.S.S.R. motor vessel "Maikop" (1826 Gross Registered Tons) being first duly sworn, hereby depose and say:

On 14th December 1941, m/v "Maikop" which is the property of the Union of Soviet Socialist Republics, sailed under my command, with 12 officers (including myself) and 23 members of the crew (total 35 persons), from the port of Soerabaja (Java) for Vladivostok, carrying a cargo of 1994 metric tons of Liquid Coconut oil, in accordance with instructions received from the Far Eastern Department of U.S.S.R. Merchant Marine.

On 20th December 1941, at 7.00 a.m., the m/v "Maikop" was passing 33 miles South of Sarangani Islands, heading East-North-East. At about 7.10 a.m., two single engine airplanes (one hydroplane and one land plane) were sighted, approaching us from East. In accordance with International Rules the U.S.S.R. flag was hoisted on our stern, to show the nationality of our ship. At about 7.18 a.m., (Dec. 20th) these two airplanes flew over our ship and started circling around her at an altitude of about 150-200 meters. I could clearly see red circles on the wings and fuselages of said airplanes, which shows that they were of Japanese nationality.

The weather was bright and clear, with good visibility and the U.S.S.R. flag was flying over the stern of our ship. There is absolutely no doubt, that our U.S.S.R. flag could be clearly seen and distinguished, as well as the name of our ship, which was painted on both sides of the "Maikop's" bridge.

First Attack: Nevertheless, at 7.40 a.m., one of the airplanes (the land plane) dropped two bombs aimed at our ship; the bombs fell not far from our vessel, one about 8 metres and the other about 15 metres from the "Maikop". A radio messages was immediately sent by me to the U.S.S.R. Merchant Marine at Vladivostok and also to Tarakan and Davao (for transmission to Vladivostok), informing them of the bombing of our ship, the m/v "Maikop" by Japanese airplanes.

In view of said bombing I decided to turn back, returning on my course toward Soerabaja.

Second Attack: At 10.00 a.m., the same morning (December 20th) an airplane, bearing similar red circles again appeared and dropped a

torpedo aiming at our ship; I maneuvered, turning my ship hard a port, and the torpedo missed our stern. A few minutes later three more twin-motored Japanese bombers (land planes) with red circle markings, started to bomb us, the bombs falling very close to our ship, and as a result she suffered severe damage, injury and deformations. Between 10 a.m. and noon the Japanese bombers continually attacked us, they dropped about 12 bombs aimed at our ship. During these nerve-wrecking two hours, I was continually maneuvering my ship, attempting to dodge the airplanes, as they flew across our course, at an altitude of about 1000 metres to release their bombs aimed at our ship. As I saw the planes "lining up" and taking a course which indicated to me, that they were intending to drop another bomb, I would immediately change the direction of the ship, so that on many occasions the airplanes would not be in good position to drop their bombs and then they would circle and make another attack. We were bombed for about an hour and one half. At about 11.30 after dropping approximately 12 bombs all three airplanes coming lower, machine-gunned our ship, from an altitude of about 200 metres, flying over us and alongside in the direction we were going, viz., from our stern toward our bow. We were machine-gunned by these planes for about 25 minutes. The second attack lasted nearly two hours: viz., we were bombed for about an hour and a half (10.00 a.m. to 11.30) and machine-gunned from about 11.30 to 11.55 a.m.

When the second bombing by Japanese airplanes started, I was compelled to turn North toward the Island of Mindanao, to save the lives of the crew, should the vessel sink as a result of said bombing.

Third Attack. The same day, (December 20th) at about 2.30 p.m. four Japanese bombers of a similar type and with similar red circle markings, appeared and dropped about 20 bombs on our ship. During this bombing attack the ship sustained very serious damage: direct hits were made on our Radio room, Chart room and Foremast; both Radio and Chart rooms were demolished and Radio Operator Dianov, E.I. was killed; bombs exploded in the water very near our ship and caused her plates to buckle, bend and open below the ship's waterline. The third attack lasted from 2.30 p.m. to about 5.00 p.m., December 20th, when the airplanes flew away.

At about 6.00 p.m., December 20th, 1941, we anchored off the South coast of Mindanao Island, three miles west of Butulaki village. To save the lives of the crew and avoid unnecessary casualties, part of our personnel, wounded persons, men and women member of the crew, who were not on duty, were sent ashore.

Fourth Attack. At about 9.00 a.m., December 21st, our ship was again bombed at a low altitude by Japanese planes for about half an hour; approximately 9 more bombs were dropped, aimed at our ship.

On the afternoon of December 21st., an inspection of the ship was made by myself, my officers and crew. We found a "stabilizer" from a Japanese bomb in our demolished chart room. Said "stabilizer" bore the following marks: a Japanese character of square shape and number "96" in arabic (English) figures; The "stabilizer" was painted with red lead on the inside and had four metal "fins" on it, which were not as long as the body of the "stabilizer". On the outside it was painted gray, with superimposed colored lines. A similar "stabilizer" was stuck in our foremast.

Said inspection disclosed that my ship, the m/v "Maikop" had suffered the following damage from the aforesaid Japanese bombing attacks:-

- a) Large holes in hull, fore and aft.
- b) Holes in tanks Nos. 1, 9, 10, 11, and 12.
- c) Holes in main bunkers on both port and starboard side.
- d) Damage to and leakage of hull into engine room.
- e) Demolition of radio room and chart room.
- f) Destruction of officers quarters under bridge; part of engineer's quarters, ship's saloon, and crew's accommodation.
- g) The deck and deck cargo pipelines, et c, were pierced by bomb fragments and on the starboard side the pipeline was demolished (this pipeline was used to pump bulk liquid cargo into and out of the ship).
- h) All moving parts and shafting of the main engine was shifted and dislodged; pipelines were torn, compressed air tanks were shifted and moved from their proper position.
- i) Forepeak pump room was flooded and the forepeak pump was out of commission.
- j) Both our port Electric cargo pump and cleaning pump were damaged by bombs to such an extent that they could not be used.
- k) The starboard cargo pump had also been damaged and would not work properly. It was damaged to such an extent, that we were not able to pump out the water, in the hull, with this pump,

as fast as it was leaking into our ship.

With the approach of darkness on 21st December, 1941, I ordered the crew, who had been sent ashore the previous night to return to the ship. After the crew were on board, at about 8.00 p.m., December 21st with great difficulties, the m/v "Maikop" was moved under her own power to Sarangani Bay, a place better protected from winds and the sea, and we anchored off Makar village.

Owing to holes in the ship's hull resulting from the aforesaid bombing attacks, she was steadily filling with water and it was very difficult to keep her afloat, as all our water pumps and equipment had been damaged.

As above stated, during said bombing attacks, our radio operator Dianov E.I. was killed, and 6 member of the crew were wounded (Chief Mate Bryzgin, crew members Fomin, Haibrahmanov, Gorelenko, Sedov, Berdnikov). The body of Radio Operator Dianov was carried ashore and buried on the evening of December 20th, 1941, near the village of Butulaki on the Mindanao Island. The wounded received first medical treatment from our ship's Doctor Krasnokutsky. On December 22nd, the wounded were again sent ashore for further medical attention; two of the wounded were placed in Lagao Hospital by courtesy of the local authorities. At the same time also part of the crew who were not then on duty, were transferred ashore.

As a result of the above damage, sustained by my ship, m/v "Maikop", through bombing attacks by Japanese planes, the ship sank completely at about 2.00 a.m., 26th December, 1941, near the village of Makar. It was impossible to beach the ship in shallow water, as the main engine had been so badly damaged, that it would not run at that time.

The crew was transferred into our lifeboats at about 1.00 a.m., December 26th, 1941, when it appeared that we were sinking. After the m/v "Maikop" sank we went ashore and jointed our comrades, who had been previously sent ashore.

The motor vessel "Maikop" completely sank and perished with the following:

1. A cargo of liquid cocoanut oil - 1994.1 metric tons.
2. Bunkers, diesel oil - 120 tons.
3. Lubricating oils - 4 tons.
4. Ship's inventory and equipment.
5. Most of the personal property and effects of the crew.

As aforesaid, a direct hit, and an explosion of great force, demolished:

(a) the chart room and the ship's log book: chief mate Bryzgin was wounded at that time during the execution of his duties;

(b) The same bomb demolished our radio room, which was adjoining the chart room and the radio log book was also destroyed. Radio Operator Dianov was instantly killed by this bomb, while executing his duties.

The following were saved:-

1. Ship's Engine log book.
2. Ship's documents.
3. Cargo documents (Bills of Lading, Manifests, Licenses for cargo and Mate's Receipts.)
4. Ship's cash and cash vouchers.
5. Three ship's clocks and one stop watch.

From 3 a.m., December 26th, until 31st May 1942, the officers and crew of the "Maikop" have resided on the shore of Mindanao Island, landing first, near Makar, a Moro-village. This Moro-village is so small, that there are no houses, only bamboo huts set on piles two or three metres above the ground. We stayed two days in Makar village: 5 days in the small town of Cotobato: 3 days in the small town of Illigan: then to the small town of Malaybalay, where we stayed from January 6th, 1942, until we were taken to Manila by the Japanese authorities.

It was impossible to lodge a Marine Protest regarding the loss of the m/v "Maikop" with anyone or any official on the Island of Mindanao, in view of the Japanese-American hostilities in this area at that time. I was only permitted by the American Military authorities in the provincial town of Malaybalay, on the Island of Mindanao, to send a cable to the U.S.S.R. Ambassador in Washington, D.C., United States of America, notifying him of the loss of the USSR motor vessel "Maikop" (said cable was sent on 24 January, 1942.)

On 31st May 1942, the officers and crew of m/v "Maikop" were sent by the Japanese authorities, under guard, by a transport, to Manila, arriving there on June 4th, 1942. We were detained in Manila, under guard, by the Japanese authorities, from June 4th to June 17th, 1942. I and my officers and crew were not allowed to move out of the place where we lived and therefore I could not lodge a Marine Protest at Manila.

On June 17th, 1942, the Japanese authorities shipped us to Shanghai by a Japanese military transport "Takaoka Maru". The transport arrived in Shanghai on 25th June, 1942. I, my officers and my crew were detained by the Japanese authorities, under guard, in Shanghai from June 25th to June 30th, inclusive, at the Japanese Naval barracks, situated on Szechuen Road, Shanghai. During our stay in said barracks, I and all the officers and members of the crew were forced to give evidence to Japanese Consular Officials regarding the loss of the m/v "Maikop". After said evidence was given, at 5.30 p.m., June 30th, 1942, the Officers and crew were handed over to Mr. J.P. Sharikoff, U.S.S.R. Consular Representative at Shanghai.

This is, therefore, the first opportunity, that I have had to lodge a Marine Protest and file a full report concerning the loss of my ship, the U.S.S.R. m/v "Maikop" and its cargo.

NOW THEREFORE, I, Captain LEVCHENKO, A.V., Commanding the m/v "Maikop" hereby lodge this Marine Protest against, and repudiate any and all claims, that may be presented to me or to my owners, arising from or concerning the loss of the said m/v "Maikop" or its cargo.

A.V. Levchenko,
Captain in command of m/v
"Maikop".

Shanghai, 1st July, 1942.

Subscribed and sworn to before me this 2nd day of July, 1942.

J. P. Sharikoff,
Consular Representative of the
U.S.S.R. at Shanghai, China.

Item No. 14 (a)

Notes of the Privy Council Regarding the Introduction of the Revised Bill of the Parliamentary Law to the Diet

Regarding the Special Appointment of Administrative officials of the South Seas Government

The Privy Council was held at 10.05 a.m. on 20 January, Showa 12/1937/

The Emperor was not present.

Those present:

President HIRANUMA

Vice President ARAI

Ministers:	Prime Minister <u>HIROTA</u>	No. 5
	Navy Minister <u>NAGANO</u>	" 6
	War Minister <u>TERAUCHI</u>	" 7
	Minister of Justice <u>HAYASHI</u>	" 8
	Minister of Finance <u>BABA</u>	" 9
	Minister of Agriculture and Forestry <u>SHIMADA</u>	No. 12
	Minister of Communications <u>TANOMOGI</u>	" 13
	Minister of Overseas Affairs <u>NAGATA</u>	" 14
	Minister of Education <u>HIRAO</u>	" 15
	Minister of Commerce and Industry <u>OGAWA</u>	" 16
	Foreign Minister <u>ARITA</u>	" 17

Privy Councillors:

KANEKO, Privy Councillor	No. 19
KURODA, " "	" 20
SAKURAI " "	" 21
KAWAI " "	" 22
SUZUKI (KANTARO) Privy Councillor	" 23
ISHII Privy Councillor	" 24
ARIMA " "	" 25
HARA " "	" 26
KUBOTA " "	" 27
MOTODA " "	" 29
SUZUKI (Soroku) Privy Councillor	" 30
ISHIZUKA, Privy Councillor	" 31

ISHIWATA, Privy Councillor	No. 32
SHIMIZU, " "	" 33
FUJISAWA, " "	" 34
HAYASHI, " "	" 35
MINAMI, " "	" 37
TANAKA, " "	" 38

ABSENTEES:

Imperial Princes:

Imperial Prince YASUHITO	No. 1
" " NOBUHITO	" 2
" " TAKAHITO	" 3
" " KOTOHITO	" 4

Ministers:

Railway Minister MAEDA	" 10
Home Minister USHIO	" 11

Privy Councillors:

KURINO, Privy Councillor	" 28
KAMIYAMA, " "	" 36

Committeemen:

TSUGITA, Director of the Bureau of
Legislation
HIGAI, Councillor of the Legislation
Bureau

The above committeemen attended at the investigation
of the said two bills.

CHO, Chief Secretary of the House of Peers
TAGUCHI, Chief Secretary of the House of Commons

The above committeemen attended the investigation
regarding the introduction of the revised bill of the Parliamentary Law
to the Diet.

TOYODA, Director of the Navy Affairs Bureau
Commander TAKADA
UEBA, Director of Superintendent Bureau of the
Ministry of Overseas Affairs
MIJURO, Secretary of the Ministry of Overseas
Affairs.

The above four committeemen attended at the investigation
concerning the special appointment of Administrative Officials of
the South Seas Government.

The President (HIRANUMA): Next we shall introduce the bill regarding the special appointment of administrative officials of the South Seas Government. The first reading shall be held immediately and omitting the recitation of the bill we shall have the investigation report.

Reporter (MURAKAMI):

"Upon investigating this bill prudently, we find that the South Seas Government, in conformity with a fixed plan covering several years, is executing various measures concerning the expansion of colonization, promotion of industries and good organization of communications for the purpose of developing the South Sea Archipelagoes that are under its jurisdiction. In view of the fact that the South Sea Archipelagoes have come to hold an important position at this time in the national defense of the Empire in the light of the recent international situation, and because there are many installations concerned with the navigation routes, harbours, roads, aviation and communications of the said archipelagoes, which will require a special consideration of the archipelagoes, convenience and military circumstances of our Navy, it is necessary to provide a way to enable the special appointment of naval officers as the administrative officials who are to be in charge of the transportation and communication affairs in the said government."

"In order to establish a way for making such special appointments we wish to provide through the Imperial Ordinance concerning this bill that the administrative officials of the South Seas Government who will be engaged in the communication and correspondence affairs, may be appointed after being selected by the Higher Civil Service Examination Committee from among those who are well versed in the affairs of the South Seas and who possess the necessary knowledge and experience for the duty thereof and in appointing the naval officers in active service as administrative officers in the South Seas Government in accordance with this provision, a special rule will be established through the Imperial Ordinance concerning this bill in order to prevent them from being subjected to the restriction of rank of senior civil officials and be lowered in their official ranks. The rule will provide that in case of appointing a higher official on duty for the administrative office of the South Seas Government in accordance with the aforementioned rule of appointment, his rank will be made an exception in accordance with the Senior Civil Service Official Transfer Rule. That is, if a captain in the Navy, he may be immediately appointed as the administrative official of the South Seas Government with the 3rd rank of the higher civil service. However, in case the person who is appointed as above later becomes a high official in another capacity, it is natural that he becomes a subject to the restriction on official ranks fixed by Imperial Ordinance No. 285 of the 36th year of Meiji (1903), and, therefore, we wish to stipulate in the ordinance concerning this bill that he be regarded as the Special Civil Official mentioned in the said Imperial Ordinance, and thereby make the above ordinance applicable to him."

"The point is that this bill, because of special necessity, chiefly aims to set a rule of special appointment for those of the staff who are high officials who will have to be put in charge of special business in the South Seas Government, and at the same time it also proposes to lay down adequate rules regarding their official rank, which I deem is an unavoidable measure, and therefore I think it is proper to pass it as it is."

"I have humbly stated the result of the investigation as above."

President (HIRANUMI): "As no other view is expressed, we will omit the second reading and the rest and shall put the bill to vote. Will all those in favor of the bill, please rise?"

Then (All the members stand up), President (HIRANUMI) says: "It has been passed unanimously, and hereby we close the conference today."

C E R T I F I C A T E

W.D.C. No. _____

I.P.S. No. 794-A.

Statement 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 42 pages, dated January 20, 1937, and described as follows: Proceeding of the Privy Council - 20th January 1937. 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.

Signed at Tokyo on this
11th day of October, 1946.

/s/ M. Takatsuji
Signature of Official

SEAL

Witness: /s/ T. Suzuki

Secretary of Privy Council
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
11th day of Oct, 1946.

/s/ Richard H. Larsh
Name

Witness: /s/ Sgt. T. Toguchi

Investigator, IPS
Official Capacity

910A

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Document No. 1124 -A

Showa 5 /T.N. 1930/

MINUTES OF COMMITTEE MEETING
PRIVY COUNCIL SECRETARIAT

(Excerpts)

The First Meeting of the Investigation
Committee for the Ratification of the
London Naval Treaty of 1930
was held at the offices of the Privy Council
on 18 August (Monday), Showa 5 /1930/

Those present:

President KURATOMI
Vice President HIRANUMA

Chairman of the Investigation Committee, Councillor ITO

Members of the Investigation Committee

Councillor KANEKO	Councillor DEN
Councillor KUBOTA	Councillor ARAI
Councillor YAMAKAWA	Councillor KAWAI
Councillor KURODA	Councillor MIZUMACHI

Chief Secretary FUTAKAMI
Secretary HORIE
Secretary MUFO

(The meeting was opened at 1:05 P.M.)

Chairman ITO, after calling the meeting to order, stated that as this bill was an important bill which affected the national welfare, it was necessary to make a specially careful investigation of the bill, and that first, he wanted to determine the policy and order of the investigation in order that it might proceed in a satisfactory manner. He continued that the matters to be questioned would roughly be divided into seven items, for each of which a chief investigator would be appointed, who, after making a thorough investigation, would set a date, listen to the explanations of the authorities and ask questions. He further stated that he hoped that care would be taken not to allow the proceedings of the meeting to leak out.

Then the Chairman expressed thanks for the services of Chief Secretary FUTAKAMI who had exerted himself day after day to study this bill. Next, Chief Secretary FUTAKAMI made an explanation regarding the items to be questioned. Councillor KAWAI made an inquiry about the presentation of a memorial to the Throne by the Supreme War Council, and Chairman ITO gave his opinion on the matter. Councillor KANEKO spoke about questions relative to

the problem of the supreme command, and the Chairman expressed his views on the matter also.

President KURATOMI stated that his negotiation some time ago with the Prime Minister about the manner of presenting the written reply to the Throne was with the intention of advising its presentation as material necessary for the investigation. Then he explained the details.

Councillor KANEKO inquired whether the Government had asked the Council to carry out the investigation quickly even at the sacrifice of the summer vacation. President KURATOMI reported on the progress of the negotiations with the Cabinet since the receipt of the written Imperial Inquiry, and especially on the reply of the Cabinet as to whether it was necessary or not to carry out the investigation quickly.

Councillor KANEKO rejected the popular opinion that the present treaty should be ratified quickly in respect to international faith, and explained the internal circumstances under which the United States had ratified the treaty so promptly.

The Chairman next asked for the opinion of each councillor regarding the order of the investigation of this treaty. Councillors KAWAI and KURODA gave their opinions. The Chairman further referred his opinion to the council that as it was detrimental and useless for the State Ministers to be accompanied by so many unnecessary explainers to the committee meetings as has been the practice, he wanted, except when the presence of others was especially necessary, only the Premier and the Foreign and the Navy Ministers to attend the meetings for the investigation of this treaty. Councillors KANEKO and KUBOTA supported the proposal and it was decided as the Chairman proposed.

Chairman ITO, after giving the date and time of the next meeting, announced the meeting closed.

(The meeting was closed at 2:40 P.M.)

(Pages 4-5)

The Second Meeting of the Investigation Committee
regarding the Ratification of the
London Naval Treaty of 1930
Held at the offices of the Privy Council
on 23 August (Saturday), SHOWA 5 /1930/

Those present:

President KURATOMI
Vice President HIRANUMA

Chairman of the Investigation Committee, Councillor ITO

Members of the Investigation Committee:

Councillor KAMEKO	Councillor DEN
Councillor KUBOTA	Councillor ARAI
Councillor YAMAKAWA	Councillor KAWAI
Councillor KURODA	Councillor MIZUMACHI

Ministers of State:

Prime Minister HAMAGUCHI
Navy Minister TAKARABE
Foreign Minister SHIDEHARA

Chief Secretary FUJIKAMI
Secretary HORIE
Secretary MIYAO

(The meeting was opened at 1:05 P.M.)

Chairman ITO declared the meeting open, and asked for the explanation of the authorities regarding this draft. The Prime Minister explained, in regard to the London Naval Treaty of 1930, the history of the Naval Arms Limitation Conference, the purpose of the London Conference, the progress of the Conference, and the outline of the treaty. He also stated that he hoped the treaty would come into effect gradually from SHOWA 6 /1931/. Supplementing the explanation of the Premier, the Foreign Minister explained further in detail. The Navy Minister also explained from the expert's standpoint the gist of our counter-measures to meet the conference and the regulations regarding our armament set by the treaty; and stated that he had concluded

the treaty as it was deemed necessary to determine the general outline of their and our armament at this juncture, although the content of the treaty was of course not satisfactory. After that the Chairman requested the Ministers to retire.

(All Ministers retired.)

Then discussion was begun within the committee. The opinion was voiced that regarding the problem of the deficiency of our armed strength, the attendance of KATO, ex-chief of the Naval General Staff, should be requested through the Navy Minister. Regarding questions, it was decided that questions about facts would be given preference.

Committee Chairman ITO declared the meeting closed.

(The meeting was closed at 2:50 P.M.)

The Third Meeting of the Investigation Committee
regarding the Ratification of the
London Naval Treaty of 1930

Held at the offices of the Privy Council
on 26 August (Tuesday), Showa 5 /1930/

Those present:

President KURITOMI
Vice President HIRANUMA

Chairman of the Investigation Committee, Councillor ITO

Members of the Investigation Committee:

Councillor KANEKO	Councillor DEN
Councillor KUBOTA	Councillor ARAI
Councillor YAMAKAWA	Councillor KAWAI
Councillor KURODA	Councillor MIZUMACHI

Ministers of State:

Prime Minister HAMAGUCHI
Navy Minister TAKARABE
Foreign Minister SHIDEHARA

Chief Secretary FUJIKAMI
Secretary HORIE
Secretary MUTO

(The meeting was opened at 1:05 P.M.)

Councillor KANEKO said that according to the press a certain State Minister had made remarks that seemed to indicate hostility toward the Privy Council. This was a matter for great regret, since it ran counter to the Imperial Command of Emperor Meiji, but the Council had no intention of interfering with the accomplishment of the Cabinet's policies. Its sole intention was to obey the Imperial Command, and he requested that questions be answered without reserve. He then continued that he wanted to know why the Cabinet was in such a hurry for the ratification of this treaty as to wish the committee to investigate it even in the midst of the hot season during the time when vacations had been granted. To this question, the Foreign Minister made an answer.

Councillor KANEKO	Councillor DEN
Councillor KUBOTA	Councillor ARAI
Councillor YAMAKAWA	Councillor KAWAI
Councillor KURODA	Councillor MIZUMACHI

Councillor KANEKO queried again whether in case Ireland would not ratify the treaty, it could not be carried into effect, and stated that it was only for the convenience of her domestic administration that the United States had finished its ratification without delay. He asked about the circumstances which had led the Japanese plenipotentiaries to go to England via America in answer to an invitation from the United States and received a reply from the Foreign Minister.

Then the same Councillor asked whether it was true that Plenipotentiary TAKARABE, prior to his departure, had invited in members of both Houses of the Diet and others, had explained the so-called Three Main Principles, and had stated that Japan's minimum military strength should be 70% of that of the United States. The Navy Minister replied in the affirmative.

The Councillor then asked whether it was true that Plenipotentiary WAKATSUKI had also declared at San Francisco that Japan's minimum military strength must be 70% of that of the United States. The Foreign Minister made a reply, but the Councillor not being satisfied demanded an explanation of Plenipotentiary WAKATSUKI about the matter. The same Councillor further asked about the facts of the negotiations concerning the "70%" problem between STIMSON, Ambassador DEBUCHI, and Plenipotentiaries WAKATSUKI and TAKARABE, and whether the so-called compromise had been agreed upon at the meeting of MATSUDAIRA and REED. The Foreign Minister answered in detail.

Then, the Councillor queried whether the rumor was true that no consultation had been held with Admiral ABO until the aforesaid compromise had been made. The Navy Minister replied in the negative. The Councillor inquired, furthermore, as to the authenticity of the fact that when the compromise among Japan, Britain and the United States was concluded, Admiral ABO, being astonished at the quantitative equality in submarines had stressed the necessity on the part of Japan of maintaining the present amount, but that Plenipotentiary WAKATSUKI had said it was already too late to amend the compromise. The Foreign Minister replied to this.

Then, the Councillor demanded to be shown the whole text of the telegram which, he heard, had been sent from Plenipotentiary TAKARABE to Vice Navy Minister YAMANASHI with instructions to "introduce the opinion of the Navy General Staff about the compromise to the Cabinet," at the time of Plenipotentiary WAKATSUKI's requested instructions on whether or not to accept the compromise plan; he also demanded to be shown the secret documents, if any, as such seemed to be in existence from what had been discussed in the U. S. Upper House. To this, the Navy and Foreign Ministers answered respectively.

Furthermore, the Councillor inquired whether it was true that Premier HAMAGUCHI replied in the House of Peers: "I will not refer to what Articles XI and XII of the Constitution signify, because even the scholars have different opinions about them." The Prime Minister first explained the reason

why the Cabinet was in such a hurry to make this investigation during the hot season, and then replied that he had thought it proper to withhold the answer on the constitutional interpretation, since it was not directly concerned with the London Treaty.

Then, the Councillor requested to be shown the formal texts of the transmitted documents of the direct appeals to the Throne, and of the memorials to the Throne as regards the disposition of matters concerning military strength.

Councillor KAWAI argued that it was utterly incomprehensible that the Japanese Plenipotentiaries, despite their declaration before their departure, asked for instructions, giving up the Three Main Principles, and that the Navy General Staff had approved. And he asked the Navy Minister for his opinion on the establishment of a Navy Minister's Administrative Office, and inquired whether it was true that at a meeting of the Supreme War Council it had been agreed not to set up the Navy Minister's Administrative Office in the future. To this inquiry, the Navy Minister stated that he had not considered that a slight diminution in Japan's holding of military strength from 70% of that of the United States would render impossible the concluding of the treaty, and he had presented the memorial to the Throne as regards the disposition of matters concerning military strength. The Prime Minister raised the question as to whether the investigation of the connection between the direct appeal to the Throne and the Cabinet which Councillor KANEKO had requested, must cover the whole period from the beginning of the Meiji Era to the present day. Councillor KANEKO replied it would be enough to have the titles of the documents which had been transmitted to the Cabinet from Meiji 43 /1910/ onward.

Then Councillor KAWAI requested that the confidential instructions to the Japanese Plenipotentiaries be produced. After this was done, Chairman ITO declared the meeting closed.

(The meeting was closed at 4:50 P.M.)

The Fourth Meeting of the Investigation Committee
 regarding the Ratification of the
 London Naval Treaty of 1930

Held at the offices of the Privy Council
 on 28 August (Thursday), Showa 5 /1930/

Those present:

President of the Privy Council KURATOMI
 Vice President of the Privy Council HIRANUMA

Chairman of the Investigation Committee, Councillor ITO

Members of the Investigation Committee:

Councillor KANEKO	Councillor DEN
Councillor YAMAKAWA	Councillor ARAI
Councillor KURODA	Councillor KAWAI
	Councillor MIZUMACHI

Absent: Councillor KUBOTA

Ministers of State:

Prime Minister HAMAOKUCHI
 Navy Minister TAKARABE
 Foreign Minister SUZUKI

Chief Secretary FUJIKAMI
 Secretary HORIE
 Secretary MIYANO

(The meeting was opened at 1:00 P.M.)

The Chairman of the Committee, ITO, called the meeting to order.

Councillor KANEKO charged that it is very unfortunate that the former as well as the present Cabinet regards the Privy Council as an enemy, and added that according to the newspapers the Administrative Vice Minister of Foreign Affairs, MASHI, in his speech at the oratorical meeting of the MINSEI TO held at Hibiya Public Hall on August 20th, stated as follows: "If the Privy Council interferes with the ratification of the London Treaty, which the Cabinet intends to conclude for the sake of promoting international peace and to lighten the national burden, we must fight them as the public enemy of our nation."

The Councillor further said that according to an article in the Japan Times, he /NAGAI/ stated: "Such superannuated men as the Privy Councillors are unnecessary to a modern nation." and then asked whether this was true or not. Regarding this, the Foreign Minister replied, "I think that the speech and statement of Mr. NAGAI were probably not truly reported." Thereupon Councillor KANEKO requested the facts be ascertained directly from Vice Minister NAGAI, to which the Foreign Minister agreed. Then the same Councillor asked why Japan doesn't join the Continental Group and do as Italy and France have done. To this, the Foreign Minister gave his answer.

The Councillor further denounced the Cabinet by stating that though the Foreign Minister says that the treaty was rather a success, a look at the minutes of the United States Senate will show that it was argued that this treaty would make Japan look on with hands tied until the U. S., which at present has only two heavy cruisers, constructed fifteen of them. Could the Cabinet still hold its view of diplomatic success, he questioned, and continued that while the strength of forces in the U. S. was decided by the President, and that in Japan by His Majesty with the assistance of the Supreme Command, in spite of this, the present Cabinet, assuming an attitude as if to assist and decide by itself, has signed such a treaty which is disadvantageous to our country and advantageous to the U. S.; and citing the minutes of the U. S. Senate, where it was said in ridicule: "Hats off to the Japanese," he emphasized the fact that our diplomacy had blundered in concluding this treaty. In reply, the Foreign Minister endeavored to explain.

Changing his point, the Councillor asked a further question regarding the regulations governing the replacement of U. S. cruisers and pointed out that the abolition of destroyers and submarines was exceedingly disadvantageous to our country as compared with the U. S. The Councillor inquired again why this country had agreed on such a treaty under these circumstances, and demanded a detailed explanation with regard to the relations between Britain and America at the London Conference. The Foreign Minister replied respectively to these queries.

The Chairman of the Committee, IFO, inquired about the SAITO-CRAIGIE parley and the Foreign and Navy Ministers answered respectively in this connection.

Then Councillor KURODA stated his desire to know the relation between the Cabinet and the Privy Council, and called the attention of the Cabinet to the fact that there were many errors and omissions in diplomatic documents submitted for Imperial approval since the formation of the present Cabinet (this treaty being a conspicuous example) which would annoy the Throne and mislead the general public. Therefore, said the Councillor, pointing out actual examples, the Cabinet should investigate the causes to avoid such mistakes in the future. The Foreign Minister and the Prime Minister expressed their regret for the lapses and gave assurances that they would be careful in the future.

Councillor KAMEKO criticized the Foreign Minister, saying that the remark he made laying the blame on the ill workmanship of the photogravure was without reason. There followed questions and answers between the Foreign Minister and the Councillor regarding this.

After this, Committee Chairman ITO stated that it was very regrettable that there are various propaganda-like rumors concerning this Committee, and so saying he declared the meeting closed for the day.

An inquiry was made by Councillor DEN concerning the dual complement of warship personnel, to which the Navy Minister answered.

(The meeting was adjourned at 3:30 P.M.)

The Fifth Meeting of the Investigation Committee
regarding the Ratification of the
London Naval Treaty of 1930.

Held at the offices of the Privy Council
on 1 September (Monday), SHOWA 5 /1930/

Those present:

President KURATOMI
Vice President HIRANUMA

Chairman of the Investigation Committee, Councillor ITO

Members of the Investigation Committee:

Councillor KANEKO	Councillor DEN
Councillor KUBOTA	Councillor ARAI
Councillor YAMAKAWA	Councillor KAWAI
Councillor KURODA	Councillor MIZUMACHI

Ministers of State:

Prime Minister HAMAGUCHI
Navy Minister TAKARABE
Foreign Minister SHIDEHARA

Chief Secretary FUTAKAMI
Secretary HORIE
Secretary MUTO

(The meeting was opened at 1:00 P.M.)

Committee Chairman ITO announced the opening of the Conference, and stating that there had been an omission in the answer to Councillor KURODA's question in the previous meeting, asked how the erroneously written passages in the text of the treaty should be dealt with. A statement was also made by Councillor KURODA on the purport of this inquiry, to which the Foreign Minister replied. Councillor KAWAI inquired about the procedure by which the instructions to the Imperial Plenipotentiaries were decided, and the Navy Minister answered this.

The same Councillor further inquired what induced the Navy Minister to submit to the Throne the matter regarding the disposition of armed forces and to ask for Imperial sanction when there was already an established usage, to

which question the Navy Minister replied that it was because that matter had become a problem in the Special Session of the Diet after the London Disarmament Conference, breeding various arguments among the military authorities also. Subsequently the same Councillor said that he considered the Prime Minister, who had been the Navy Minister's Administrative Officer at that time, as not having conformed to the said usage; and asked the Navy Minister what he thought of it. The Navy Minister replied that after his return to Japan he had carefully inquired of the persons responsible on that matter, and it was concluded that there had been nothing wrong in the procedure taken by the said Administrative Officer at that time.

Further, Councillor KATAI inquired as to the reason for the many changes of post in the Naval General Staff, including the Vice Chief of Staff, to which the Navy Minister replied. Subsequently, the same Councillor requested a detailed explanation regarding the situation which led to the replacement of the Navy Chief of Staff, to which the Navy Minister stated that he regretted very much receiving questions based on newspaper articles, and further explained that Admiral KATO himself regretted what he had done at the time he was asked for instructions, and had tendered his resignation with the reason that he could not bear the thoughts of self-reproach for not having stated his opinion positively. He, the Navy Minister, had thereupon reported the change of post to the Throne. The same Councillor also stated that it could be interpreted that when Admiral KATO submitted his resolution to resign to the Throne on the grounds that he could not do justice to the independence of the Supreme Command, he was commanded to resign, and asked whether it was so. The Navy Minister replied that it was true that he had submitted his papers at the time he reported his resignation to the Throne but changes in the posts had not been made by it.

The Councillor further stated that he had heard that Vice Admiral SAKONJI, with the consent of Plenipotentiary TAKARABE, had sent a wire to Vice Navy Minister YAMANASHI telling him to be prepared for a break-down when sending instructions; and after the instructions were dispatched the Navy Chief of Staff had also sent a secret telegram to Plenipotentiary TAKARABE. The Councillor demanded the telegraphic message be presented. The Navy Minister explained the circumstances at the time the telegram from London was received and, saying that he had by no means sent the telegram in betrayal of his colleagues, gave a summary of the telegram from the Navy Chief of Staff.

Regarding the Councillor's question as to whether Plenipotentiary TAKARABE did or did not know that Chief of Staff KATO had opposed the military strength of the requested plan, the Navy Minister replied that he did not think he /KATO/ would oppose it to the extent of risking a breakdown. To this, the same Councillor reprovingly asked why the Plenipotentiary did not confirm the intentions of the Navy Chief of Staff, and the same Minister replied that since the Navy Minister's Administrative Officer was in Tokyo he had not thought it necessary for TAKARABE, who was only a plenipotentiary, to confirm the said Chief's intentions. Then he read the telegram from the Navy Chief of Staff, dispatched on 2 April.

At this time, Committee Chairman ITO demanded the presentation of the telegram read by the Navy Minister, but the Minister replied that he would answer after consideration.

Councillor ARAI questioned on some doubtful points in regard to the tonnage of heavy cruisers of Japan and America as brought out by the Navy Minister in the last committee meeting, and moreover asked whether or not the Navy Minister's Administrative Officer and the Chief of the Naval General Staff agreed in their opinion on the military strength at the time the instructions were dispatched, and also, whether or not they considered it necessary to agree on their opinion.

To these questions, the Navy Minister and the Prime Minister gave detailed replies. The Prime Minister, as a rule, would withhold his comment, but regarding the plans for instructions, he replied that the agreement of the opinion of both parties was necessary, and added that both had arrived at an agreement.

Next, Councillor KAWAI asked why OKADA, a member of the Supreme War Council, accompanied the Navy Chief of Staff, and why he didn't clarify the statement of the Chief of Staff when there were vague points in his replies; and to this, the Prime Minister answered that at the time he had met both parties, Mr. OKADA, speaking as a representative, stated: "The situation has become unavoidable. The naval experts' views will be given later by Vice Minister YAMANASHI, but if the conference is going to conclude this treaty as it is, we must study the best method possible."

Mr. KATO replied: "As for the Naval General Staff, this would cause difficulty in the military operations and tactics, but, if this present treaty is decided upon, we will endeavor with our best efforts to carry it out."

Councillor KANEKO pointed out that the fact that the Emperor decided upon the strength of forces is clearly stated in the Japanese Constitution, and asked why a Staff meeting was not held in order to decide on the military strength in accordance with the treaty. To this, the Prime Minister replied that they had followed what had become the customary procedure since the Washington Conference, and stated that since all the supreme powers belonged to the Emperor, an advisory organ by no means infringed upon the sovereign power. Here, the said Councillor explained the reason for providing Article 11 in the Constitution, and stating that the determination of the military strength is the most important of the Imperial prerogatives, said that the Cabinet cannot arbitrate on the matter. To this, the Prime Minister replied that although in form, the military strength can be determined only by the Cabinet, the military strength provided in the treaty had been decided after having obtained the approval of the Navy Chief of Staff. Then Committee Chairman ITO stated that the disregard of the Navy Chief of Staff's opinion was already being much talked about, and so that point must be well investigated, and if what the Prime Minister said was true, it is vastly different from the rumors that are going around. He then adjourned the meeting.

(The meeting was closed at 4:10 P.M.)

The Sixth Meeting of the Investigation Committee
regarding the Ratification of the
London Naval Treaty of 1930.

Held at the Offices of the Privy Council

on 3 September (Wednesday), SHOWA 5 /1930/

Those present:

President KURATOMI
Vice President HIRANUMA

Chairman of the Investigation Committee; Councillor ITO

Members of the Investigation Committee:

Councillor KANEKO	Councillor ARAI
Councillor KUBOTA	Councillor KAWAI
Councillor YAMAKAWA	Councillor MIZUMACHI
Councillor KURODA	

Absent: Councillor DEN

Ministers of State:

Prime Minister HAMAGUCHI
Navy Minister TAKARABE
Foreign Minister SHIDEHARA

Chief Secretary FUTAKAMI
Secretary HORIE
Secretary MUTO

(The meeting was opened at 1:00 P.M.)

Chairman ITO announced the opening of the meeting.

Councillor KANEKO stated that he had heard that Parliamentary Vice Minister for Foreign Affairs NAGAI who had abused the Privy Council in his public speech was going to make a two months trip to China, and demanded that the said Councillor be ordered to postpone his departure until the questions raised by said Councillor the other day were settled.

The Foreign Minister answered that he had asked NAGAI about the matter, but that NAGAI had replied that he had never abused the Privy Council, that he had only said that as it was absolutely necessary to conclude the Naval Treaty, we had to fight against any statesmen who tried to prevent the conclusion of the said treaty. The Foreign Minister continued that NAGAI had also said that he had been quite surprised at the articles in the foreign-language newspapers. Then Councillor KANEKO made a request for the withdrawal of the said account from the various newspapers. The Foreign Minister replied that the Government did not have a newspaper account retracted each time they found mistakes in it, and that he did not think it necessary to take such measures in this case. The said Councillor, however, insisted upon its withdrawal, explaining that with the publication of such an account in the newspapers, not only the people would naturally come to bear bad feelings against the Privy Council, but that the account was also very prejudicial to the maintenance of amicable relations between the Privy Council and the Foreign Ministry.

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Councillor KUBOTA asked for the control of such persons as would take advantage of matters relative to the Throne for party movements. He also recommended that the article on NAGAI's speech be caused to be withdrawn. Chairman ITO also expressed his desire that the Government should take a moderate view in the matter, and announced his wish to begin the discussion of the main subjects.

Councillor KAWAI asked what the Premier meant when he answered in the Lower House that the Government would be solely responsible for national defense. The Premier answered that he had just replied that it was unnecessary to discuss in the Diet the details of the negotiations between the military administration organization and the military command organization; and that as the Navy General Staff was not responsible to the outside, the Government would be responsible. The said Councillor again asked on what grounds the Premier had, regardless of the objection of the military, decided that the military strength decided upon by the Treaty was sufficient for our national defense; and what he meant when he said that the strength decided upon by the present agreement was only a part of our country's military strength. The said Councillor continued to ask about the authority possessed by the Chief of the Navy General Staff; and how the Premier could say, with a military strength of which the Chief of the Navy General Staff did not approve, that our national defense was secure. The Premier replied to each of these questions.

Then the same Privy Councillor asked whether the above-mentioned plan of instructions in response to a request had been drafted by the Naval General Staff or not, and why the plan had been made the last one in spite of the fact that our plenipotentiary had often reported that it was not to be the last plan. The Premier answered each question and stated that it was due to the fact that he had been informed by the plenipotentiary that it was hopeless to expect the other parties to concede any further. Then the same Councillor said that he was told that the Navy Minister's administrative officer was heard to say, when he saw the Chief of the Navy General Staff on 27 March, that there was no other way for him but to decide the matter by himself, if

the Chief of the Navy General Staff persisted to the end in his disagreement. The Councillor asked how it was possible that such a thing could have been said. The Councillor asked again whether or not on the same occasion the Premier had petitioned the Emperor to convene a meeting of the Supreme War Council. The Premier answered that he had only expressed his own feeling about the matter and that he had not petitioned the Emperor to call the Supreme War Council meeting. The same Councillor continuing further said that he wanted to ask the Premier the reason why the latter could say that there was no other way but to decide the matter by himself. The Premier repeated his former answer and said that he had only expressed his own feelings. Whereupon, the same Councillor demanded to know how it happened that the Premier came to feel like that and stated definitely that the Premier was wrong in concluding that the Navy Chief of Staff had agreed with him. To this, the Premier explained in detail the situation at the time and stated the circumstances in which he had concluded that the Navy Chief of Staff had agreed with him. However, the same Councillor asked whether he had not been too hasty in interpreting the behavior of the Navy Chief of Staff as agreement. The Premier insisted that it was not unreasonable.

After this the same Councillor pointed out that the Premier's explanation in the Privy Council was quite different from that which he had made in the Diet where he had stated that the Government held the right to decide military strength. The Premier answered that he had not stated that the Government held the right of decision, but he had only said that the matter of concluding treaties should be decided by the Cabinet. He answered also that he could not state the scope and extent to which he took the military's opinion into consideration, as this was a confidential matter. Whereupon, the same Councillor asked how the Premier could explain that agreement had been reached when the matter required agreement by the military. The Premier explained that it was because he had thought that the military had had no objection after all.

Councillor KANEKO asked the Premier the reason why he had stated in the Imperial Diet that he had respected the military's opinion and taken it into consideration, instead of saying that the military had agreed with him. As the Premier answered that it was not necessary to have gone so far as to say that he had obtained their consent, the same Councillor voiced the opinion that the question had come up because the Premier had not said that he had obtained their consent, and that the Councillor considered it most incomprehensible why the Government had had to say particularly that it had taken the opinion of the military into consideration in deciding the matter.

The Premier explained that it was because he had thought that the question of what the ideas of the Army and Navy General Staffs were should not be made an object of discussion in the Diet. The same Councillor said that he would conclude his questioning on this point, although he was not satisfied with this reply.

Then Councillor KAWAI asked the Premier why, in spite of the fact that the opinion of the Navy General Staff ought not to be violated by others, it seemed, according to the Premier's reply, as though it were a consultative organ

of the Government. The Premier replied that it was not.

Privy Councillor ARAI, after making introductory remarks that he would ask about the same thing once more as it was a serious matter, asked for corroboration as to whether or not the Premier thought that the agreement of the Chief of the Navy General Staff was necessary in deciding military strength. The Premier replied that he thought that he would consider anything proposed by the Navy Minister as having been approved by the Chief of the Navy General Staff, because the Premier thought that the Minister's opinion would be in conformity with that of his Chief of Staff. The same Councillor asked what if the Minister did not agree with the Navy Chief of Staff? The Premier replied that they should be made to confer until they came to an agreement. The same Councillor asked whether it was not necessary for the Premier in such a case to consider it his duty to deal with the matter /T.N. only/ after having persuaded them to agree. The Premier replied that a discordant opinion would not be brought to the Premier. The same Councillor wanted to know if the Premier considered that the Navy Minister and the Navy Chief of Staff should agree concerning the measures to be taken on matters having to do with military strength. The Premier replied in the affirmative.

The Chairman of the Committee, ITO, explained in detail about the progress and the facts of the negotiations between the Navy Minister's Administrative Officer and the Chief of the Navy General Staff as he found that the Premier's reply was very different from what he had heard concerning the question of the agreement of the Navy Chief of Staff, and he could not make out the situation.

The Chairman said that he hoped that the Premier and the Navy Minister would make efforts in regard to the attendance of the former Navy Chief of Staff in order to solve the problem, and to assist the progress of the conference. Councillor KURODA expressed his agreement with the proposal. Then the Chairman of the Committee stated that the Premier might give his answer the next day after consultation. The Premier replied that he would answer after due consideration. He explained also that although he had been informed of the direct appeal to the Throne, his opinion might differ from that of the Chief of Staff in the matter of the interpretation of their lack of agreement to which he had referred.

Committee Chairman ITO stated that he had heard that the Chief of the Naval General Staff had never expressed his concurrence. To this, the Premier explained that he had never said that the former Chief of Staff had agreed, but that he had only concluded that after all there had been no objection.

The Chairman of the Committee ITO declared the meeting closed.

(The meeting was closed at 4:20 P.M.)

The Seventh Meeting of the Investigation Committee
regarding the Ratification of the
London Naval Treaty of 1930.

Hold at the Offices of the Privy Council
on 5 September (Friday), SHOWA 5 /1930/

Those present:

President KURATOMI
Vice President HIRANUMA

Chairman of the Investigation Committee, Councillor ITO

Members of the Investigation Committee:

Councillor KANEKO	Councillor ARAI
Councillor KUBOTA	Councillor KAWAI
Councillor YAMAKAWA	Councillor MIZUMACHI
Councillor KURODA	

Absent: Councillor DEN

Ministers of State:

Prime Minister HAMAGUCHI
Navy Minister TAKARABE

Chief Secretary FUTAKAMI
Secretary HORIE
Secretary MUTO

(The meeting was opened at 1:05 P.M.)

Committee Chairman ITO called the meeting to order, and read the Prime Minister's answer (refusal) to the recommendation for the attendance of the former Navy Chief of Staff.

Councillor KANEKO brought up the point that at the Diet the Premier had answered that he had taken the military's opinion into consideration, while here at the Privy Council the Premier had answered that he had obtained their approval. Moreover, the Premier had explained that the reason why he had not answered to the same effect in the Diet as here was because the matter touched on the internal relations between the military and the civil government. However, Councillor KANEKO said, he proposed to ask why "taking into consideration" was all right and "obtaining approval" was all wrong. He then shifted his questioning to inquire why the provisory clause of Article 23 of this

treaty was put in. The Navy Minister answered that as it was indicated through this clause that we have not renounced our claim which was not approved by America and Britain, it would at least give spiritual strength to Japan in making her claim at the next conference. The Premier also answered that as it was feared that this treaty would pave the way to restricting Japan's heavy cruiser strength to 60% of that of America, we have specially provided this clause, and thereby have shown clearly that at the next naval conference the attitude of the different countries is not to be restricted in any way by the provisions of this treaty.

The said Councillor KANEKO argued that it was a fundamental principle of international law that no independent country could be restricted by a treaty after its expiration, and so it was not necessary to make such a provision. Therefore, it was an extreme sophistry on the part of our plenipotentiaries to say that the insertion of this clause was an achievement. To this the Prime Minister made some explanation, but the said Councillor again asserted that this provision was only an excuse and that any kind of assertion that might lead to the expansion of armaments could not by any means be permitted in the future.

The Premier then argued that although it was not yet decided whether or not Japan would make claims based on the so-called three great principles at the next naval conference, even if that claim should be made, it would not always mean an expansion of armaments, for the reason that if light cruisers and destroyers were to some extent to be decreased and heavy cruisers and submarines to be increased in the same amount, there would be no increase in the total.

Whereupon, the said Councillor further gave his firm opinion that by this treaty the United States of America had attained its object of limiting Japanese heavy cruisers and submarines and under such circumstances, such a provision would, of course, be of no use at the next conference.

Then the Navy Minister explained that the American plenipotentiary was inclined to be over-enthusiastic over 8-inch cruisers, although from the technical view-point 6-inch cruisers are not always inferior to 8-inch cruisers; and as to the merits of submarines there was no definite theory.

Then Councillor KAWAI asked to be allowed to speak, stating that he desired to bring the questions he had been asking for some time now to a conclusion, but as the Chairman said that there would be a further chance of reviewing the questions some other day, the said Councillor stated that it was simply beyond his comprehension that the Navy Minister should say in his reply in the House of Peers that the age when the strength of force determines all had already passed, and advocate that the most important point as regards armaments lay in keeping them in a perfect state at all times. He argued that Japan's armaments should be based upon the possibility of a crisis in the peace of the Orient with America or other Third Powers intervening in Sino-Japanese relations over rights and interests in Manchuria and Mongolia, and demanded to know the Government's opinion on the matter.

To this, the Premier replied that it was a fact that the ratio of strengths, vis a vis America, provided in this treaty would become more unfavorable for Japan the nearer we got to 1936, and therefore it would be quite natural that he /Councillor KAWAI/ should worry about Japan's national defense, provided that it was interpreted in a narrow sense, but, the Premier continued, he believed that friendly relations with other Powers, financial adjustments and other such matters were likewise the essentials of national defense. Therefore, although he too was dissatisfied with some phases of the national defense he was determined to put up with the present state of things for the time being; and although we would have to bear with the unfavorable ratio till the end of 1936, we would be able to build ships from the beginning of 1937, and so we had better make preparations within the scope admitted by the treaty. If we commenced our ship-building simultaneously with the expiration of the treaty terms, we would soon be able to hold 70% as against America; and finally the Premier asserted that it was a groundless fear that America would raise trouble in China, taking advantage of the period when the ratio would be low for our country.

Councillor KAWAI then stated that it would be a very good thing if our claims were accepted at the next conference, but that this was a matter of great doubt and in case our claims were not accepted it would be most probable that the treaty would remain as a virtually permanent restraint, that though he would not say that America would necessarily raise trouble in China, he believed that efforts should always be made to perfect armaments upon the grounds that such things might happen. To this remark, the Premier answered that the reason why the Government had signed the treaty despite some dissatisfaction with it was because the treaty was short-termed, and hence the Government did not think the ratio would be a permanent one.

Next, Councillor YAMAKAWA asked how much burden would, in reality, be lightened by the conclusion of the present treaty, which estimate the Government should have already made as a matter of course. The Premier stated in reply that study of the question of the replenishment of military strength was under way in military quarters. He regretted that he could not give even a general idea of it, except that the estimated amount for the ship-building plan already decided upon was 500 million yen in the budget for 1930, out of which 400 million yen would become financial resources both for the replenishment of military strength and for the diminution of burdens. The percentage for the two, however, was still uncertain, but he asserted, he would allot a part of it to the diminution of burdens without fail.

Thereupon, the said Councillor stated that he had heard that it was the view of the highest naval staff officers that the navy would be insufficient for national defense even if the ship-building rights as recognized by the present treaty should be fully exercised. If that should be true, as the tonnage of ships which Japan was authorized to build by the end of Showa 11 /1936/ was 106,000 tons and the estimated expenditure therefor was about 330 million yen, the remainder would be only 70 million yen, and consequently if the replacement expenditure should be added there would be no surplus. On the contrary, a considerable deficit would arise. However, the press had said nothing about the

fact that the present treaty would necessitate such a large sum of money, and the Premier's explanation was completely beyond his comprehension. Thereupon, the Premier gave assurances that, despite the fact that if the building right were fully exercised the amount would surpass 300 million yen, the right would be exercised appropriately in view of financial conditions. The said Councillor further contended that financial matters which would result from the conclusion of the treaty should of course be estimated before the signing of the treaty, and the same thing could be said of the replacement plan. However, if the Navy Ministry and the Naval General Staff had not yet made the replacement plan, it could be nothing but the neglect of duty on the part of the authorities concerned. Then the Navy Minister responded that the replacement plan was being studied by the Navy Ministry and the Naval General Staff, but unless an agreement could be reached between the two and prior to consultation with the Finance Ministry, the matter could not be presented. On this point Councillor YAMAKAWA bitterly criticized the authorities concerned for not already having a complete plan and said that it was incomprehensible that it should not be presented at this time.

Then Councillor KUBOTA stated that he thought the question just raised by Councillor YAMAKAWA was extremely important, that the fundamental object of the present treaty was to lighten the burden of the nation, and consequently unless the effect of the conclusion of the treaty in regard to this point was studied it ought not to have been possible for it to have been signed at such a conference. He requested the authorities concerned to make a reply centering around this point.

Then Chairman ITO, stating that the other remaining questions would be left to the next meeting, declared the meeting adjourned.

(The meeting was adjourned at 3:30 P.M.)

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REPORT ON THE RESULTS OF INVESTIGATION
OF THE SHIPWRECK OF THE TANKER "MARIUPOL"

February 19, 1946

The Union of Soviet
Socialist Republics
Prosecution Department.

The USSR Sea and River Fleet
Chief Military Prosecutor
Moscow

To Comrade Golunsky, Prosecutor for Soviet Union at the Inter-
national Military Tribunal in Tokyo.

Report

on the results of the investigation into the shipwreck of the tanker
"Mariupol".

By the inquiry into the shipwreck of the tanker "Mariupol" con-
ducted by the prosecution department of the Pacific basin, the following
facts were established:

The tanker "Mariupol" was sailing in November 1943 from the United
States of America to the Soviet Union with a cargo of 8001 tons of
Iso-octane. While passing through the First Kurilsky strait on November
14, 1943 at 18.04 hours in the territorial waters of Japan near the
cape Kotamari-Saki at the point-Latitude $50^{\circ} 48$ m. north, long-
titude $156^{\circ} 31$ m. east the tanker ran onto rocks.

The tanker "Mariupol" remained at the place of the shipwreck till
January 23, 1944, and help being not rendered, the ship and 9700 tons
of cargo were lost.

The commanding authorities of the Far Eastern Sea-Fleet having
received the report from the shipwrecked tanker immediately sent the
tankers "Tuapse", "ERIVAN" and other vessels, which were not far from
the First Kurilsky strait, to the area of the shipwreck. The tanker
"Tuapse" of great cargo capacity arrived at the area of the shipwreck
2 hours after the incident had taken place and had actual possibility
to render help to the tanker "Mariupol" by completely unloading it and
towing it from the rocks.

To approach the tanker "Mariupol" the Soviet ships had to get
permission from the Japanese government. This permission was given
when 35 days had passed since the shipwreck, and the wrecked ship was
already in a hopeless condition, as its hull was damaged by the winter
storms. The greater part of the cargo was lost due to the same reason.

By the end of December it had become evident, that the tanker
"Tuapse" could not render effective help to the tanker "Mariupol".
It was decided to send the shallow-sitting tanker "Nenets" and
trawler "Paltus", but these ships approached the place of the ship-
wreck only on January 10, 1944 because of the hindrances on the part
of the Japanese authorities.

The Japanese authorities acted in such manner, as to prevent
the possibility of rendering help to the damaged ship as long as
possible, so that the Soviet government would abandon the thought
of rescuing the ship, and would leave the tanker and the cargo in
the Japanese territorial waters. After the shipwreck of the tanker

"Mariupol" on November 14, 1943, the Japanese military authorities headed by the head of the rescuing party Namiki Hideo visited the tanker on the following day, i.e. on November 15 at 8-9 hours. They carefully looked through the ship, searched the crew and put seals on binoculars and the radiocabin. The Japanese officers leaving the ship left on the tanker a guard detachment under a junior officer. Besides, Captain Alekseev was forbidden to start the machine and that prevented him from the possibility to get off the shoal by his own efforts. This clearly shows that the Japanese rescue detachment not only had no wish to render help to the shipwrecked tanker but even robbed it of the possibility to use its own machine to save the ship.

During their first visit to the tanker "Mariupol" on November 15, 1943 the Japanese proposed to Captain Alekseev to draw up an act to the effect that it was absolutely impossible to take the tanker off the shoal and to save it. They proposed to take off the crew and leave the tanker. They persistently and several times made similar proposals to the Captain of the tanker "Uapss" Scherbachev, while negotiating with him. They told him that the tanker was in a hopeless condition and offered to render help to Captain Alekseev on condition the tanker "Mariupol" would be towed to a Japanese port.

In their advising letters to Captain Alekseev dated November 21 and December 2, 1943 officers Watanabe, Yasumasa and Namiki, Hideo said that in case the crew would not be taken off the tanker "Mariupol" in the manner proposed by them, they would not be responsible for its safety.

It is clear that the Japanese authorities showed hostile attitude towards the tanker's crew. On November 21-22, 1943, all store of drinking water on the tanker was finished.

Captain Alekseev made a request to the Japanese asking them to bring water for the crew. On November 23 a Japanese Kawasaki-boat brought 6 barrels of fresh water to the tanker. This water had a flavour of kerosine and could not be used for drinking.

On December 28, 1943 the administrative office of the sea fleet in Vladivostok received a report that the Japanese government permitted a group of our specialists to visit the tanker "Mariupol" for the first time to examine its condition. Nevertheless Namiki, Hideo, Commander of the so-called rescue detachment, seeing that even after the storms the condition of the tanker "Mariupol" still gave hope, began to interrupt the examination of the wrecked ship. Captain Scherbachev on November 29, 1943 at 10 hours was permitted to visit Captain Alekseev under the guard and escort of the Japanese officers. The examination of the ship was forbidden, and the meeting with Captain Alekseev was under such conditions that it was impossible to get the full information of the tanker and condition necessary to render help.

The above mentioned facts are absolutely true, and therefore it is possible to say that the Japanese authorities were against rendering help to the tanker "Mariupol" to save the cargo and the ship. Pursuing their own interests the Japanese openly wanted the tanker to perish, and by their actions prevented the saving of the ship until it was in absolutely hopeless condition. It was quite possible to take the tanker "Mariupol" off the shoal and to save its cargo, under the condition of the Japanese favorable attitude and if the Japanese would not have prevented our ships to approach the wrecked tanker for so long a time.

Chief Military Prosecutor
for the Sea and River Fleet of the USSR
Major-General of the judicial corps

The copy correct (Schitovich)
(Taranenko)

CERTIFICATE OF TRANSLATION OF THE ABOVE DOCUMENT:

I, V. T. Tarkhov, hereby certify that I am thoroughly conversant with the Russian and English languages; and the above is a correct and true translation of the indicated Document.

Signature: (Signed) V. Tarkhov

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Document No. 891-A
Reference No. 1

Page 1

RECORD OF THE PRIVY COUNCIL
REGARDING THE IMPERIAL RATIFICATION OF
THE LONDON NAVAL TREATY OF 1930

(ORIGINAL)

1st October 1930

RECORD OF THE CONFERENCE OF THE PRIVY COUNCIL
REGARDING THE IMPERIAL RATIFICATION OF
THE LONDON NAVAL TREATY OF 1930

The Conference met at 10:25 a.m. on Wednesday, October 1st, 1930.

H. M. The Emperor was present.

ATTENDANCE:

President KURATOMI
Vice President HIRANUMA

State Ministers:

Prime Minister HANAGUCHI	No. 4
Navy Minister TAKARABE	No. 5
Foreign Minister SHIDEHARA	No. 6
Railway Minister EGI	No. 7
Justice Minister WATANABE	No. 8
Finance Minister INOUE	No. 9
Commerce and Industry Minister TANARA	No. 10
Home Minister ADACHI	No. 11
Agriculture and Forestry Minister MICHIDA	No. 12
Overseas Minister MATSUDA	No. 13
Education Minister TANAKA	No. 15
Temporary Acting War Minister ABE	No. 16

Councillors:

Councillor ITO	No. 18
Councillor KANEKO	No. 20
Councillor KUBOTA	No. 21
Councillor TOMI	No. 22
Councillor ISHIGURO	No. 23
Councillor YAMAKAWA	No. 24
Councillor KURODA	No. 25
Councillor FURUTSCHI	No. 26
Councillor MATSUMURO	No. 27
Councillor ENI	No. 28
Councillor SAKURAI	No. 29
Councillor DEN	No. 30
Councillor ARAI	No. 31
Councillor KAWAI	No. 32
Councillor KAWATA	No. 34

Councillor SUZUKI	No. 35
Councillor ISHII	No. 36
Councillor MIZUMACHI	No. 37
Councillor OKADA	No. 38
Councillor FUKUTA	No. 39

Absentees:

Imperial Princes:	
Prince YASUHITO	No. 1
Prince NOBUHITO	No. 2
Prince KOTOHITO	No. 3
State Minister:	
Communications Minister KOIZUMI	No. 14
Councillor KUKI	No. 19
Councillor ISHIHARA	No. 33

GOVERNMENT DELEGATES:

Director of the Bureau of Legislation KAWASAKI
 Councillor of the Bureau of Legislation KANAMORI
 Vice Minister of Foreign Affairs YOSHIDA
 Chief of the Treaty Bureau of the Foreign Office MATSUMAGA
 Chief of the Bureau of European and American Affairs of
 the Foreign Office HOTTA
 Chief of the Intelligence Bureau of the Foreign Office SAITO
 Secretary of the Foreign Office YAMAGATA
 Secretary of the Foreign Office SHIOZAKI
 Administrative Official of the Foreign Office FUKADA
 Administrative Official of the Foreign Office YAMADA
 Vice Minister of Navy KOBAYASHI
 Chief of the Naval Affairs Bureau HORI
 Secretary of the Navy Department ENOMOTO
 Captain SHIMOMURA
 Captain IWANURA
 Commander FUJITA

Reporter:

Chief of the Judging Committee ITO

Chief Secretary:

Chief Secretary FUTAGAMI

Secretaries:

Secretary HORIE
 Secretary MUFO

President (KURATOMI): The meeting will now come to order. As has been previously notified, "The Ratification of the London Naval Treaty of 1930" is brought up for discussion. According to precedent, we shall omit the readings and the subject shall be debated on general principles. The recitation will be omitted and we shall ask the Chief of the Investigation Committee to make a report.

Reporter (ITO): Upon being appointed members of the Investigation Committee concerning the ratification of the London Naval Treaty of 1930, which is now being referred to the Privy Council for deliberation, we have been fully aware of the great importance attached to the situation, and have been destined to give our fullest deliberation upon the matter. Ever since August 18, we have held frequent meetings, listening to explanations in detail from the Ministers of State, and repeatedly deliberating on the matter with each member expressing his respective opinion; thereby we have aimed at achieving complete thoroughness in our investigation.

First, allow me to relate to you the origin of the treaty. The naval armament limitation treaty concluded among Japan, Britain, U. S., France and Italy at the Washington Conference in February 1922, (Taisho 11) had prescribed limitations for total tonnage of capital warships and aircraft carriers to be maintained by each nation, as well as the limitations of tonnage of single warships and the size of mounted guns. As regards auxiliary vessels, however, the treaty had only prescribed limitations for the tonnage of single ships and of the calibre of mounted guns, and did not prescribe any limitation for the total tonnages to be maintained by the respective powers. Accordingly, not more than a few years after the Conference, there is already a tendency among leading Naval Powers for marked competition in building auxiliary vessels. The League of Nations, according to its mission, has made repeated efforts to realize general disarmament of army, navy and air forces alike. But in view of the extent of the sphere of discussion there was a wide difference of opinion among the Powers, and accordingly it was extremely difficult to come to any concrete decision. Therefore, the Government of the United States, sponsoring nation of the said Washington Conference, recognizing the urgent necessity of concluding some agreement on the limitation of auxiliary ships among the leading Naval Powers without waiting for the conclusion of a disarmament treaty by the League of Nations, made a proposition in February 1927 (Showa 2) to hold a conference among the above five Powers. The Governments of France and Italy, however, did not accept the proposition.

Negotiations were held among the Governments of Japan, Britain, and the U. S. at Geneva in June, the same year, but as there was a wide difference of opinion between Britain and the U. S. concerning cruisers armed with 8-inch guns, the negotiations ended in failure. Then following the changes in the general political situation in these two countries in 1929, (Showa 4), there was a rapid development of the desire to realize disarmament. As a consequence, the British Government, in October of the same year, proposed to the Governments of Japan, U. S., France and Italy to hold a conference in London, with the object of studying the limitations on types of ships not prescribed in the above Washington Treaty, as well as of deliberating the necessary changes to be effected in the stipulations of the said treaty, after carefully studying Article 21, clause 2 thereof in order to adapt the treaty to recent scientific and technical progress. * With the consent of the Governments of the four powers, Japan, Britain, France and Italy, the representatives of the five powers concerned held a conference in London in January 1930 (Showa 5). After about three months' diplomatic negotiations and much meandering, an agreement was finally reached and a treaty called the London Naval Treaty of 1930 was concluded. This was signed and sealed by the plenipotentiaries of the Powers on April 22, the same year. This is the treaty now being referred to the present Council for deliberation.

This treaty consists of 5 parts and 26 articles, together with 3 annexes added to Part II, besides the preamble and the concluding clause. Parts I, II, IV and V are agreements concerning the five Powers, while Part III is an agreement among Japan, Britain and the U. S. Allow me to omit the explanation of its substance here because it is stated in detail in the written report.

On looking back at the progress towards the conclusion of the present treaty, the Imperial Government, at the opening of the London Conference, had decided, according to the established policy of national defense, its three fundamental principles -- (1) To maintain seventy percent of the U.S.'s total tonnage of auxiliary ships; (2) To maintain seventy percent of the U.S.'s total tonnage of heavy cruisers; (3) To maintain the present strength of about 77,800 tons in submarines.

The Government had instructed the plenipotentiaries to carry out this demand and had also announced it to the general public. Nevertheless, the Japanese plenipotentiaries could not attain this object in the negotiations and were

forced to make concessions. They had drafted the so-called temporary compromise plan according to the U. S. proposition, and had asked the Government for instructions. The Government gave instructions that the plan had been generally recognized; and thus was concluded the present treaty outlined on the plan. According to the present treaty, Japan has agreed to maintain only 69.75% of the U.S.'s total tonnage of auxiliary ships, 60.22% of the U.S.'s total tonnage of heavy cruisers, and 52,700 tons of submarines, which will mean a reduction of about 25,100 tons, or about one-third of the present tonnage. Accordingly, the problem of insufficient national defense brought about by the present treaty, as well as the inappropriate measures taken by the government at the time of the instructions, have given rise to much criticism in the country. It was criticized for instance in the recent 58th session of the Imperial Diet and became the subject of much discussion. In view of these circumstances we have made this investigation with special care and have endeavored to study it from various standpoints, and frequently exchanged questions and answers with the Ministers concerned. The following is the outline of the questions and answers.

1. In the past, there were many mistakes in the diplomatic documents referred to the Privy Council. In the present treaty too there were many misprints in the original text, so the Cabinet, after an inquiry, had taken measures to correct them. As it is a matter of great regret that such mistakes should be caused by the carelessness in handling business, we have asked the opinion of the Minister concerned. He has expressed deep regret and has pledged that he would take care not to repeat such mistakes in the future; and he further added that because the omission of the name of the Italian Plenipotentiary was due to the mistake in the original text, it was impossible to correct it and that there was no way but to dispose of this matter by leaving it as it stood.

2. The question of whether or not the instructions of the Government given to our plenipotentiaries in reply to their reference prior to the conclusion of the treaty, were issued with the consent of the Chief of the Naval General Staff-- is a very important constitutional problem, although it may merely seem to be a purely formal point. It was widely played up that the Cabinet had delivered the instructions without going through the formalities and the question gave rise to disputes in the Navy and also gave rise to the "Supreme Command Question" in the recent Imperial Diet. The Navy Minister has obtained the Imperial decision that

the affairs concerning the Naval forces should be dealt with according to the old custom; and that in this case there should have been an accord of opinions between the Navy Minister and the Chief of the Navy General Staff. After the Imperial sanction, he reported it to the Prime Minister and notified him that things would be run in this way hereafter. That the Prime Minister had replied that he had received the notification is a point fully clarified by the documents submitted by the Navy Minister. As we thought it very important to clarify the truth of this question, we first asked the Prime Minister, who had at that time been in charge of the business affairs of the Navy Minister, if he had considered it necessary from the beginning to obtain the consent of the Chief of the Navy General Staff in giving the instructions regarding the agreement on naval strength. The Prime Minister answered that he had considered it necessary that there should have been an accord of opinions between them according to the old custom. Next, to the question whether there had actually existed an accord of opinions between them he replied that the Chief of the Naval General Staff asserted at first that our three great principles were the minimum possible demands from the standpoint of our plan of operations; and therefore he, as the one responsible for the manipulation of troops for operations, could not agree to the naval strength outlined upon the U.S. plan which did not fulfil the necessary conditions. However, in the light of the various circumstances thereafter, he had considered that the Chief of the Naval General Staff after all, had no objections to the measures taken by the Government in giving the instructions. As we harboured much suspicion about this answer, we wanted to hear personally from the former Chief of the Naval General Staff, so we had requested the Cabinet to take measures to have him attend the meeting and explain the fact. The Cabinet, however, refused to do it. When we further questioned the reason why, the Ministers of State, in reply to questions in the Diet on this problem, had answered that the Government had decided the matter, after taking the opinions of the military circle into consideration, and intentionally avoided the use of the expression "consent" or "accord of opinion"; the Prime Minister explained that the Cabinet had answered simply "taking into consideration so and so," because it had considered it undesirable to give a detailed account of its relation with the military circle in the Diet.

Moreover, to the question whether Plenipotentiary TAKARABE, who had been the Navy Minister, in signing this treaty did not think the Chief of the Naval General Staff

would oppose the contents of the draft, the Navy Minister answered that, although he had been informed of some dissatisfaction on the part of some of the naval officers at that time, he considered that they would refrain if their opposition involved the risk of a break down in the negotiations. When further questioned why he did not confirm the intention of the Chief of the Naval General Staff, the Minister replied that there was a man in charge of business matters of the Navy Minister at that time in the Cabinet and that he had signed the treaty as a plenipotentiary, according to instructions from the Government. He further explained that judging from the telegram received from the Chief of the Naval General Staff at the time of the instructions, he had thought the Chief had rather agreed to the instructions.

3. Regarding the circumstances under which the Government accepted the proposed compromise which was inconsistent with the so-called three great principles held to be the minimum demand for part of our naval strength necessary for national defense, the Government explained that though they would admit the proposal was unsatisfactory, there had been no possibility of reaching any other adequate agreement, judging from the development of the negotiations. If the conference broke down, it would have had a grave influence upon the international situation of Japan; and considering the financial and economic hardships which would be visited upon our country through competition in shipbuilding, etc., in other words looking at the matter from the general situation of our nation, he considered the Government could not help but accept the proposal.

We then put a question to the Minister concerned, whether the security of the national defense of our country could be secured by the naval strength prescribed in the present treaty; and he answered that it might be difficult to carry out operational plans according to the existing principles of national defense with the above naval strength. On one hand, however, Japan has succeeded in maintaining more tonnage of light cruisers and submarines than expected. While on the other hand if she carries out the right to build replacement ships; does her best to perfect quality by completing equipment and improving armaments of existing ships, equipping ships not subject to limitations; increases the number of airplanes; and makes an effort to develop her troops "technical" power by improving training and discipline and increasing the number of crews, he believed that the security of our national defense could practically be expected.

He further said that the term of validity of this treaty is as short as five or six years, and that through Japan's demand, a prescription has been added to Article 23 of this treaty promising Japan a position to discuss in the next conference from an entirely free standpoint without any restrictions from the present treaty. Therefore, he explained, though there are some points with which we are dissatisfied in this treaty, we are left a way to adjust them in the future difficult though it may be.

4. If the U.S. is to maintain 18 heavy cruisers according to the provisions of this treaty, Japan will have her heavy cruisers considerably reduced in ratio to the U.S. two or three years after 1936 and this will bring about insecurity in our national defense. There are some who are of the opinion that the Chinese problem will then give rise to complications between Japan and the U.S. As we felt anxiety on this point, we asked the opinion of the authorities; the Minister concerned replied that, in order to prepare for the period immediately after the expiration of the treaty term, we must make previous preparations within the extent of the provisions of the treaty, and accelerate the building of new ships after the termination of the treaty; thereby we shall be able to increase our ratio. It is hard to believe that the U. S. will take a provocative attitude toward Japan during that time; and he explained that as the diplomatic relations between the two countries will become more amicable by the conclusion of this treaty, there will be no fear of any war.

5. The Government authorities have explained that the deficiency in naval strength caused by this treaty will be replenished as a result of the next conference. However, Japan has already failed once, at the Washington Conference, to realize her demand to maintain 70% in capital ships of the amount of the U.S.; and she has failed the second time at the recent London Conference to realize her demand to maintain 70% in heavy cruisers and her present strength in submarines. Thus, it will not be difficult to imagine that she will face more difficulties in carrying through her demands at the next conference. Especially, the conditional clause of Article 23 of this treaty not only seems to be meaningless in legal logic but according to the original text of Article 23, the object of holding the conference of 1935 lies in the conclusion of a new treaty with the object of a gradual realization of disarmament. Accordingly, such a demand like the above is likely to be regarded as expansion of armament; especially the demand to increase the numerical strength of

submarines will be contrary to the spirit of the article, and it was feared that it would be impossible to carry through such a demand. When we questioned the Minister in charge on this point, he replied that it does not necessarily mean that Japan should contend her three great principles at the next conference. He further asserted that only by taking into consideration the various changes in the situation during the next few years shall we establish the best policy and strive to carry through its demands; and that even if we should repeat the demands of the three great principles, the total tonnage of auxiliary ships and the cost of construction shall not exceed the limitations prescribed in this treaty, so it cannot necessarily be regarded as an expansion of armaments.

6. It has been acknowledged by the Government itself that the naval strength prescribed in this treaty is insufficient and that, unless some appropriate replacement programme be established, we can never hope for security in our national defense. If so, what will be the result of such a replacement program? What will be the expenditure necessary for it? What will be the surplus fund to be produced by this treaty and will it or will it not lighten the burden of taxes on our people; and if so, to what extent?

As all these questions are very essential for judging whether this treaty will attain its object or not, and are the important items for investigation, we demanded that the Government give us a general outline on these points. To this, the Minister in charge explained that a national defense replacement programme is now under investigation by the Naval General Staff, but as it will not be published till the investigation is complete and approved by the Navy Ministry and further discussed with the other Government departments concerned, the time for decision will be, at the earliest, this autumn, about the time when the national budget will be drawn up. However, as there will be considerable surplus funds following the fulfilment of this treaty, the Government will declare on its own responsibility that part of it will be appropriated for the replacement of deficiencies in our national defense, while the rest will be appropriated to lighten the burden of taxes on the people.

Supposing we consider it on the basis of the total sum of five ^{hundred million} ~~billion~~ yen reserved in the financial programme for 1930 (Showa 5) to 1936 (Showa 11) as an established plan for the Navy, there will still be some surplus fund even if Japan makes use of every right to build the replacement ships prescribed in this treaty. He explained

therefore, that this will be appropriated to the cost of replacements in our national defense and also to the reduction of taxes.

Such, then, was the gist of the questions and answers. In short, the object of this treaty lies in revising and supplementing the Washington Treaty, and concluding an agreement on various limitations in every type of ships for the realization of disarmament. Now, security or insecurity of national defense decides the fate of a country. Accordingly, to conclude an agreement limiting the armament of a country is a matter which requires the most serious consideration.

There is good reason in regard to the military affairs of our country where the military administration has been separated from the military command for years, and each, with its own separate organs, has been cooperating in assisting the exercise of the Imperial authority. However, it is of great regret that there had been in the Navy some controversies, which afterwards gave rise to criticism in the general public, about the measures taken by the Cabinet in deciding their instructions at the time of the signing of this treaty. The Cabinet not only answered that they had thought there were no objections from the Chief of the Naval General Staff at the time the instructions were decided; but also that the Navy Minister had obtained the Imperial decision that matters pertaining to naval strength should require an accord of opinions between the Navy Minister and the Chief of the Naval General Staff, and that the decision had been reported to the Prime Minister. The Prime Minister has been instructed to stick to the rule in the future, and as there has been a reply of acceptance from him, there is no necessity of discussing the "Supreme Command problem."

This affords us much gratification. Moreover, in looking at the object of this treaty, of course everyone should be willing to give his approval to its spirit of promoting world peace and preventing the danger of competitive armament, and reducing the public's burden. But the question is, as far as Japan is concerned, whether or not she will be able to attain the object with the naval strength prescribed in this treaty without bringing about any deficiency in her national defense. As this is the most important point of argument in judging the results of this treaty, we have made a careful and thorough investigation on this point. The Ministers concerned, however, have admitted that there are deficiencies in the

naval strength prescribed in this treaty, but asserted that the security of national defense could in fact be expected by taking replacement measures. As for the replacement plan, they did not even show us its general outline, nor its principal items, on the ground that they have not yet completed the investigation, and they also have not explained much about the necessary expenditures and the estimates in the reduction of taxes. All that the Government has done was to declare on its own responsibility, that the deficiencies in our national defense will be replenished and that a considerable reduction of taxes will be carried out. But as the national defense replenishment programme essentially, should be drawn up by the mutual agreement of the Minister of State and the organs of the military command, and is not to be declared on the responsibility of the State Minister alone, we thought that the opinion of the organs having direct access to the throne would be greatly instrumental in our judgment of the problem, and we were anxious to hear their opinions by some means or other. Finally, we requested the State Minister to take steps to submit the written document of the Military Council in reply to the Imperial question, but the request was rejected by the State Minister. Originally, according to explanations by the Foreign Minister, this treaty had already been ratified by the U. S. Britain will not complete her ratification as far as Ireland is concerned until November, this year. So, even if Japan should ratify it today it would not come into effect immediately. Accordingly, in view of the grave influence that will be exercised on the interests of Japan by the results of the conclusion of this treaty, we thought it better to spend some time in waiting for the completion of the Government's investigation on the aforesaid national defense replenishment programme, and then to make mature deliberations on the question. We proposed our opinion to the State Minister but he did not approve the idea.

It was a matter of great regret for us, for it has been our duty to consider problems carefully and deliberately. But, according to the explanations of the State Ministers, the internal situation lately has become very deplorable, and they stressed that if the ratification of this treaty is left long undecided, it will give rise to political and economical unrest and exert a bad influence upon the general public. Therefore, we came to the conclusion that, under such circumstances, there was no other way than to adopt a vote on the problem, by limiting our investigations to the extent mentioned above,

and relying upon the responsibility of the authorities concerned. As there seems to be no fear of any other obstacle in the provisions of this treaty, we think it is inevitable, under these circumstances, to give our final decision and recognize this treaty. Relying upon the responsibility of the State Ministers who have pledged that they would take every measure to attain the object of the treaty by carrying out the national defense replenishment programme in concert with military circles and by reducing the burden of taxes, the Investigation Committee has unanimously passed a resolution.

I respectfully report the result of the investigation to the Throne that the Privy Council should pass the draft treaty.

No. 4 (HAMAGUCHI): I should now like to state briefly the opinion of the Government on today's problem of ratification of the London Naval Treaty. The object of the London Naval Treaty, as has just been reported by the Chief of the Investigation Committee, is to prevent the danger of competitive armament for the sake of world peace, and to reduce the burden of taxes; and this treaty has been signed and sealed by the representatives of the Five Powers-- Japan, Britain, the U.S., France and Italy. As far as Japan, Britain and the U. S. are concerned, we have been successful in an agreement on the limitation of auxiliary ships which had not been realized at the Washington and Geneva Conferences, and have been able to put a limitation on every type of ship.

Generally speaking, the agreement on the limitation in maintaining strength of auxiliary ships contains more complicated questions than the agreement on capital ships; and at the recent London Conference there has been much meandering in its discussions for which reason France and Italy, finally, refused to join the treaty. Japan, Britain and the U. S., however, judging from the general situation, have concluded the treaty with a spirit of mutual concession and compromise. Therefore, the result of the agreement in the said treaty on maintaining strength in auxiliary ships does not fully satisfy our demands, which will mean that deficiencies will arise in our Naval strength for maintaining and executing the present plan of operations, drawn up according to our established policy of national defense. But the military specialists are agreed in their opinion that such deficiencies can be remedied by taking some other proper replenishment measures, and that any difficulties in our

national defense can be prevented. This replenishment programme is presently under careful investigation by the Government and we are not yet able to give you the actual figures. In short, its object is to replenish the quality and to promote technical power. The outline of its principal items is, as has been explained by the Navy Minister at the Investigation Committee. As the fund for the established Naval programme reserved in the financial programme for 1931 (Showa 6) to 1936 (Showa 11) amounts to a total of about half a billion yen, this will be properly appropriated for the expenditure in building replacement ships and for replenishing deficiencies in our naval strength mentioned before and also for reducing taxes. As you all know, the U. S. has already ratified this treaty. As for the British Empire, almost all of the British Commonwealth of Nations have either ratified it or have finished preparations to ratify it, except for Ireland, whose procedure for ratification will be taken either after the opening of her ordinary Diet session in November this year, unless some other means for ratification may be devised before that.

We have not yet received any definite report on it, but, after all, we cannot imagine that difficulties will arise in its ratification. There are some points in the State Minister's reply, given in the reports of the Investigation Committee, which seem to prove that the meaning of our explanation has not been thoroughly understood. But as it is feared that this matter will involve too many complications, I shall not indicate them here. In short, the Government, at this occasion, hopes, in view of the internal and external situations, that the draft treaty will be passed promptly.

No. 36 (ISHII): I received on August 15, the documents relating to the London Treaty, which is presently being referred to the Privy Council. I think the President had appointed the members of the Investigation Committee prior to this, and the said documents were distributed to me at the same time with the members of the Committee. This, originally, is a matter of course, but the previous method was not necessarily like this. So I had once expressed my opinion that, as it is all the Councillors who have been ordered to discuss, it is a duty that every member should have access to the documents as soon as they are called upon for discussion,--that is to say, that I wish the documents to be distributed as soon as possible. I hereby wish to express my gratification, for I believe the recent method of distributing documents, from this standpoint, is an improvement in the proceedings of the Privy Council. I have

one thing I wish to ask the President, though it may seem presumptuous. Three weeks time had elapsed since the Privy Council had been called upon to discuss this matter on July 24 before I had received the documents on August 15. What was the Privy Council doing when such an important problem had been brought up? There had been frequent voices of distrust in the public and I, too, was one that felt suspicion about it. During that time, according to newspapers and other sources, the President had requested the Prime Minister to submit the answers of the Supreme War Council in reply to the Imperial question on about August 5, ten days after the draft treaty had been referred to the Privy Council, and the Prime Minister declined it.

One week after that, the Investigation Committee was organized. Thus, we Councillors could know nothing about the substance of the bill for three weeks though we had been consulted by the Emperor. I believe that when such an important bill is submitted to the Privy Council, the authorities should distribute the bill immediately and hold the Investigation Committee as soon as possible, and if there is something to ask the authorities it should be done after the Councillors are consulted over the matter. I don't intend to denounce the President for his behaviour in the past. I only wish to call his attention to this point, in order to promote the authority of the Privy Council which is the supreme advisory organ for the Emperor. If the President has any explanations to make on this point, I would like to hear it.

President (KURATOMI): No. 36 has just expressed his desire about the distribution of documents. But, it is needless for me to say that Article 7 of the Business Affairs Regulations of the Privy Council prescribes that the report of the Investigation Committee should be distributed, together with annexed documents, to all Councillors at least three days before the opening of the conference. In the past, according to this regulation, we had distributed the documents three days before the conference after the report of the Investigation Committee had been submitted. I do not think, however, that this provision is absolute. Accordingly, I do not think it against the regulations to distribute, if necessary for convenience' sake, before the Investigation has been completed. There had been examples when documents had been distributed beforehand in cases when the bill required a large quantity of documents. It is so with the present case. But this cannot be arranged according to the convenience of the Privy Council alone.

The relation with the Government must also be taken into consideration. So, in the present case, I have adopted an irregular measure after having consulted the Government. It does not necessarily mean that such a measure will always be taken hereafter. Moreover, No. 36 has talked as if I had delayed the investigation in order to have the written reply of the Supreme War Council submitted to the Privy Council, but it is not true. I did not demand the presentation of the document, I only advised its presentation, and I did not delay the investigation. As has been reported by the Chief of the Investigation Committee, there are liable to be some mistakes in the documents of the bill. In the present case too, the Government had to take due formalities for corrections, and more than ten days had elapsed during that time. These are necessary procedures for investigation. As I have stated above, it is a usual practice to distribute documents after the investigation is over, so the opinion of No. 36 is unreasonable.

No. 36 (ISHII): I, too, have knowledge of the provision of the Business Affairs Regulations of the Privy Council concerning distribution of documents. But according to the provision, it is stated "together with the reports" and not "at the same time as the reports." Moreover, looking at it from the point of common sense, there is no reason why documents should not be distributed beforehand. And as the President has expedited the time of distribution in this case, I only wish that this precedent could be followed in the future. I did not say anything about the past. I only said about the future. According to explanations just made by the President, even in the future, whenever some important problem is referred to the Privy Council, several weeks will be needed for the careful investigation of documents. I cannot help feeling anxiety about the future. I hope that, if any problem is referred to the Privy Council, a committee will be organized immediately and will be ordered to investigate the matter. Then the Councillors can investigate the matter together with the Government authorities and can revise the points which require revision. It is an excessively cautious and therefore unsuitable system, not to distribute documents until the Chief Secretary and his assistants spend some days in investigating the bill and correcting the misprints. But I shall not discuss the matter further. I only wish to express my regret here that my opinion was not thoroughly understood, although I had meant it for the future of the Privy Council.

I shall now wish to put my questions to the Government. First, as regards the three great principles; judging from the expression in the report, "the Imperial Government has decided the three great principles... based on the established policy of national defense," it seems to me that the three great principles had been decided just before the London Conference. So I think the principles had, of course, also been included in the instructions given to our plenipotentiaries. Now, the Navy Minister and other Naval authorities seem to have greatly emphasized the three great principles prior to the conference, stressing that this was the minimum demand for our national defense, and had informed people that in case these principles should not be realized, it would endanger our national defense. Naturally, the general public, lacking expert knowledge, would readily believe it, would be very anxious about it if even the slightest part of these principles is not realized, and believe that it would surely bring about defeat in war. I, myself, was one of those who felt such anxiety, although I have been relieved of it, because it has been pointed out in the reports that these principles should not necessarily be followed in the next conference.

I think that these circumstances should be made clear to the public, as it is because of these three principles that the people are afraid of the U. S. Now, it seems these three principles did not exist at the time of the previous Geneva Conference. Allow me to refer briefly to what the Japanese plenipotentiaries proposed to the plenipotentiaries of Britain and the U. S. at that conference. There were no such principles in the instructions given to the Japanese representatives at that time. But at the Conference, the U. S. wanted an equal balance of power with Britain, while Britain asserted that she would need 620,000 tons of auxiliary ships for she required many cruisers on account of her special position, and tried to reduce the maintenance of Japan's force. As the negotiations became complicated, Japan was compelled to propose that if Britain and the U. S. would reduce the tonnage of auxiliary ships to 470,000 tons, Japan was ready to reduce hers to 310,000 tons. To this, the U. S. agreed on principle, while Britain did not. So Vice-Admiral KOBAYASHI studied the matter with FIELD, a U. S. delegate, and made a compromise plan, but it was not agreed on at the conference. As regards submarines, it was decided that Japan, Britain and the U. S. should maintain 60,000 tons respectively. Thus, does not the result of the recent London Conference resemble Japan's proposition at the above Geneva Conference? It is regrettable that there are many among the people who are discontented with this treaty, by which, according to their belief, an unreasonable naval ratio had been forced upon Japan by Britain and the U. S. The naval authorities should have made it known to the public that there had been no oppression by Britain and the U. S. concerning the conclusion of the recent agreement.

Secondly, when did the so-called three great principles come into existence? It seems they did not exist in about 1927 /Showa 2/. Actually, did not our naval authorities consent at the Geneva Conference to our maintaining 60,000 tons of submarines? I do not think that the international situation has become worse during the three years after that. On the

contrary, the Anti-War Pact had been concluded, and it may be said to have advanced the countries a step forward in their peaceful relations. Nevertheless, at the last conference our authorities had demanded that Japan should maintain 78,000 tons of submarines, an increase of 18,000 tons to the former 60,000 tons. I just cannot understand the reason, and I entertain suspicions about the three great principles.

Moreover, as for the national defense replacement program, there was talk as if there was some proper method of replacement, both in the reports of the Investigation Committee as well as in the explanation of the Premier. But what is the meaning of the word "proper"? As Japan had insisted on maintaining 60,000 tons of submarines in 1927 /Showa 2/, and has been compelled to consent to 52,000 tons at the recent conference, the difference of 7,000 or 8,000 tons can (not?) logically be called a deficiency in our national defense. Though the U. S. formally insisted on the five-five-three ratio in submarines, she has recently consented to an equal basis. From this standpoint, we must admit that she, too, has made concessions. As for other auxiliary ships, the recent proposition made by Britain and the U. S. closely resembles the one made by Japan in former years.

Accordingly, I am of the opinion that 73,000,000 yen is sufficient for the expenditure in our national defense replacement program, and that it would not only be proper to appropriate the remainder of the half billion yen minus the said sum of 73,000,000 yen to the reduction of taxes, but it would also conform to the previous demand of our Navy. In short, I wish to have the Navy Minister explain when the three great principles came into existence, and had become an irreducible, established policy for our national defense. I also wish to hear the Navy's explanations on the national defense replacement program. I don't want to hear about the concrete plan; the principle alone will be enough.

Except for the above questions and requests, the present treaty is not one which Japan was forced to accept. I agree to this treaty because the recent propositions by Britain and the U. S. are in line with the propositions made by our country three years ago, and it is our duty to accept it. Moreover, I wish to express my whole-hearted approval of the conclusion that this bill shall be passed with faith in the responsible utterances of the State Ministers, as has been stated at the end of the report by the Chief of the Investigation Committee.

No. 5 (TAKARABE): The first point of your question seems to be, when did the so-called three great principles come into existence, which did not exist in 1927 /Showa 2/, at the time of the Geneva Conference. Of course, there was no such thing as the three great principles at the time of the Geneva Conference. To be precise, even at the last conference, they have neither been clearly implied in the instructions given to the plenipotentiaries nor have they been formally declared. Why, then, have there been rumors about them?

In the first place, we had considered it necessary for our Navy to have 70 per cent in strength of the most probable potential enemy, and we had made efforts to maintain this ratio in capital ships at the Washington Conference. But, finally, we had failed to attain this object and the ratio was fixed at 60 per cent. Thus, the five-five-three ratio was decided on the condition that the status quo shall be maintained in defense in the Western Pacific. At the Geneva Conference, too, we had contemplated, in general, the maintenance of 70 per cent in auxiliary ships, but the 70 per cent decided was a general estimate and did not go into details regarding the tonnages per types of ships. Speaking of submarines, Japan's demand was 70,000 tons, which is equivalent to the present 78,000 tons. This is because submarines under 200 tons were not subject to any limitations at the time of the Geneva Conference, and so they were not put into calculation. In short, it was a demand to maintain Japan's present strength.

Then there was a question whether there had been no objections in Central Naval Headquarters to the 60,000 tons equal basis decided in their provisional compromise draft by the experts commission of Japan and Great Britain. Yes, there had been many objections. Although, at that time we had acquired the right to maintain more than 70 per cent in cruisers armed with 8-inch guns, it did not reach the 70 per cent mark in total tonnage, so there had been much criticism and argument. Therefore, at the opening of the present London Conference, it was again our Navy's stand to maintain the present strength. Of course, at the time of the Geneva Conference all the powers did not attach so much importance to cruisers carrying 8-inch guns, as today. For this reason, the strength maintained by Japan was even considered comparatively favorable. But today, as a far superior fighting power has been recognized in newly-built cruisers, Japan, too, has demanded 70 per cent. This, however, is not a new and hastily decided policy.

The so-called three great principles are concerned with the military strength necessary for the execution of the plan of operations based on the national defense policy decided in 1923 /Taisho 12/. Thus, the three points - 70 per cent in total, 70 per cent in cruisers with 8-inch guns, and the present strength in submarines - were instructed. No mention was made as to which of the three would be the more important, and the expression "the three great principles" was not used in any of the official documents. Just because these three were the main points in our demands, people called them the three great principles. The Navy has always attached importance to them.

As has been explained by Councillor ISHII, we had failed to accomplish our demand of 70 per cent in capital ships at the Washington Conference, and it was decided at 60 per cent; and also at the Geneva Conference our strength in auxiliary ships was set at 60 per cent in the provisional compromise draft between Japan and Britain. Accordingly, our Naval authorities, after years and years of investigations, were well aware of the difficulties in carrying through our demand of 70 per cent. In view of these former experiences, they had instructed our plenipotentiaries with the three

great principles, for the first time, just before the opening of the last Conference. Prepared to fight with their backs against the wall, they put every effort into obtaining the understanding of the whole nation. For this purpose, young officers made trips to various places and gave lectures, greatly emphasizing the importance of the three great principles. Some of them seem to have pushed their arguments to extremes by stressing that it would mean the ruin of our nation if we should fail to accomplish these principles. These were all manifestations of their patriotic spirit, and as a result, the public opinion was thoroughly unified. I believe this has had much to do with our success at the Conference in obtaining the ratio of 70 per cent in total tonnage.

Though Councillor ISHII seems to be greatly discontented that the military circle has previously much emphasized the three great principles and is showing no effort whatever today in further obtaining the understandings of the people concerning the consequence of this conference, there is a natural limit to the necessity of things. There is a difference between the situations prior to the opening of the conference and that of today. More so, when we think of the next conference. We should make a more thorough investigation on points that will become necessary at the next conference, and strive for the best measures. Generally, the fact that one has a position at one moment, does not necessarily mean that it is one's position forever. For instance, the U. S. at one time, advocated the necessity of submarines, and at another time, she advocated the complete discontinuance of the use of submarines. There can be a great change between the armaments of ten years ago and those of today. So it is only natural that a nation's demands should change according to the circumstances. As to the expenditures for replacement and the tax problem, I believe the Prime Minister will give you the reply.

No. 4 (HAMAGUCHI): As to the problems of the national defense replacement plan and the reduction of taxes, the opinion of the Government expressed at the Committee Meeting has been stated minutely in the reports of the Investigation Committee, the conclusion being especially well written, so it will be unnecessary for me to make further explanations at this moment. Moreover, I believe Councillor ISHII will not insist upon my explanation. In short, both the problem of replacement plan and the problem of reduction of taxes are still under intensive investigation by the authorities concerned, and at present we are unable to give you any concrete figures. The gist of the replacement plan is as has been stated by the Navy Minister at the Committee Meeting and which has been quoted in the report. Anything beyond that is uncertain at present and cannot be decided until the budget will have been framed this autumn. As I do not wish to say anything of which I am not sure, I shall refrain from making any further explanation beyond this point at present.

No. 36 (ISHII): I neither wish to ask the Government for any concrete plan nor for any explanation about figures. According to the report, it is stated that the Government would not publish even the general principles of the

replacement plan and the reduction of taxes, but the Premier has just talked as if the Government had given a detailed explanation. Insofar as the Privy Council has been called upon to deliberate on this bill, I feel, as a member of the Committee, that it is proper for me to put some questions to the Government about the replacement plan and the reduction of taxes which are the immediate purposes of this treaty. When it comes to not informing the councillors of even the general outline of the treaty, it is making it too difficult for them to pass any judgment. Merely as a principle, can't we have the general estimation as to what amount, in general, will be appropriated to the expenditure in replacements and what amount to the reduction of taxes; or, on the basis of 7,500 tons deficiency in submarines, what amount will be necessary for replacement? I would like to have as much explanation as you can give on this point.

No. 4 (HAMAGUCHI): As I have just stated the opinion of the Government, the total sum that will be reserved from 1931 /Showa 6/ to 1936 /Showa 11/ for the Navy's established program will be about half a billion yen, and this will be appropriated to the expenditures for building replacement ships and replenishing our naval strength according to this treaty, and to the reduction of taxes. But as these are mutually related they must be decided at the same time, and, so, they cannot be clarified until the time when the budget will be framed. Now, not speaking of the amount of money, what is the general outline?

On this point, it has been stated in the explanation of the Navy Minister at the Investigation Committee, written in page 23 of the Investigation report, as follows: "Then, can we or can we not expect the security of our national defense with the naval strength prescribed in this treaty? We have queried this point with the Minister concerned. To this, the Minister replied that this naval strength would perhaps be insufficient to maintain and fulfill the plan of operations based on the existing plan of national defense. But, on one hand, we have been successful in securing the right to maintain more light cruisers and destroyers than we had expected; and if, on the other hand, we take steps for replenishment by properly executing the right to build replacement ships, and moreover, strive to perfect the quality of the Navy by completely equipping the existing ships, renovating their armaments, equipping the ships not under limitation, expanding the air-force, etc., and do our best to improve technical strength by renovating the training and education of navy personnel, and increasing the number of crews, I believe we can pretty well rely on the security of our national defense."

This is the explanation of the general outline given at the Investigation Committee. I regret to say that this is all the material I have today, to make any more explanations, and I hope you will forgive me.

No. 23 (ISHIGURO): Do you intend to continue this conference in the afternoon?

President (KURATOMI): If the discussion is unfinished we may continue in the afternoon, after we ask the convenience of the Emperor.

No. 23 (ISHIGURO): Regarding this treaty, it has been reported after full and impartial consideration by each committee member, so it has been pretty well understood, but there are many matters I wish to question more particularly. However, judging from the replies made by the Government, it seems to me that the Government does not wish to make any answer further than its explanations at the Committee Meeting. So I shall rely on the Committee report and refrain from putting any further questions. But, in the report it says: "According to explanations by the State Minister, the internal situation has become deplorably bad these days...etc." What is the meaning of this? I would like to have a full explanation.

No. 4 (HAMAGUCHI): As regards the London Treaty, there had been, prior to its being referred to the Privy Council for deliberation, various rumors in public about the influence it will have upon the political world, and some mischievous elements, in line with these rumors, had been spreading a number of wild tales. For this reason, there were indications that unrest had been arising in the political and financial worlds. The treaty was referred to the Privy Council for deliberation on July 24, and after preliminary investigations by the Secretariat of the Council, it was brought before the Investigation Committee which convened for the first time on August 18. Since then more than fifty days had passed till September 17, and the meeting of the Committee had been held twelve times during that period. Meanwhile, the newspapers in Tokyo, not being informed of the proceedings of the Investigation Committee which had been kept secret, indulged in conjectures and published a number of articles. Readers, ignorant of the circumstances, would either harbor suspicions about the destiny of the treaty, or would be sceptical about a probable discord between the Privy Council and the Government. Various organizations, taking advantage of this situation, began one after the other to attempt mischief-making; and among the various articles, there were some that could be classified as reprehensible. They were openly or secretly distributed to various quarters, and every means of alienation and slander were attempted. This being the situation, it was impossible for people to discriminate truth from falsehood and good from bad. As a result, it is a fact that cannot be concealed, that the general public was driven to an indescribable sort of unrest and unhappiness. Even if it were not so, public feeling today is apt to lack stability and self-possession, and it is deplorable that such a condition should long continue.

As long as the destiny of this treaty remains undecided, it will not only be impossible to eradicate this type of unrest, but it is evident that there will be a tendency for the unrest in public feeling to gradually increase, incited by daily articles in newspapers and all the other scandalous propaganda. The problem of the financial world in particular, is what the Government cannot help but be mostly concerned about.

The present financial situation is being affected by the great world depression as well as by the remedial measures taken after the lifting of the embargo on gold; and this is a most important period, when we shall have to act with caution. Without the utmost effort on the part of the Government and people, united in one fixed policy, I fear the future of our national economy will be greatly endangered.

At this moment of long political unrest resulting from the untoward relations between the Government and the Privy Council, our economic circles have become very nervous from fear that there might be a drastic change any time in our financial and economic policies due to a possible political upheaval; business and financial circles have been unable to manage their business and keep themselves peacefully employed in their work. They could not look on at the course of events with folded arms; but, alarming rumors were meanwhile current, throwing financial circles into confusion and disturbing the public bonds and all the other valuable securities markets, and they were far from being stable.

In the first place, such things as political unrest and speculations on political changes, are not supposed to have so much influence upon the financial circles in ordinary times; but, in this case, it is not very long since the embargo on gold was lifted and its influence has not yet subsided. Moreover, as I have previously related, when the influence of world depression had become considerably grave, and public sentiment had become very nervous, the theory of lifting the gold embargo at par, which had hitherto been advocated rather as an academic curiosity, had become very popular among some of the scholars and editors of newspapers and magazines. For this reason, not only those connected with the stock-markets began utilizing this theory speculatively, but some people holding pretty high positions in the political and financial worlds, especially those with very pessimistic opinions on the present and future situation of our financial circles, whether with intention to deceive or in good faith, had been making observations in some quarters of financial circles that the next Cabinet may make it their policy to prohibit the export of gold again; and when, as a consequence, the exchange rate falls to a certain degree and is stabilized, devaluation will be executed according to it, and then the embargo on the export of gold will be lifted once again. Many began to believe in it; and many, though they did not wholly believe in it, tried to take advantage of such fears in the financial circles for their selfish designs. Such a phenomenon is beyond the imagination of an intelligent man; but as financial circles are presently in a specially nervous condition, this propaganda and supposition, which is partly true and partly false, has in fact exerted considerable influence. Its most outstanding fact lies in the outflow of specie to foreign countries. The considerable outflow of specie during the import period in the first half of the year under the lifting of the gold embargo is not a matter to be suspicious about. But, that there has been a very great amount of outflow in specie at a period of favorable balance of trade in the second half of the year, especially recently, at the end of the year when it is still far from the period for imports, is, I believe, attributable to the instability in the exchange-rate in anticipation of the lifting of embargo on the new par, which will result from the reprobhibition of gold export, granting the political unrest resulting from the various speculations caused by the delay in the progress of deliberations of this treaty at the Privy Council by political and financial circles; though there may be other reasons for it.

Therefore, if the deliberations of the Privy Council are to be further prolonged in getting to a decision, and if the political unrest is not

eliminated, the tendency mentioned above will become doubly pronounced, and as a result, there is no telling what lamentable phenomenon we shall see in general financial circles.

This, really, is the point the Government had been mostly concerned about in the course of deliberating this treaty. Fortunately, since every member of the Investigation Committee, with the State their first consideration, has promptly concluded their deliberations and approved this bill unanimously, we have finally been able to see stability in political circles since the middle of September. The Government is deeply gratified that we have been able to eliminate the financial unrest which has resulted from these political anxieties.

No. 23 (ISHIGURO): I understand. Although there are many questions I wish to ask, a strict investigation has been made by all the members of the Investigation Committee, so I shall respect it and believe in it. I, hereby, wish to express my approval.

President (KURATOMI): As there is no other proposal, we shall take a vote on the bill. All in favor of the investigation report, please stand up.

(Approved unanimously)

The Emperor retires.

(Meeting adjourned at 12:20 P.M.)

Signed by:

President:	Baron Yuzaburo KURATOMI
Chief Secretary:	Hyoji FUTAKAMI
Secretaries:	Sueo HORIE Morio MUTO

C E R T I F I C A T E

I.P.S. No. 891-A

Statement of Source and Authenticity

I, /s/ T. Suzuki 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 186 pages, dated 1 October, 1930, and described as follows: Book entitled "A Record of the Privy Council Concerning the Ratification of the London Naval Treaty of 1930," dated 1st October, 1930.

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 Secretariat

Signed at Tokyo on this

1 day of Oct., 1946.

Witness: J. A. Curtis 2d Lt.

/s/ T. Suzuki
Signature of Official
SEAL
Secretary of Privy Council
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

1 day of October, 1946

Witness: /s/ Richard H. Larsh

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

Investigator
Official Capacity