

21 January 47

Minutes of the Court

Centers

I N D E X
Of
WITNESSES

<u>Prosecution's Witnesses</u>	<u>Page</u>
TANAKA, Ryukichi (recalled)	15853
Direct by Mr. Comyns Carr	15853

I N D E X
Of
EXHIBITS

<u>Doc. No.</u>	<u>Pros. No.</u>	<u>Def. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
2910	2191		Extract from the 11 January 1932 Entry from Diary of Marquis KIDO		15731
1632 ^w (8)	2192		Extract from the 30 May 1935 Entry from Marquis KIDO's Diary		15733
2943A-1	2193		Telegram No. 623 sent by Consul- General HAYASHI at Mukden to Foreign Minister SHIDEHARA dated 19 September 1931		15735
2943A-3	2194		Cablegram from Consul-General HAYASHI to Foreign Minister SHIDEHARA dated 21 September 1931		15736
2789	2195		Cable No. 1532 sent by Consul- General HAYASHI at Mukden to Foreign Minister INUKAI dated 14 December 1931		15738

I N D E X

Of

EXHIBITS

(Cont'd)

<u>Doc. No.</u>	<u>Pros. No.</u>	<u>Def. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
2788	2196		Cable No. 1258 dated 12 November 1931 sent by Consul-General HAYASHI at Mukden to Foreign Minister SHIDEHARA		15740
2913	2197		Extract from "The Japan Advertiser" Tokyo Sunday, 26 June 1938 (Page 3) entitled "Long Preparedness is Urged by ITAGAKI"		15741
4047C	2198		Cablegram sent by Ambassador Ott to the Army High Command and Air High Command on 6 September 1939		15744
2957	2199		Extract from "The Japan Advertiser" Tokyo Sunday 2 October 1938 (Page 1) entitled "KONOYE CABLES HITLER HIS CONGRATULATIONS ON 'SPLENDID SUCCESS'"		15745
2958	2200		News story entitled "Japanese Press Comments" (Page 6) of "The Japan Advertiser" dated 17 March 1939		15746
2959	2201		Extract from the 7 July 1939 issue of "The Japan Times & Mail" Second Edition (Pages 1 and 2)		15749
1903	2202		Copy of "The Osaka Asahi" dated 1 July 1931	15752	
1903	2202-A		Excerpt therefrom		15752

I N D E X

O F

EXHIBITS

(Cont'd)

<u>Doc. No.</u>	<u>Pros. No.</u>	<u>Def. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
827	2203		Biography of General MINAMI by YOSHITAKE, Ken. "Days of War Minister and Man- churian Incident"	15756	
827	2203-A		Excerpt therefrom		15756
1426	2204		Foreign Ministry Records: Manchurian Incident-Public Opinion and Press Comment (pp. 241-242)	15759	
1426	2204-A		Excerpt therefrom		15759
831	2205		Minutes of Meeting of the Privy Council on 9 December 1931 re Report on the China Incident	15761	
831	2205-A		Excerpt therefrom		15761
1483	2206		Foreign Ministry document con- taining foreign press comment re North China Incident of May and June 1935	15769	
1483	2206-A		Excerpt therefrom		15769
1869	2207		Interrogation of General MINAMI, Jiro		15783
1144	2208		"Details Re Movements of Right- ists Bodies in connection with Change of Government" publish- ed by Peace Section, Police Bureau, Home Ministry, April 1937	15790	
1144A	2208-A		Excerpt therefrom		15790

I N D E X

Of

EXHIBITS

(Cont'd)

<u>Doc. No.</u>	<u>Pros. No.</u>	<u>Def. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
827	2203		Biography of General MINAMI by YOSHITAKE, Ken. "Days of War Minister and Manchurian Incident"	15756	
827	2203-A		Excerpt therefrom		15756
1426	2204		Foreign Ministry Records: Manchurian Incident-Public Opinion and Press Comment (pp. 241-242)	15759	
1426	2204-A		Excerpt therefrom		15759
831	2205		Minutes of Meeting of the Privy Council on 9 December 1931 re Report on the China Incident	15761	
831	2205-A		Excerpt therefrom		15761
1483	2206		Foreign Ministry document containing foreign press comment re North China Incident of May and June 1935	15769	
1483	2206-A		Excerpt therefrom		15769
1869	2207		Interrogation of General MINAMI, Jiro		15783
1144	2208		"Details Re Movements of Rightists Bodies in connection with Change of Government" published by Peace Section, Police Bureau, Home Ministry, April 1937	15790	
1144A	2208-A		Excerpt therefrom		15790

I N D E X

Of

EXHIBITS

(Cont'd)

<u>Doc. No.</u>	<u>Pros. No.</u>	<u>Def. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
1144B	2208-B		Excerpt from exhibit No. 2208		15794
1144C	2208-C		Excerpt from exhibit No. 2208		15796
1144D	2208-D		Talk by General UMEZU, Vice War Minister		15798
1144E	2208-E		Notice to the Ex-Soliders Organizations from Vice War Minister UMEZU		15800
646	2209		Transfer of Secret Funds from the Manchurian Incident Ex- penditure Account to the Accused UMEZU		15804
2900	2210		Secret Expenditures for the Man- churian Incident - Record re Payment of Money to the Accused KOISO, Kuniaki, Vice Minister of War		15809
2907	2211		Secret Expenditures for the Manchurian Incident - Record re Payment of Money to the Accused KOISO, Kuniaki		15810
2896	2212		Secret Expenditures for the Manchurian Incident - Record re Payment of Money to the Accused KOISO, Kuniaki		15811
2922	2213		Secret Expenditures for the Manchurian Incident - Re- cord re Payment of Money to the Accused KOISO, Kuniaki		15811

I N D E X

Of

EXHIBITS

(cont'd)

<u>Doc. No.</u>	<u>Pros. No.</u>	<u>Def. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
4043G	2214		Domei Radio presents an ITAGAKI-KOISO interview		15815
2954	2215		Extract from the Minutes of Second Joint Conference of Sections I, II, III and IV of the Committee of Accounts of the House of Representatives, 75th Session of the Imperial Diet on 17 March 1940	15830	
2954	2215-A		Excerpt therefrom		15830
2342B	2216		Excerpt from Interrogation of the Defendant ARAKI (exhibit No. 187-L)		15832
2344B	2217		Excerpt from Interrogation of the Defendant ARAKI (exhibit No. 187-N)		15833
2254B	2218		Excerpt from Interrogation of the Defendant ARAKI (exhibit No. 187-G)		15835
2347B	2219		Excerpt from Interrogation of the Defendant ARAKI (exhibit No. 187-Q)		15840
2253C	2220		Excerpt from Interrogation of the Defendant ARAKI (exhibit No. 187-F)		15843
2253B	2221		Excerpt from Interrogation of ARAKI		15843
2248B	2222		Excerpt from Interrogation of the Defendant ARAKI (exhibit No. 187-A)		15845

I N D E X
Of
EXHIBITS
(cont'd)

<u>Doc.</u> <u>No.</u>	<u>Pros.</u> <u>No.</u>	<u>Def.</u> <u>No.</u>	<u>Description</u>	<u>For</u> <u>Ident.</u>	<u>In</u> <u>Evidence</u>
2155	2223		Speech by the Defendant ARAKI	15847	
2155B	2223-A		Excerpt therefrom		15847

Tuesday, 21 January 1947

1 - - -

2
3 INTERNATIONAL MILITARY TRIBUNAL
4 FOR THE FAR EAST
5 Court House of the Tribunal
6 War Ministry Building
7 Tokyo, Japan

8 The Tribunal met, pursuant to adjournment,
9 at 0930.

10 - - -

11
12
13 Appearances:

14 For the Tribunal, same as before.

15 For the Prosecution Section, same as before.

16 For the Defense Section, same as before.

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18 - - -

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20 (English to Japanese and Japanese
21 to English interpretation was made by the
22 Language Section, IMTFE.)
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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now in session,

3 THE PRESIDENT: All the accused are present
4 except OKAWA and MATSUI who are represented by their
5 counsel. We have a certificate from the prison surgeon
6 of Sugamo that the accused MATSUI is ill and unable
7 to attend the trial today. The certificate will be
8 recorded and filed.

9 Major Moore.

10 LANGUAGE ARBITER (Major Moore): Mr. President:
11 With the permission of the Tribunal we submit the
12 following correction: Exhibit 2182A, record page
13 15,622, line 2, substitute "Washington" for "Versailles."

14 THE PRESIDENT: Colonel Mornane.

15 LIEUT. COLONEL MORNANE: (Reading:)

16 "5th February, 1946, pages 6, 7, 8.

17 "Q Now, General, in our first interrogation my
18 first question was when was it you first went to
19 Manchuria for the first time. Now, your answer was
20 August 15th, 1931.

21 "A Yes, I said that, but later changed it to
22 the 18th of August. I corrected you the last time.
23 I had that difference of three days, which I corrected.

24 "Q That is the first time you ever were in
25 Manchuria?

1 "A Yes, I did go there once long ago. I went
2 in 1911, and that was the first time I set foot in
3 Manchuria.

4 "Q And you were not in Manchuria then between
5 1911 and August 18, 1931?

6 "A No. That is not correct. I have been in
7 Manchuria in between. I went there once in 1929.

8 "Q How long were you there then?

9 "A I was there about six months.

10 "Q What were your duties then?

11 "A At that time I went as an aide to MATSUI
12 Nanao, who is advisor to Marshal Chang Tso-lin.

13 "Q Where was Marshal Chang Tso-lin at that time?

14 "A At first he was in Peking and later he
15 returned to Mukden.

16 "Q You were with the Tokumu Kikan?

17 "A My first connection with Tokumu Kikan was
18 18 August 1931.

19 "Q You never had anything to do with it before
20 then?

21 "A I had no connection prior to that time.

22 "Q Now, as a matter of fact, General, were you
23 not the Resident Official for the Japanese Special
24 Services organisation in Mukden prior to August 18,
25 1931, and for several years before that time?

1 "A No, I was not.

2 "Q Prior to August 18, 1931, how much of your
3 army service was in China immediately preceding and
4 continuing before August 18, 1931?

5 "A I spent almost 18 years in China, but during
6 that time I had returned to Japan for a short period.

7 "Q Most of that 18 years was with the Japanese
8 Special Services organisation, was it not?

9 "A No, it was not. Most of the time I was an
10 aide to Lt. Gen. BANZAI. Lt. Gen. BANZAI was advisor
11 to Yuan Shih-kai, Ti Huang and Fong Yui-Shiang -
12 different Chinese leaders, in other words.

13 "Q But during all this time, General, that you
14 spent in China, the only times you got to Manchuria
15 were in 1911, sometime in February or March, 1929,
16 when you stayed for six months as aide to the Advisor
17 to Marshal Chang Tso-lin, and on August 18, 1931, when
18 you finally went over to the Japanese Special Service
19 organisation?

20 "A That is true, except in 1911, I just passed
21 through Manchuria, in 1929 I went there as aide to
22 MATSUI, but had no connection with Special Service
23 organisation, and August 18, I went there with the
24 Special Service Organisation.

25 "Q General, what was the connection between

1 Dr. Chao Hain-Po and the murder of Marshal Chang
2 Tso-lin on June 3, 1928?

3 "A I don't know if there was any connection,
4 but I do know Chao Hain-Po, who was the advisor to
5 Chang Tso-lin, and I think the date was the 4th of
6 June, 1929.

7 "Q The historical record of the murder of Marshal
8 Chang Tso-lin shows beyond a doubt it was June 3, 1929.

9 "A That may be so, but I recall it as 4 June,
10 1929.

11 "Q Does that change the story about when you were
12 in Manchuria during the 1920's.

13 "A Yes, it will. I thought it was in 1929 that
14 I was there, but I could be mistaken, but I remembered
15 it to be 1929, so if it was 1928, it would change my
16 story. I am quite sure it was in 1929, and that was
17 the time that Chang Tso-lin was murdered, and I was
18 there at the time.

19 "5 February 1946, Pages 10 - 11.

20 "Q General, do you still insist that the story
21 you gave me that your sole mission on being sent for
22 on August 18, 1931, was to investigate the murder of
23 Captain NAKAMURA?

24 "Q That was not the only purpose of my going
25 there, but that was the most important.

1 "Q You told me the other day that was your only
2 purpose.

3 "A I think that I told you that was my most
4 important job, but since I was the head of Special
5 Service Organization I had other duties.

6 "Q What were those other duties?

7 "A The other two duties were investigation and
8 liaison with Chinese forces.

9 "Q What does investigation mean?

10 "A The investigation consisted of determining
11 the strength of Chinese forces, their training, their
12 communication and the condition in the civilian popu-
13 lation.

14 "Q You were sent from Tokyo to take charge of
15 the Special Service organizations in August 1931, is
16 that correct?

17 "A I left from Tokyo and travelled through
18 Shanghai, Hankow, Peking, Tientsin and Mukden, arriv-
19 ing at Mukden on the 18th of August.

20 "Q What date did you leave Tokyo?

21 "A I cannot recall accurately, but I think it
22 was early part of July.

23 "Q Why did you make that long swing to go up to
24 Mukden?

25 "A The Chief of Staff felt that it would be a

1 good idea to find out the conditions in China before
2 taking this post in Mukden, so I took that round-about
3 trip.

4 "12 February 1946, Pages 7, 8, 9.

5 "Q Right. Now, General, at the time you had
6 this meeting with Henry Pu-yi at Tientsin as you
7 remember in October 1931 you were Mayor or Governor of
8 Mukden, weren't you?

9 "A Yes.

10 "Q What were you doing at Tientsin?

11 "A I was sent there to convey the order from the
12 Kwantung Army. Also I was the Mayor but the actual
13 work was delegated to Cheo Hain-po -- the work of my
14 office -- and then went to Tientsin.

15 "Q Then you were sent to Tientsin for the
16 specific purpose of contacting Henry Pu-yi, is that
17 correct?

18 "A That is correct.

19 "Q Who sent you?

20 "A By Kwangtung Army.

21 "Q Who issued the order; what person in Kwantung
22 Army headquarters?

23 "A The commander of the Kwangtung Army.

24 "Q Was General HONJO still the commander then?

25 "A Yes, sir, he was.

1 "Q Did General ITAGAKI have anything to do with
2 it?

3 "A Colonel ITAGAKI was the Chief of the Second
4 Section of the General Staff.

5 "Q Well, did he have anything to do with sending
6 you to Tientsin?

7 "A Yes, order to proceed to Tientsin was issued
8 by General HONJO, the Chief. However, details as to my
9 meeting with Pu-yi at Tientsin was arranged by Colonel
10 ITAGAKI.

11 "Q What was Colonel ITAGAKI's order, do you
12 remember?

13 "A In substance, my instruction was to convey
14 to Pu-yi that should he return to Manchuria the
15 Kwangtung Army would welcome his return, and, next,
16 he arranged for my transportation and expenses, etc.

17 "Q Were you to suggest to Henry Pu-yi that the
18 reason why the Kwangtung Army would welcome him back
19 was because they would like to have him head the new
20 puppet government that you were setting up in Manchuria?

21 "A I believe the Kwangtung Army must have had
22 that idea in order to save Manchuria, however, I did
23 not have any such idea.

24 "Q But you know, didn't you, General, that when
25 you conveyed this welcome greeting to Pu-yi that he
would understand that was what it meant, didn't you?

1 "A That is true although I did not have my plan;
2 however upon receipt of instruction from the Kwangtung
3 Army I felt that such things would be required to
4 settle the Manchoukuo turmoil where so many factions
5 are competing against each other and causing disturbances.
6 I happened to think of that more than about what the
7 Chief of the Second Section told me at the time.

8 "Q Good.

9 "A That was to the effect that he warned me that
10 I should not force him to return to Manchoukuo and if
11 he wants to come back it would be fine.

12 "Q Why on earth did he warn you to that effect;
13 had you suggested that it might be wise to try to force
14 him?

15 "A He definitely told me that there would not
16 be a necessity to bring him back forcibly.

17 "Q Well, that does not answer my question,
18 General; answer it, please.

19 "A Perhaps the Chief of the Second Section might
20 have had some other idea to control the situation in
21 Manchuria even though Pu-yi may not return.

22 "Q But why is it that he was afraid you might
23 use force, was that your usual method in handling things
24 like this?

25 "A That I don't know. That is up to ITAGAKI.

1 "Q Well, answer the last part of that question.
2 Was that your usual method of handling things like this?
3 And by that I mean was it your own personal method or
4 the method of the Kwangtung Army, either one?

5 "A I do not know what method the Kwangtung Army
6 used, however, it is my motto that whatever the order
7 I receive I see to it that purpose is accomplished.

8 "12 February 1948, page 10.

9 "Q What was your report regarding the situation
10 in North China that you made to the Kwangtung Army
11 that you referred to a minute ago?

12 "A Upon my return to the Kwangtung headquarters?

13 "Q Yes.

14 "A I don't remember so well, it took place
15 sometime ago; however, I mentioned the fact that the
16 situation in North China remained unsettled, and also
17 a distribution of enemy forces throughout that area
18 meaning Tientsin armies. Also gave information on
19 the subject of how to be ready in case the troops in
20 Manchuria should spread over to North China.

21 "12 February 1946, Page 11.

22 "Q General, you know what the Nine Power Treaty
23 is, don't you?

24 "A I know what that is; however, I don't know as
25 to each provision it contains.

1 "Q You know, don't you, that it guarantees the
2 sovereignty of China?

3 "A Yes, I know that.

4 "Q You knew that in October 1931 when you were
5 sent to contact Henry Pu-yi, didn't you?

6 "A Yes, of course, I did.

7 "Q Then you knew, didn't you, that when the
8 Kwangtung Army was planning to set up an independent
9 state called Manchoukuo that that was going to violate
10 the Nine Power Treaty, didn't you?

11 "A Yes, I did, but at that time Japan made some
12 proclamation about her attitude toward the treaty. I
13 do not remember the details of it."

14 Mr. Lopez will carry on the presentation of
15 the case of the prosecution at this stage, if the
16 Tribunal pleases.

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1 THE PRESIDENT: Mr. Lopez.

2 MR. LOPEZ: If the Tribunal please, we
3 offer in evidence IPS document No. 2910 which is an
4 extract from the January 11, 1932 entry of the diary
5 of the defendant KIDO, to show the defendant
6 ITAGAKI's inner connection with Japanese activities
7 in Manchuria. The KIDO Diary has been marked
8 exhibit 178 for identification only (pages 1,921
9 and 1,922 of the record.)

10 THE PRESIDENT: Admitted on the usual
11 terms.

12 CLERK OF THE COURT: Prosecution's document
13 No. 2910 will receive exhibit No. 2191.

14 (Whereupon, the document above re-
15 ferred to was marked prosecution's exhibit
16 No. 2191 and received in evidence.)

17 MR. LOPEZ: We read the complete extract.

18 "January 11 -- At 10:30 o'clock this morn-
19 ing in the antechamber connected to the lecture hall
20 of the Imperial Palace, I, together with persons
21 close to the Emperor, heard from Colonel S. ITAGAKI,
22 staff officer of the Kwantung Army, the conditions
23 in Manchuria and Mongolia. Colonel ITAGAKI first
24 explained the situation concerning the progress of
25 campaign against soldier bandit forces in Manchuria

1 and Mongolia as well as the progress in establishing
2 a new state in Manchuria. Regarding the establish-
3 ment of a new state, Colonel ITAGAKI gave hint that
4 Manchuria would be placed under a new ruler, and
5 Japanese Army would take charge of a national defense
6 of the new Manchurian state. Colonel ITAGAKI further
7 explained that Japanese people would participate in
8 the management of a new state as high government
9 officials and such Japanese becoming Manchurian
10 officials would be invited to become Manchurian
11 subjects. Under such circumstances, Colonel
12 ITAGAKI further says that they are now studying
13 regulations concerning the naturalization and dual
14 certificate of nationality. Hearing this from
15 ITAGAKI I was rather astonished to find that there
16 are a wide difference between my 'head' (T. N. idea?)
17 and that of theirs."

18 We tender in evidence IPS document No.
19 1632W(8) which is an extract from the May 30, 1935
20 entry of the diary of the defendant KIDO, to show
21 that defendant ITAGAKI and others were endeavoring
22 to have the military, instead of the diplomatic
23 circles, undertake negotiations with the Chinese
24 Government.
25

THE PRESIDENT: Admitted on the usual terms.

1 CLERK OF THE COURT: Prosecution's document
2 1632W(8) will receive exhibit No. 2192.

3 (Whereupon, the document above re-
4 ferred to was marked prosecution's exhibit
5 No. 2192 and received in evidence.)

6 MR. LOPEZ: From this document we read the
7 first five paragraphs:

8 "May 30, 1935.

9 "Thursday (Extract) - According to this
10 morning's newspaper, the Japanese garrison in North
11 China are reported to have lodged a momentous claim
12 against the Chinese Government.

13 "In reply to my questions on the matter,
14 Vice-Minister SHIGEMITSU made a general observa-
15 tion to the following effect:

16 "On the one hand, the new development seems
17 to be connected with conferences conducted by Japan-
18 ese officers at Dairen, Shanghai, and so on. Al-
19 though Yu Hsueh Chung, originally a member of
20 Chiang Hsueh Liang defeated party, has invariably
21 opposed to our military objectives, the Chinese
22 Government has been powerless to take any counter-
23 measures.

24 "On the other hand, the report that SAKAI,
25 Chief of Staff of the Japanese garrison, on the

1 occasion of his trip to Tokyo, not only abused the
2 Central Army authorities but also complained of the
3 unfair distribution of honours. He also thought
4 it possible that the absence of the War Minister
5 may afford the Japanese garrison an opportunity of
6 taking up a positive attitude.

7 "At any rate, this step against China is
8 based on the idea that ITAGAKI and others who have
9 been intending to let the military, instead of the
10 diplomatic circles, take the lead in negotiations
11 with the Chinese Government, just as in the case of
12 Manchuria. For the attainment of such an end, they
13 were going to utilize the Manchurian Railway Company
14 and the Japanese garrison in Tientsin, as has indeed
15 been revealed by the recent action of that garrison."

16 We introduce in evidence IPS document No.
17 2943A-1 which is Telegram No. 623 sent by Consul-
18 General HAYASHI at Mukden to Foreign Minister
19 SHILEHARA, 19 September 1931, to show that the
20 defendant ITAGAKI was deaf to any plea to prevent
21 the unnecessary aggravation and expansion of the
22 Mukden Incident.

23 THE PRESIDENT: Admitted on the usual terms.

24 CLERK OF THE COURT: Prosecution's document
25 No. 2943A-1 will receive exhibit No. 2193.

1 (Whereupon, the document above re-
2 ferred to was marked prosecution's exhibit
3 No. 2193 and received in evidence.)

4 MR. LOPEZ: We read the whole document
5 except the last two paragraphs:

6 "1931

7 "Despatched MUKLEN 19th A.M.

8 "Received This Ministry 19th September A.M.

9 "/T.N. From: Consul-General HAYASHI

10 "/T.N. To: Foreign Minister SHIDEHARA

11 "/T.N. Telegram No. 024./

12 "Re: Outgoing telegram No. 623.

13 "In view of the fact that there have been
14 several requests from the Chinese side to settle
15 the Incident amicably, I telephoned Staff Officer
16 ITAGAKI that, as both Japan and China had not yet
17 entered formally into a state of war, and, moreover
18 as the Chinese side has been declaring to the ef-
19 fect that it would adhere strictly to the non-
20 resistance principle, it would be essential at this
21 juncture to endeavor not to aggrandize the Incident
22 unnecessarily and to arrange to settle the Incident
23 through diplomatic channels. However, the said
24 Staff Officer replied that, as it was a matter con-
25 cerning the prestige of the State and of the Army,

1 although efforts would be made for the protection of
2 foreign residents, the Army's policy was that, as
3 the Chinese Army had attacked our troops, it had to
4 be dealt with thoroughly. As he thus failed to show
5 the slightest sign of complying with my request, I
6 repeated to him the above-mentioned purport to
7 arouse his attention."

8 We tender in evidence IPS document No.
9 2943A-3, which is a cablegram from Consul-General
10 HAYASHI to Foreign Minister SHIDEHARA, sent 21
11 September 1931, to show that ITAGAKI was a staff
12 officer of the Kwantung Army that set up a
13 municipal administration with a Japanese military
14 man as mayor.

15 THE PRESIDENT: Admitted on the usual terms.

16 CLERK OF THE COURT: Prosecution's document
17 No. 2943A-3 will receive exhibit No. 2194.

18 (Whereupon, the document above re-
19 ferred to was marked prosecution's exhibit
20 No. 2194 and received in evidence.)

21 MR. LOPEZ: We read the whole document with
22 the exception of the last three paragraphs thereof:

23 "1931

24 "Despatched MUKLEN 21st A.M.

25 "Received This Ministry 21st Sept. A.M.

1 "/T.N. From/ Consul-General HAYASHI

2 "/T.N. To/ Foreign Minister SHIDEHARA

3 "/T.N. Telegram/ No. 676

4 "The Commander of the KWANTUNG Army is to
5 issue a proclamation on the municipal administration
6 of this city during today, the 20th instant, as per
7 telegram sent separately. My visit was requested
8 for by the Army Headquarters this morning, but as
9 I was out at the time, MORISHIMA visited them. He
10 found the Chief of Staff MIYAKE, Chief of the
11 Military Police /T. N. Kempei-Tai/ NINOMIYA, and
12 Staff Officer ITAGAKI present, and was told that the
13 Kwantung Army is going to issue a proclamation today
14 pertaining to the municipal administration, although
15 it is not intended to establish a military adminis-
16 tration. So saying, the said proclamation was shown.
17 MORISHIMA requested them to reconsider the matter,
18 but failed to have them agree on the ground that it
19 has already been decided upon and approved of by the
20 Commander.

21 "I therefore met the Commander subsequently
22 and had an informal talk, in the course of which I
23 pointed out the mistake of the virtual establishing
24 of a municipal administration by the Japanese and the
25 appointment of a military man as Mayor. On the whole,

1 the Commander endorsed my opinions but remarked that
2 inasmuch as the order had already been duly issued
3 it could not be altered, and that it would only be
4 a matter of a few days, as it was intended to eventu-
5 ally hand same /T.N. the administration/ over to
6 the Chinese."

7 We introduce in evidence IPS document No.
8 2789 which is Cable No. 1532 sent by Consul General
9 HAYASHI at Mukden on December 14, 1931 to Foreign
10 Minister INUKAI, to show that the defendant ITAGAKI
11 was represented to have met and negotiated with
12 Chiang Kai-shek.

13 THE PRESIDENT: Admitted on the usual terms.

14 CLERK OF THE COURT: Prosecution's document
15 No. 2789 will receive exhibit No. 2195.

16 (Whereupon, the document above re-
17 ferred to was marked prosecution's exhibit
18 No. 2195 and received in evidence.)
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MR. LOPEZ: We read the entire document except the last paragraph:

"From Consul-General HAYASHI at Mukden.

"To Foreign Minister INUKAI.

"Despatched from Mukden P.M. Dec. 14th 1931.

"Received P.M. Dec. 14th 1931.

"Cable No. 1532 (Cipher Code, Secret).

"Tsang Shih - I returned to his home after being released on the night of the 13th, but, according to information received from a reliable source, the Army authorities, with a view to saving the situation, are intending to summon all the Provincial Government Governors here, and, with regard to the foregoing, Staff Officer ITAGAKI is said to have met and negotiated with Tsang today, the 14th."

We introduce in evidence IPS document No. 2788, which is a certified copy of Cable No. 1258 sent 12 November 1931 by Consul-General HAYASHI at Mukden to Foreign Minister SHIDEHARA, reporting on the activities of the defendant ITAGAKI with reference to the coming of Pu-Yi to Manchuria.

THE PRESIDENT: Admitted on the usual terms.

CLERK OF THE COURT: Prosecution's document No. 2788 will receive exhibit No. 2196.

(Whereupon, the document above

1 referred to was marked prosecution's exhibit
2 No. 2196 and received in evidence.)

3 MR. LOPEZ (Reading):

4 "From Consul-General HAYASHI at Mukden.

5 "To Foreign Minister SHIDEHARA.

6 "Despatched from Mukden P.M. Nov. 12th 1931.

7 "Received P.M. Nov. 12th 1931.

8 "Cable No. 1258 (Cipher Code, Secret)

9 "Referring to your Cable No. 'Go' 1421, on
10 asking the Commander of the Army on the 12th regarding
11 Emperor Hsuan-Tung's /T.N. Same as Pu-Yi/ coming to
12 Manchuria, he replied saying that, not only had he
13 heard nothing whatsoever, but that he even had Staff
14 Officer ITAGAKI notify the Tientsin Garrison several
15 days before that they were not to hurry about the
16 Emperor's coming to Manchuria as the time was not yet
17 sufficiently ripe.

18 "On my stating that it would be extremely
19 impolitic to carry out the plan of reinstating the
20 monarchy at once at this juncture when the military
21 affairs in the Amur District have not yet become
22 settled, and the regimes in the various districts have
23 not yet been firmly established as well as when inter-
24 national relations too are extremely tense, and also
25 that, even should the said Emperor come to Manchuria,

1 it would be advisable not to set him up at once,
2 the Commander agreed with me in general, at the same
3 time promising that, in addition to exerting his efforts
4 so as not to start upon any immediate movement even in
5 the event of the said visit to Manchuria, he would
6 promptly notify us of his arrival."

7 We tender in evidence IPS document No. 2913
8 which is a news story entitled "Long Preparedness is
9 Urged by Itagaki," published in the "Japan Advertiser"
10 for Sunday, June 26, 1938, to show that the defendant
11 ITAGAKI, on his first important press interview since
12 joining the cabinet as Minister of War, expressed no
13 need for formally declaring war on China, a determina-
14 tion to prepare for a war of more than ten years'
15 duration with China, and a resolve to fear not third
16 power interference in China.

17 THE PRESIDENT: Admitted on the usual terms.

18 CLERK OF THE COURT: Prosecution's document
19 No. 2913 will receive exhibit No. 2197.

20 (Whereupon, the document above
21 referred to was marked prosecution's exhibit
22 No. 2197 and received in evidence.)

23 MR. LOPEZ: From said document we read the
24 following extracts: on page 1, the headings and
25 the first and third paragraphs:

1 "LONG PREPAREDNESS IS URGED BY ITAGAKI

2 "War Minister Says Army Should Be Ready to Prosecute
3 "Fighting for 10 More Years

4 "POPULAR SUPPORT ASKED

5 "No Formal Decision Reached Yet on Enforcement of
6 "Mobilization Law, He Reveals

7 - - -

8 "Because it may be the intention of General
9 Chiang Kai-shek to 'resist Japan for the rest of his
10 life,' the army should be prepared to continue the
11 hostilities 'perhaps for ten more years,' War Minister
12 Seishiro ITAGAKI declared in a Domei interview at
13 Kyoto yesterday.

14 "The first important interview since Lieutenant-
15 General ITAGAKI recently joined the Cabinet was given
16 after the War Minister yesterday visited the Ise Grand
17 Shrines to report his assumption of office, the Kashi-
18 wara Shrine and also the Momoyama Mausoleum.

19 "Chiang's Tactics Seen

20 "General Chiang Kai-shek is not counting
21 on victories on the first line of battle, but is
22 hoping to overcome Japan by imposing a burden on the
23 country's resources over a protracted period, the
24 Minister said. The Japanese forces in China 'indeed,
25 are accomplishing splendid work,' he declared,

1 emphasizing that continued cooperation on the home
2 front 'alone is the key to overcome the emergency
3 by throwing upon it the whole weight of the country.'"

4 From page 2 we read the second paragraph as
5 follows:

6 "Voicing his conviction that the country is
7 able to withstand future hostilities over an indefinite
8 period, the War Minister hoped that the nation will
9 enter into the spirit of the Government program for
10 conservation of national resources and extend unstinting
11 cooperation toward the authorities."

12 And from page 2, the last paragraph:

13 "Commenting on the international situation,
14 he said: 'It is natural that Third Powers are resort-
15 ing to various maneuvers for the sake of protecting
16 their interests in China. It should suffice for
17 Japan to follow its own policy without fear or hesita-
18 tion. There has been talk of the advisability of
19 formally declaring war on China, but in view of the
20 Government's official declaration of January 16,
21 personally I see no need for that action.'"

22 We offer in evidence IPS document No. 4047-C
23 which contains among others a captured cablegram sent
24 by Ambassador Ott to the Army High Command and Air
25 High Command on 6 September 1939, to show the determined

1 efforts of the defendant ITAGAKI, as War Minister, to
2 bring about an alliance between Germany and Japan.

3 THE PRESIDENT: Admitted on the usual terms.

4 CLERK OF THE COURT: Prosecution's document
5 No. 4047-C will receive exhibit No. 2198.

6 (Whereupon, the document above
7 referred to was marked prosecution's exhibit
8 No. 2198 and received in evidence.)

9 MR. LOPEZ: We read the entire cable of 6
10 September 1939, from page 4:

11 "Telegram (Secret Cipher Procedure)

12 "Tokyo, 6 September 1939 - 1350 hours

13 "Arrival: 6 September 1939 - 1410 hours

14 "For O.K.H. and O.K.L.

15 "/For Army High Command and Air High Command/

16 "The speeches on the Japanese side exchanged
17 at yesterday's reception of German Military and Air
18 Attaches by former Japanese War Minister, General
19 ITAGAKI, and successor, General HATA, were of a
20 definitely hearty character. ITAGAKI pointed out his
21 most sincere efforts, on behalf of a close German-
22 Japanese connection, which had failed as a consequence
23 of European developments. Emphasized that his successor
24 shared his views completely. HATA referred to the
25 Japanese Government's non-intervention declaration,

1 but emphasized that he himself as a soldier had full
2 understanding of the German action.

3 "Grenan, Matsky

4 "Ott"

5 We tender in evidence IPS document No. 2957
6 which is a news story published on page 1 of the
7 Sunday edition, 2 October 1938, of the "Japan Advertiser"
8 with reference to the defendant ITAGAKI sending a con-
9 gratulatory telegram to Adolf Hitler.

10 THE PRESIDENT: Admitted on the usual terms.

11 CLERK OF THE COURT: Prosecution's document
12 No. 2957 will receive exhibit No. 2199.

13 (Whereupon, the document above
14 referred to was marked prosecution's exhibit
15 No. 2199 and received in evidence.)

16 MR. LOPEZ: From that document we read the
17 second paragraph:

18 "War Minister Seishiro ITAGAKI sent a tele-
19 gram to Chancellor Adolf Hitler yesterday morning
20 saying: 'The Imperial Army expresses deep admiration
21 and felicitations for Germany's successful conduct of
22 the Sudeten issue and prays that Germany's national
23 fortunes will ever rise and that the friendship of the
24 German and Japanese Armies, united on the anti-Comintern
25 front, will be strengthened more than ever.' Navy

1 Minister Mitsumasa YONAI instructed the naval attache
2 at the Japanese Embassy in Berlin to deliver a similar
3 message to the Reichsfuehrer and, Domei reports, also
4 sent a representative to the Czechoslovak Legation here
5 to convey a message of felicitation."

6 We offer in evidence IPS document No. 2958
7 which is a news and editorial round-up entitled
8 "Japanese Press Comments" published in the "Japan
9 Advertiser" of March 17, 1939, to show that the de-
10 fendant ITAGAKI, as War Minister, expressed on the
11 floor of the Diet the belief that friction with third
12 powers was unavoidable in the execution of Japanese
13 policy for the creation of the so-called new order in
14 East Asia.

15 THE PRESIDENT: Admitted on the usual terms.

16 CLERK OF THE COURT: Prosecution's document
17 No. 2958 will receive exhibit No. 2200.

18 (Whereupon, the document above
19 referred to was marked prosecution's exhibit
20 No. 2200 and received in evidence.)

21 MR. LOPEZ: From this document we read the
22 complete two paragraphs on page 4 under the subhead
23 "Powers Must Be Ejected":

24 "Powers Must Be Ejected

25 "MIYAKO

1 "The Powers, especially Britain, France, and
2 the Soviet Union, have been hostile toward this
3 country since the Manchurian and China incidents. War
4 Minister Seishiro ITAGAKI and Navy Minister Mitsumasa
5 YONAI had the attitude of these Powers in mind, when,
6 in reply to interpellations in the Diet, they declared
7 that it would be impossible to avoid friction with
8 third countries in the execution of the policy for
9 the creation of a new order in East Asia. In the
10 same statements, they gave expression to the resent-
11 ment felt by the people over the attitude of Britain,
12 France, and the Soviet Union toward the Sino-Japanese
13 conflict. Evidently they had these same Powers in
14 mind when they argued that unless third countries
15 supporting the Chiang Kai-shek regime are ejected,
16 there can be no hope of settling the China incident.
17 If the Powers which are giving aid to the Chiang regime
18 in the struggle against this country do not reform
19 their attitude in time, this country will be compelled
20 to take steps which will lead to a situation, the
21 consequences of which will be serious.

22
23 "Following its action in making a loan to
24 the Chiang regime, Britain has established a fund to
25 stabilize the Chinese currency. The people consider
this step as an act of hostility against Japan and the

1 Provisional Government at Peiping. This impression
2 is confirmed by the representations which have been
3 made by Britain, America, and France, protesting
4 against the exchange control which has been enforced
5 in North China. There is no doubt that these countries
6 deliberately misinterpreted the aims of the step
7 taken by the Provisional Government in order to hamper
8 the work of creating a new order in East Asia. The
9 three Power demarches cause us to anticipate that the
10 Powers will attempt to put further obstacles in Japan's
11 way as the community of interests between Japan and
12 China increases. The service Ministers were quite
13 right when they told the Diet that it was their con-
14 sidered opinion that the China incident will not be
15 brought to a conclusion until Powers supporting the
16 Chiang regime are ejected."

17 We present in evidence IPS document No. 2959
18 which is a news story entitled "ITAGAKI, YONAI Score
19 Powers' Interference," published on page 1 of the
20 July 7, 1939 issue of the "Japan Times & Mail," 2d
21 edition, to show that the defendant ITAGAKI was for
22 stamping out interference by third powers in what he
23 considered as Japan's mission of constructing a new
24 order in East Asia.

25 THE PRESIDENT: Admitted on the usual terms.

1 CLERK OF THE COURT: Prosecution's document
2 No. 2959 will receive exhibit No. 2201.

3 (Whereupon, the document above
4 referred to was marked prosecution's exhibit
5 No. 2201 and received in evidence.)

6 MR. LOPEZ: From this document we read all
7 of page 1 with the exception of paragraph 3 and the
8 last paragraph:

9 "'ITAGAKI, YONAI SCORE POWERS' INTERFERENCE.
10 Warn Nation Must Not Relax in Determination for China
11 Affair Goal.

12 "'Unjust interference by third Powers in the
13 execution of Japan's mission of constructing a new
14 order in East Asia' must be stamped out, it was said
15 by both War Minister Lieutenant-General Seishiro
16 ITAGAKI and Navy Minister Admiral Mitsumasa YONAI
17 Thursday night on the eve of the second anniversary
18 of the China Affair.

19 "'The world is well aware of the fact that
20 the invincible Japanese troops of His Majesty the
21 Emperor have gained victories on land and sea and
22 achieved such remarkable success which is unique in
23 the history of the world.'

24
25 "BLAMES THIRD POWERS

"'The stubborn Chiang Kai-shek regime is

1 still continuing resistance against Japan in complicity
2 with third Powers which have ambitions in the Far East.
3 It has now been laid bare that Japan's immediate enemy
4 is not limited to the Chungking Government.

5 "It is necessary, therefore, to crush the
6 anti-Japanese policy on the part of Third Powers
7 in order to put an end to the resistance campaign
8 by the Chiang's regime against Japan. This must
9 be accomplished at any cost no matter how long the
10 present hostilities continue. Accomplishment of
11 this point is the key to put an end to the current
12 affair.

13 "At the same time, it must be pointed out
14 that the affair cannot be regarded as ended even if
15 the Chiang Kai-shek's regime collapses tomorrow. In
16 order to make China free from the semi-colonial condi-
17 tion and build up a new order in East Asia, any
18 maneuvers on the part of pro-Chiang countries must be
19 checked and the nation must fully be ready to cope
20 with the possible crisis in the world.

21
22 "All the people in the country must express
23 their firm determination that Japan will never abandon
24 her aim of making East Asia for the East Asiatics. No
25 pains must be spared for the attainment of the goal."

1 MR. LOPEZ: Colonel Woolworth will address
2 the Court, if your Honor please.

3 MR. WOOLWORTH: If it please the Tribunal.

4 THE PRESIDENT: Colonel Woolworth.

5 MR. WOOLWORTH: General MINAMI advocated and
6 planned the Mukden Incident (September 18, 1931) and
7 was responsible for expanding that incident while Minister
8 of War, and was responsible for the sending of reinforce-
9 ments into Manchuria and committing acts of aggression
10 in violation of treaties and assurances. As Commanding
11 General of the Kwantung Army --

12 THE PRESIDENT: Mr. McManus.

13 MR. McMANUS: If your Honor please, I realize
14 the Court's ruling on statements before the introduction
15 of evidence, but I still insist that the Court should
16 draw some line on the prosecutor testifying. I know
17 that this statement here from the outset, if the Court
18 pleases, your Honor can determine immediately that it is
19 more than an explanation. Let the evidence speak for it-
20 self. I object to any lengthy explanation rather than
21 the evidence speaking for itself.

22 THE PRESIDENT: We assume, Colonel Woolworth,
23 that you will not say more than appears in the evidence
24 you are about to adduce. So far you have not offended.

25 MR. WOOLWORTH: As Commanding General of the

1 Kwantung Army and concurrently Ambassador to Manchukuo
2 (1934-1936) he conspired with others of the military
3 clique to further aggress against China in violation
4 of treaties and assurances.

5 I will now offer documents in proof of the
6 above facts:

7 Prosecution offers for identification only
8 document 1903, which is a copy of the Osaka Asahi of 1
9 July 1931, and introduces in evidence an excerpt there-
10 from.

11 THE PRESIDENT: Admitted on the usual terms.

12 CLERK OF THE COURT: Prosecution's document
13 No. 1903 will be given exhibit No. 2202 for identification
14 only. The excerpt therefrom, the same document number,
15 will receive exhibit No. 2202-A.
16

17 (Whereupon, the document above
18 referred to was marked prosecution's ex-
19 hibit No. 2202 for identification; the
20 excerpts therefrom being marked prose-
21 cution's exhibit No. 2202-A and received
22 in evidence.)

23 MR. WOOLWORTH: (Reading)

24 "Osaka Asahi

25 "1 July 1931

"The War Ministry invited Manchurian railway

1 authorities to discuss Manchurian-Mongolian problems.

2 "At noon on 30th UCHIDA, President of the
3 S.M.R., YEGUCHI, Vice-President, KIMURA" -- but not
4 the accused -- "TOKAWA, KAMIMUCHI, GODO, OMORI AND OKURA
5 (all of them Directors) were invited to luncheon at the
6 War Minister's Official residence.

7 "From the Army side, MINAMI, Minister, KANAYA,
8 Chief of the General Staff, SUGIYAMA and ITO, Vice-Minister
9 NINOMIYA, Vice-Chief of the General Staff, KOISO, Chief
10 of the Military Affairs Bureau, TAKEKAWA, Chief of the
11 2nd Section and OKI, Chief of the 3rd Section, were
12 present. They had luncheon together, and after that,
13 they exchanged their outspoken opinions regarding the
14 Manchurian-Mongolian problems.

15 "Minister MINAMI made the following statement
16 after the unofficial military councilors' conference on
17 the 30th:

18 "The Army has long recognized the necessity of
19 increasing our divisions in Korea and we hope the day
20 will come when more divisions will be dispatched there.
21 However, this question is not dealt with in our draft
22 for the reformation of the Army organization. I must
23 make it clear that this question has not yet been decided
24 upon at the Big Three Conference. Therefore, such things
25 as what division will be dispatched to Korea or where
it will be stationed are not discussed at all. In order

1 to avoid unnecessary anxieties on the part of the local
2 people, I state this."

3 I omit the last paragraph.

4 Prosecution offers for identification only
5 document No. 827, which is a Biography of General MINAMI
6 by YOSHITAKE, Ken, and introduces in evidence an excerpt
7 therefrom, document 827.

8 THE PRESIDENT: Mr. Toshio OKAMOTO.

9 MR. T. OKAMOTO: I object to the presentation
10 of this document on the ground that the biography of
11 General MINAMI is only an excerpt thereof. I submit that
12 no leave of the Court for the presentation of an excerpt
13 of a biography was given by the Court.

14 THE PRESIDENT: Does that suggest the rules
15 have not been observed? The use of every excerpt must
16 be the subject of an order under the rules.

17 MR. WOOLWORTH: If your Honor please, I read
18 to the Tribunal yesterday the agreement of the defense
19 that this excerpt could be used; a waiver of Rule 6b(1).
20

21 THE PRESIDENT: If I recollect rightly, such
22 an agreement was made a consent order, but I do not know
23 what it covered.

24 MR. WOOLWORTH: It covered this document, sir.

25 MR. T. OKAMOTO: I am not aware -- This counsel,
the present counsel, is not aware of the consent or waiver

1 of the order -- rule -- which the prosecutor just
2 stated to the Court. If there was any such similar agree-
3 ment or consent it was -- it pertains to excerpts which
4 are going to be presented during the time of the defense's
5 case and it does not apply to this kind of document
6 which is being presented by the prosecution.

7 THE PRESIDENT: I think it had better be cleared
8 up. I do not recollect every detail in Chambers. There
9 was a large attendance of counsel on the occasion.

10 MR. T. OKAMOTO: Mr. Blewett notified me that
11 such an agreement was concluded between counsel Logan
12 and the prosecution section. Therefore, I withdraw
13 the reason of my objection. However, I should like to
14 ask of the prosecutor what relevancy has page -- has the
15 content in page one and page two of exhibit 827?
16 Under the title of "Biography of General MINAMI",
17 I find in this document a piece of a cartoon taken from
18 a newspaper, and souvenir or remembrance or recollection
19 concerning outbreak of the Manchurian Incident. I am
20 not sure or rather I am doubtful whether those two docu-
21 ments or materials, which appear in the evidence have
22 actually been taken or have been taken from the book
23 itself.

24 THE MONITOR: Slight correction: Instead of
25 souvenirs and so forth, just remembrances of the outbreak

1 of the Manchurian Incident.

2 THE PRESIDENT: The counsel can consult the
3 original. The prosecution have no obligation to explain
4 the point of their evidence to the defense. They have
5 such an obligation to the Court and they have discharged
6 it.

7 The objection is overruled.

8 (Whereupon, the document above re-
9 ferred to was marked prosecution's exhibit
10 No. 2203 for identification and the excerpt
11 therefrom was marked prosecution's exhibit
12 No. 2203-A and received in evidence.)
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1 MR. WOOLWORTH: (reading):

2 "Biography of General MINAMI by YOSHITAKE, Ken.
3 Days of War Minister and Manchurian Incident.

4 "Not many days after the occurrence of the
5 Manchurian Incident, a caricature contained in a news-
6 paper showed MINAMI drawn in colossal figure sunk back
7 in a chair with arms folded. Finance Minister
8 INOUE in smaller form sat in the same chair with his
9 back against the general, while the Premier, WAKATSUKI,
10 and the Foreign Minister sat beneath the chair with
11 folded knees. It was an ASAHI issue of about the
12 middle of October 1935, when the Finance Minister was
13 being spoken of as preparing for the next presidency
14 of the Minsei-to (Democratic Party.) This reflects
15 upon the fact that the WAKATSUKI Cabinet, after the
16 Manchurian Incident, was substantially led by General
17 MINAMI. (p. 115)

18 "General MINAMI believed from the very beginning
19 in the 'strongists' policy, that the Manchurian issue
20 could be effectively settled by use of arms alone. To
21 the so-called softist, this came as a matter of sur-
22 prise, but to the general, as a matter of course. Firm
23 was his determination and solid as a rock. Consistence
24 ruled his beliefs from start to finish. No wonder then
25 that soon after accepting the chair of the Ministership,

1 in August of 1931, when war clouds hung heavily over
2 Japan and China because of the assassination of Major
3 Shintaro NAKAMURA, that the general in his position as
4 Minister of War delivered a speech at the conference
5 of divisional commanders saying, 'Guard our lifeline
6 Manchuria!' The voice of the strongest eventually
7 prevailed and the nation came to accept the cry
8 'Guard the lifeline' as their own voice. (pp. 115-116."

9 THE PRESIDENT: This is only the opinion of an
10 editor or caricaturist.

11 MR. WOOLWORTH: That is true.

12 THE PRESIDENT: Why put that before us. If
13 the world knows that we get this stuff and believe we
14 act on it what will they think of us? It is nonsensical.
15 We are judging these men not the editors of the Japanese
16 press or the caricaturists, and we judge them from
17 what they say and do and from what others in associa-
18 tion with them say and do.

19 MR. WOOLWORTH: If the Court please, I will
20 read no further from this document.

21 THE PRESIDENT: Counsel OKAMOTO's objection
22 was well taken, but we didn't appreciate it at the
23 time. We have to read what you tendered first.

24 MR. WOOLWORTH: The prosecution offers for
25 identification only document No. 1426, which is Foreign

1 Ministry Records: Manchurian Incident-Public Opinion
2 and Press Comment. pp. 241-242, and introduces in
3 evidence excerpt therefrom which is a translation of
4 War Minister MINAMI's statement appearing in the New
5 York Herald-Tribune on or about 18 October 1931.

6 THE PRESIDENT: Admitted on the usual terms.

7 CLERK OF THE COURT: Prosecution's document
8 No. 1426 will receive exhibit No. 2204 for identifica-
9 tion only, and the excerpt therefrom, same document
10 number, will receive exhibit No. 2204-A.

11 (Whereupon, the document above re-
12 ferred to was marked prosecution's exhibit No.
13 2204 for identification, the excerpt therefrom
14 being marked prosecution's exhibit No. 2204-A
15 and received in evidence.)

16 MR. WOOLWORTH: (Reading):

17 "Foreign Ministry Records: Manchurian Incident-
18 Public Opinion and Press Comment. pp. 241-242.

19 "Translation of War Minister MINAMI's statement
20 cabled by a New York Herald Tribune correspondent on or
21 about 18 October, 1931.

22 "Today's statement made by the military authorities
23 has clarified the base of the Government's policy
24 objecting to American participation. War Minister
25 MINAMI stated that: 'It is doubtful whether United

1 States intervention would contribute to the settle-
2 ment of the matter in question, that this matter should
3 be dealt with directly between Japan and China, that
4 we cannot admit the intervention of any third party
5 and that whatever steps the League Council would take
6 with the United States, it is quite evident that Japan
7 would under no circumstances alter her policy in re-
8 gard to the question that has a bearing upon her
9 national vicissitude. According to the Rengo semi-
10 official press agency, a certain high ranking army
11 officer remarked that the conduct of the United States
12 in Manchuria went too far in interfering with par-
13 ticular Japanese interests and if the United States
14 criticizes the Chinchow Incident, then what about the
15 Nicaragua question? He said that it was a regrettable
16 thing that the League and the United States were showing
17 attitudes of ignoring Japan's special interests in Man-
18 churia; that the fundamental policy of the Army is to
19 disapprove third power intervention in settling the
20 matter in question; and that this stand is definite
21 and immovable."

22 I will omit the last paragraph.

23 The prosecution offers for identification
24 only document No. 831, which is minutes of meeting of
25 Privy Council 9 December 1931, and introduces in evidence

1 excerpts therefrom, pages 16 to 32 of the Japanese
2 text, document 831.

3 THE PRESIDENT: Admitted on the usual terms.

4 CLERK OF THE COURT: Prosecution's document
5 No. 831 will receive exhibit No. 2205 for identifica-
6 tion only; the excerpt therefrom will receive exhibit
7 No. 2205-A.

8 (Whereupon, the document above re-
9 ferred to was marked prosecution's exhibit No.
10 2205 for identification, the excerpts therefrom
11 being marked prosecution's exhibit No. 2205-A
12 and received in evidence.)

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14
15 excerpts therefrom, pages 16 to 32 of the Japanese
16 text, document 831.

17 THE PRESIDENT: Admitted on the usual terms.

18 CLERK OF THE COURT: Prosecution's document
19 No. 831 will receive exhibit No. 2205 for identifica-
20 tion only; the excerpt therefrom will receive exhibit
21 No. 2205-A.

22
23 (Whereupon, the document above re-
24 ferred to was marked prosecution's exhibit No.
25 2205 for identification, the excerpts therefrom
being marked prosecution's exhibit No. 2205-A
and received in evidence.)

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1 MR. T. OKAMOTO: I should like to point out
2 two important mistakes in connection with the docu-
3 ment which has just been presented and received.
4 The first one is in page 1 in the seventh line under
5 the heading "WAR MINISTER MINAMI", line seven of
6 that paragraph. There we find the words "the com-
7 mander of the above force." It can be taken as --
8 I am afraid it will be taken to mean the commander
9 of the Kwantung Army. Whereas, if you compare the
10 text with the original Japanese text, you will find
11 out that those words mean "the Central Army
12 authorities", and this mistake will be very easily
13 found out if you compare the text with the Japanese
14 original.

15 In the second line -- I mean the next line
16 immediately underneath the words I pointed out
17 previously you will find the words "12.40 P.M."
18 This should read either "12.40 hours" or "00.40"
19 and is another obvious mistake.

20 Then coming down to the page 2, fifth line
21 of the third paragraph, "the affair would be extended"
22 should read "the affair would not be extended."
23 That is also an obvious mistake.

24 THE PRESIDENT: I think the shortest way
25 to deal with this is to refer the matter to the

1 Board of Reference and to ask them to consider any
2 representations that counsel OKAMOTO makes.

3 THE INTERPRETER: I should like to terminate
4 the words of the counsel OKAMOTO.

5 It means the contrary if "not" is added
6 between "would" and "be extended."

7 THE PRESIDENT: The Board may have revised
8 the exhibit before we meet again. We will recess
9 for fifteen minutes.

10 (Whereupon, at 1045, a recess was
11 taken until 1100, after which the proceedings
12 were resumed as follows:)

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MARSHAL OF THE COURT: The International Military Tribunal for the Far East is now resumed.

THE PRESIDENT: Colonel Woolworth.

MR. WOOLWORTH: If your Honor please, as I understand it, before I read this document there will be a report on the translation.

THE PRESIDENT: We thought that one might be made during the recess. Well, proceed to read it and we can make any corrections necessary later.

MR. WOOLWORTH: (Reading)

"MINUTES OF THE CONFERENCE ON THE CHINA INCIDENT REPORT DATED DECEMBER 9TH 1931.

"Report on the China Incident (Map Annexed).

"The meeting was opened at the office of this Council Building at 1:30 P.M. on Wednesday, 9th December 1931."

I will omit the persons present.

"(WAR MINISTER MINAMI): 'I shall now report on conditions in the Chinchow district. In the concentration of an army it is a principle in military tactics to send one unit ahead. Now, as you know, our forces were distributed over Tsitsihar, Ssuping kai, and other places. So, in order to concentrate them, one unit was sent to the Chinchow district. Accordingly, an order was issued commanding all units in the said

1 area to receive instructions from the commander of
2 the above force in all their operations and following
3 this an order was issued at 12:40 P.M. on the 27th
4 November that the unit should return to a position
5 east of Hsin-Min-Tun. Incidentally, information to
6 the effect that if Japan so demanded the Chinese would
7 evacuate Chinchow came into our hands. Thus, there
8 was no necessity for any strong offensive action.
9 Perhaps this might have led to the report which ap-
10 peared in the newspapers, etc., to the effect that the
11 Chief of Staff, the Minister of War, and the Minister
12 of Foreign Affairs, had come to an agreement that the
13 attack on Chinchow should not be carried out.'

14 "COUNCILLOR EGI): 'Although I think it is
15 reasonable that attack should be made under some pre-
16 text on Chinchow where CHANG HSUEH-LIANG has his head-
17 quarters, but great will be our loss of credit with the
18 League of Nations and the great powers. Though it
19 might be very convenient for Japan to have Manchukuo
20 an independent state, I do not believe the great powers
21 would accept it. It might be well for Manchurian people
22 to work for their independence on their own accord, but
23 are we not losing general confidence as a result of
24 continually taking action under the pretext of self-
25 defense.'

1 "(WAR MINISTER MINAMI): 'We do not wish to
2 give the impression to foreign countries that we have
3 attacked Manchuria and Mongolia.'

4 "(COUNCILLOR SAKURAI): 'After our planes
5 bombed Chinchow our country quickly lost the confidence
6 of the League of Nations which is certainly a matter
7 of regret. Must we all regard this loss as inevitable?'

8 "(WAR MINISTER MANIMI): 'I too consider it
9 regrettable. However, apparently Europeans and Americans
10 are mistaken in thinking that we made use of the large
11 bombs such as used in the European War. Moreover, the
12 contrast between this incident and the frequent govern-
13 ment announcements that the affair would be extended has
14 caused a strong reaction amongst them.'

15 "(COUNCILLOR SAKURAI): 'What is meant by the
16 term "benitai"?'

17 "(WAR MINISTER MINAMI): ' 'Benitai' means
18 units which engage in battle wearing plain clothes and
19 not uniform. No small inconvenience has been exper-
20 ienced in fighting them because they make it their
21 practice to indulge in espionage activities.'

22 "(COUNCILLOR MIZUMACHI): 'What do you think
23 are CHANG HSUEH-LIANG's real intentions?'

24 "(WAR MINISTER MANIMI): 'As far as my own
25 judgment goes, he intends to go back to his own base so

1 that he might maintain his livelihood. But as it is,
2 he has no means of raising income tax, and it is very
3 likely he is worrying how to carry on. His recent ac-
4 tivity against Japan may offer some excuse to the Nan-
5 king Government and partly indicates what might be
6 termed a desperate action.'

7 "(COUNCILLOR EGI): 'Regarding my interpellation
8 the other day when I asked a question regarding the im-
9 proper action taken by some of the young officers of
10 our Army. It is not at all suitable for the maintenance
11 of military discipline to leave the matter of punishment
12 ambiguous. Once they rebel is it not a matter of
13 course that they should be punished? I fear some sol-
14 diers may rise up in indignation. It is desirable that
15 such matters should be publicly disposed of.'

16 "(WAR MINISTER MINAMI): 'We thank you for your
17 warning, but the questions of punishment is still under
18 consideration. However, the authorities also deem it
19 important to maintain discipline, so please leave the
20 affair to the Army.'

21 "(COUNCILLOR EGI): 'I am quite satisfied to
22 hear your answer. I am not at all concerned about the
23 details of the punishment.
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25 "(CHAIRMAN KURATOMI): 'We thank the War Minis-
ter for his giving us the detailed information he has

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given us. Today's meeting is now adjourned.'

"(Adjournment took place at 3:30 P.M.)"

1 MR. WOOLWORTH: The prosecution offers for
2 identification only document No. 1483, Foreign
3 Ministry document containing foreign press com-
4 ment, North China Incident of May and June, 1935,
5 and introduces in evidence marked excerpts there-
6 from.

7 THE PRESIDENT: Admitted on the usual
8 terms.

9 CLERK OF THE COURT: Prosecution's document
10 No. 1483 will receive exhibit No. 2206 for identi-
11 fication only, and the excerpt therefrom, the same
12 document number, will receive exhibit No. 2206A.

13 (Whereupon, the document above
14 referred to was marked prosecution's exhibit
15 No. 2206 for identification; and the excerpt
16 therefrom was marked prosecution's exhibit
17 No. 2206A and received in evidence.)

18 MR. BROOKS: Mr. President, my co-counsel
19 tells me that in this document 2205A which was
20 just introduced, where there was some mis-
21 translation, that the translation is very bad
22 in several other places, and there is actually
23 a page that he never pointed out. On that account
24 I think we should refer the minister's statements,
25

1 that is, War Minister MINAMI'S statements, therein
2 to the Language Section for a careful check on a
3 matter of this importance.

4 THE PRESIDENT: It is already referred for
5 consideration and such representations as the Jap-
6 anese counsel might make.

7 MR. BROOKS: If the President desires,
8 we can list the others, but there are so many
9 others that I think, for the purpose of saving
10 time, that the four or five paragraphs, that is,
11 of MINAMI'S statement, should all be checked
12 and presented all at one time. It is as you
13 desire.

14 THE PRESIDENT: We want you to consider
15 every representation made by Japanese counsel,
16 Major Moore. We don't want you to deal with the
17 matter piecemeal. Japanese counsel mentioned
18 some matters to us; apparently there others
19 that he wants to name, so don't read what you
20 have to say until you see Japanese counsel
21 again, Major Moore.

22 LANGUAGE ARBITER (Major Moore): Yes,
23 sir.

24 THE PRESIDENT: This document is admitted
25

1 on the usual terms -- 1483.

2 MR. WOOLWORTH: (Reading) "Excerpts from
3 the Christian Science Monitor, May 31, 1935.

4 "JAPAN THREATENS STRONGER ACTION IN NORTH
5 CHINA.

6 "By a Staff Correspondent of The Chris-
7 tian Science Monitor.

8 "Tokyo, May 31 - Sino-Japanese co-operation,
9 carefully nurtured by the Japanese Foreign Ministry
10 during the last months, was somewhat blighted by
11 the drastic action of Japanese military leaders who
12 presented to Chinese authorities in North China a
13 series of demands containing all the features of an
14 ultimatum except a definite time limit.

15 "Accusing Chinese authorities, especially
16 the Governor of Hopei Province, Gen. Yu Hsueh Chung,
17 of violating the Tangku truce by instigating or
18 conniving in political banditism in the demilitarized
19 zone and by the assassination of two Chinese editors
20 who were considered Japanese agents, the Japanese
21 Chief of Staff in North China, Colonel Sakai,
22 stated that if China did not immediately halt all
23 anti-Japanese and anti-Manchoukuo activities and
24 abolish all organizations resorting to terrorist
25 acts, the Japanese Army would take steps to cope

1 ambassador to the Japanese-protected state."

2 And I read from page 8 in the next to the
3 last paragraph:

4 (Reading) "'We seek a solution of all Sino-
5 Jap problems, including that of the puppet regime.
6 By the latter phrase I mean China's recognition of
7 the new empire,' asserted Major-General Rensuke
8 ISOGAI Japanese military attache and spokesman."

9 I read from page 9, beginning the third
10 paragraph from the bottom of the page:

11 (Reading) "Lieutenant-General Yoshijiro
12 UMEZU, commander of the Japanese garrison in North
13 China, said at the close of the day's discussions,
14 that future Japanese action depends upon 'the sin-
15 cerity of the Chinese in dealing with the Japanese
16 'requests.'

17 "He declared that the removal of Chinese
18 officials in that area to other positions was
19 'evading the issue and that the root of the trouble
20 remains although on the surface it appears that the
21 Japanese demands have been met.'

22 "Major-General ISOGAI was quoted by Rengo
23 (Japanese news agency) as saying China faces the
24 necessity of establishing a new government 'capable
25 of cooperating with Japan in maintaining peace in

1 with the situation.

2 "A Foreign Office spokesman today intimated
3 that Japanese action, in the event of the Chinese
4 non-compliance, would probably take the form of
5 occupation of the demilitarized zone for the purpose
6 of maintaining order. He expressed doubt whether
7 the occupation would include Tientsin and Peiping.
8 However, inclusion of these cities within a new
9 demilitarized zone is possible if the incident takes
10 a serious or protracted turn.

11 "The present move was not sudden, as Japan-
12 ese military leaders for some time have expressed
13 growing dissatisfaction over the alleged failure of
14 the Chinese to carry out the letter and spirit of the
15 Tangku truce. So far the Japanese Foreign Office
16 has made no representations to Nanking, the matter
17 being considered exclusively military.

18 "High Japanese Army officers have repeated-
19 ly proclaimed dissatisfaction with what they con-
20 sidered a too conciliatory Foreign Office policy
21 toward China, and openly protested against the recent
22 raising of the Japanese Legation at Peiping to the
23 status of an Embassy. Simultaneously with the emer-
24 gence of a serious crisis in North China, milder
25

1 differences arose at Shanghai and Nanking, Japan
2 objecting to Chinese action in raising the tariff
3 10 per cent and in instituting a sugar monopoly.

4 "The present flurry coincides with the
5 period when the Japanese Army and Navy formulated
6 demands for next year's budget appropriations.
7 Military action or the constant threat thereof may
8 conceivably prove a means of inducing China to recog-
9 nize the independence of Manchoukuo.

10 "Excerpt from the New York Herald Tribune,
11 June 2, 1935.

12 "JAPAN EYEING INNER MONGOLIA, ITS RULER SAYS

13 "Prince Teh Tells of Bid by Nipponese to
14 Establish Airdrome in Territory.

15 "Seen Aimed at Russia.

16 "Tokio Demands Chinese Bow to 14-Pt. Ulti-
17 matum.

18 "By Victor Keen.

19 "From the Herald Tribune Bureau.

20 "Shanghai, June 2 (Sunday) - Prince Teh,
21 virtual ruler of Inner Mongolia, asserted to newspaper
22 men in Peiping yesterday that there had been renewed
23 Japanese efforts to extend the borders of Manchukuo
24 into Inner Mongolia as a spearhead pointed toward
25 Soviet Russia.

1 "The Prince reported that recently a Jap-
2 anese airplane landed at Panchiang, in the eastern
3 part of Inner Mongolia, bearing a Japanese military
4 representative. This envoy informed Prince Teh
5 that the Japanese desired to build an airdrome in
6 the vicinity of Panchiang, establish a branch of the
7 special service bureau of the Kwantung (Japanese
8 continental) army there, and also erect a wireless
9 station.

10 "Furthermore, the representative submitted
11 a request by the Japanese military authorities that
12 the Inner Mongolian capital be removed from Pailing-
13 miao to Peisiemiao, 100 miles to the north. Peisie-
14 miao is the key to the motor highway between Manchu-
15 kuo and Mongolia. The Japanese demands indicate,
16 therefore, a desire to extend Manchukuo's borders
17 westward.

18 "Chinese Face Ultimatum.

19 "Meanwhile, the North China situation
20 continued today to occupy the attention of the
21 Chinese military and political leaders. Its peace-
22 ful solution apparently hinged on China's unquali-
23 fied acceptance of the Japanese military demands.
24 These were summarized here as follows:
25

 "The removal of General Yu Hsueh-chung,

1 Governor of Hopei Province (whose capital is Tientsin),
2 and of Chang Ting-ao, Mayor of Tientsin.

3 "The abolition of the Peiping branch of
4 the Chinese military affairs commission.

5 "The transfer elsewhere of all troops under
6 direct Nanking control or under generals formerly
7 owing allegiance to Marshal Chang Hsueh-liang.

8 "The abolition of the Chinese gendarmerie
9 headquarters in Peiping, which are under the direct
10 control of Generalissimo Chiang Kai-shek.

11 "The maintenance of peace and order in the
12 Peiping-Tientsin area by means of peace preserva-
13 tion corps and militia.

14 "The complete abolition or rigid curtail-
15 ment of the city branches of the Kuomintang (National
16 People's party, in power in Nanking) in Peiping and
17 Tientsin.

18 "The abolition of political training cen-
19 ters maintained by the Kuomintang, and the removal
20 of the headquarters of all secret terrorist socie-
21 ties, such as the Blue Shirts.

22 "The handing over to the Japanese authori-
23 ties for punishment, under the terms of the Boxer
24 Protocol of 1901, of the murderers of Pa Yu-yuan
25

1 and Hu Wen-pu, pro-Japanese editors assassinated in
Tientsin last month.

2 "Parallel to Shanghai Cited.

3 "The Shanghai 'Nichi Nichi,' Japanese daily,
4 characterizes the North China situation as not dif-
5 ferent from that which precipitated the Shanghai
6 and Mukden incidents.

7 "General Chiang Kai-shek will arrive in
8 Hankow from Chungking on June 10 to discuss the situa-
9 tion with Wang Ching-wei, Premier; Huang Fu, Min-
10 ister of Interior and chairman of the Peiping Politi-
11 cal Readjustment Commission, and Ying Tung,
12 managing director of the Peiping-Mukden Railway.

13 "Yakichiro Suma, Japanese Consul General
14 at Nanking, stated yesterday that Chiang had in-
15 structed Marshal Chang to 'deal adequately' with
16 General Yu, the Hopei Governor, who has incurred
17 the wrath of the Japanese military authorities in
18 North China because of his alleged anti-Japanese
19 activities. General Yu is quoted in Japanese dis-
20 patches as saying that he will not resign his post
21 unless specifically ordered to do so by the Nanking
22 authorities.

24 "Yu Seen Slated to Go.

25

1 "Japanese press dispatches from Nanking
2 state that the Chinese Government leaders have
3 decided to demand the resignation of General Yu.

4 "Lieutenant General Yoshijiro UMEZU,
5 commander of the Japanese force in North China,
6 returned to Tientsin yesterday following a hurried
7 visit to Hsingking, capital of Manchukuo, where he
8 conferred with General Senjuro HAYASHI, Japanese
9 War Minister, and General Jiro MINAMI, commander
10 of the Kwantung army. Their discussion covered
11 alleged Chinese violations of the Tangku peace
12 agreement of 1933."

13 THE PRESIDENT: Colonel Woolworth, when you
14 began to read this document we treated it as a
15 series of news items in which there would be state-
16 ments by the accused, or some of them, or statements
17 by those associated with them, but to a very large
18 extent there are no such statements.

19 MR. WOOLWORTH: There are some appearing
20 throughout these items as we go along. There is
21 a statement at the time of the activities of the
22 accused MINAMI and the accused UMEZU.

23 THE PRESIDENT: Some of the extracts have
24 nothing at all in them that seem to connect the
25 accused with any allegation. However, you had

1 better proceed to read this, but in the future will
2 you do a little more editing of this, Colonel Wool-
3 worth?

4 MR. WOOLWORTH: Very well, sir.

5 I will read from page 6:

6 (Reading) "Shanghai, June 6. - Japanese
7 military authorities at Tientsin today cancelled
8 departure orders for all troops scheduled to return
9 to Japan June 15 upon the expiration of their enlist-
10 ment terms. Major-General Yosjiro UMEZU, chief
11 commander of the Japanese garrison, issued the
12 order. He stated that the cancellation of leave
13 was due to 'a critical situation existing.'"

14 I read the sixth paragraph of the same
15 page:

16 (Reading) "In addition to the forces at
17 Tientsin, the Japanese now have one brigade sta-
18 tioned within the demilitarized zone northeast of
19 Peiping. In the event hostilities develop, now
20 regarded as practically inevitable, all the Japanese
21 forces of North China will be placed under the com-
22 mand of the Kwantung army, which controls the
23 'puppet regime' of Manchukuo. They are commanded
24 by General Jiro MINAMI, who serves concurrently as
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the Far East.'

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2 "New Japanese troops are expected to arrive
3 June 12."

4 THE PRESIDENT: That adds nothing whatever
5 to what we have already heard about the Japanese
6 attitude toward China.

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1 MR. WOOLWORTH: I read from page 18 at the top
2 of the page:

3 "A dispatch from Hsinking, Manchoukuo, said
4 that orders to place Japan's war machine in Manchuria
5 in readiness to roll southward across the Great Wall if
6 China fails to submit to the ultimatum, were issued from
7 the general headquarters of General Jiro MANIMI,
8 Japanese Military Chief in Manchoukuo."

9 I will read from page 19 at the top of the page:

10 "JAPAN ARMY GETS SECRET ORDERS IN CHINA ROW.
11 TIENTSIN AND PEIPING FACT OCCUPATION.

12 "Tokyo Orders all demands for clearing region
13 be complied with--

14 THE MONITOR: Mr. Prosecutor, the last paragraph
15 you have just read has not been translated by the Inter-
16 national Prosecution Section and we have no prepared text.
17 Shall we do it by relay?

18 MR. WOOLWORTH: Yes. I will read one paragraph.

19 THE MONITOR: Just one paragraph?

20 MR. WOOLWORTH: Yes.

21 THE MONITOR: Will the Court Reporter read the
22 passage just read by the prosecutor?

23 (Whereupon, the official court re-
24 porter read the last statement of the prosecutor
25 as follows):

1 "JAPAN ARMY GETS SECRET ORDERS IN CHINA ROO.
2 TIENTSIN AND PEIPING FACE OCCUPATION.

3 "Tokyo orders all demands for clearing region
4 be complied with--"

5 THE MONITOR: Is that all?
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1 THE PRESIDENT: We are wasting much time
2 about material which many of us, if not all of us,
3 think has little or no value.

4 MR. WOOLWORTH: Very well, sir.

5 The prosecution offers in evidence document
6 1869, excerpts from interrogation of General MINAMI,
7 Juro.

8 THE PRESIDENT: Admitted on the usual terms.

9 CLERK OF THE COURT: Prosecution's document
10 No. 1869 will receive exhibit No. 2207.

11 (Whereupon, the document above re-
12 ferred to was marked prosecution's exhibit
13 No. 2207 and received in evidence.)

14 MR. T. OKAMOTO: I should like to ask for
15 the leave of the Court to point out some other errors,
16 although I know it is rather annoying, because the
17 matter is important.

18 Tenth line from the top of page 2, the
19 answer there reads: "From 30 March 1944 until 15
20 August 1945." However, it should read: "From 30
21 March 1945", instead of "1944", "until 15 August 1945".
22 It is obvious accordingly if you look up the personal
23 history of General MINAMI attached to the Indictment.

24 Then the eleventh line, next page, it reads:
25 "and did not go East of this aforementioned

1 river." However, it should read: "did not go West"
2 instead of "East". It may well be said that the
3 whole text of the translation is incoherent as it
4 was translated by someone who cannot distinguish
5 East from West.

6 THE PRESIDENT: We will refer the matter to
7 the Language Section. In the meantime, read it.

8 MR. WOOLWORTH: "Q. '***When Vice Chief of
9 Staff at the time the Sainan Incident took place ...
10 was quick in action and notable in decision. He
11 adopted a strong attitude when the incident broke out.
12 He at once ordered troops to Shantung for the second
13 time.' Is that statement true which I have just
14 repeated to you from that book?

15 "A. That was under the orders of the Chief
16 of Staff and the TANAKA Cabinet which decided that
17 troops should be sent to Shantung*****.

18 * * * * *

19 "Q. Do you recall a speech you delivered
20 about the 4th of August 1931 to Army Commanders and
21 Commanding Generals of Divisions at the War Ministry?

22 "A. Yes.

23 "Q. Did you say in the course of that speech,
24 'Guard Manchuria, our life line!?'
25

1 "A. I do not recall that statement, but
2 the sentiments are correct."

3 * * * * *

4 "Q. When did you take command of the Kwantung
5 Army?

6 "A. December, 1934.

7 "Q. And you remained in command of that army
8 for upwards of two years?

9 "A. One year and three months.....

10 "Q. How many troops did you have under your
11 command in Manchuria at that time?

12 "A. About 60,000, I believe.

13 "Q. You were concurrently Ambassador to
14 Manchukuo while Commanding General of the Kwantung
15 Army, were you not?

16 "A. Yes. "

17 * * * * *

18 "Q. You had given General HONJO blanket
19 authority to take any action he saw fit in Manchuria
20 just prior to the Mukden incident?

21 "A. No. The Commander in Chief of the
22 Kwantung Army has this privilege and has had it for
23 over twenty-five years.

24 "Q. Then he could take any war-like steps
25 he wanted over there under the prerogative of supreme

1 command?

2 "A. Within the jurisdiction of his own
3 area he can do practically anything he wishes.

4 "Q. And did you approve of the action he
5 took?

6 "A. Yes."

7 * * * * *

8 "Q. General, you stated that you were a
9 member and President of the Greater Japan Political
10 Association?

11 "A. Yes.

12 "Q. Now tell me, how long were you a member
13 of this society? I want the dates.

14 "A. From 30 March 1944 until 15 August 1945.

15 "Q. Now you said that one of the principal
16 aims of this society was to extend the Greater East
17 Asia Co-Prosperity Sphere?

18 "A. Essentially that might be termed one
19 of its principal aims..."

20 * * * * *

21 "Q. How far did you want to extend this
22 Co-Prosperity Sphere? To what geographical limits?

23 "A. Exactly as the Government had outlined.

24 "Q. How was that?

25 "A. Asiatics.

1 "Q. To extend it over all Asia?

2 "A. Yes.

3 "Q. Under that you include India, Burma,
4 the Dutch Indies and the Philippines?

5 "A. Yes.

6 "Q. You weren't concerned with how the proper
7 sovereignties felt about India, Burma, the Dutch
8 Indies, China, or the Philippines?

9 "A. Yes, I believed that Asiatics wished to
10 be freed of the yoke of foreign domination.

11 "Q. General, you believed then in Asia for
12 Asiatics.

13 "A. Yes."

14 * * * * *

15 "Q. While you were Minister of War in 1931
16 the Japanese Army waged war upon China, did they not?

17 "A. Yes."

18 "A. We concluded our engagements at the
19 Ryoga River in 1931 and subsequent to that consolidated
20 the territory.....

21 "Q. What do you mean by coordinating your
22 position?

23 "A. (General MINAMI showed on a map he drew
24 that the South Manchuria Railroad ran from Harbin to
25 the Chinese border and the Ryoga River cut the territory

1 of Manchuria more or less in half.)

2 "At the time I was War Minister we were guarding
3 the route of the railway and did not go East of this
4 aforementioned river. Now when I was Commander in
5 Chief of the Kwantung Army, the whole of Manchuria
6 had been occupied and was now Manchukuo. Certain
7 units of the Army may have crossed over the Chinese
8 border in skirmishes, but the Army as such never took
9 part in any engagements.

10 "Q. As Ambassador to Manchukuo, what were
11 your principal duties?

12 "A. To preserve the independence of Manchuria.

13 "Q. Your Army occupied practically all of
14 Manchukuo then, did it not?

15 "A. Yes.

16 "Q. And some of your troops went beyond the
17 great wall?

18 "A. Yes."

19 * * * * *

20 "Q. What did you have to do with the govern-
21 ment of Manchukuo at that time?

22 "A. Essentially I advised them on such
23 matters as agriculture, transportation, education, etc.

24 "Q. And your advice was accepted, I suppose?

25 "A. Yes.

1 "Q. In fact, your advice in substance was
2 a direction, was it not?

3 "A. You might say so. -- Yes."

4 This concludes the additional evidence
5 against the defendant MINAMI.

6 This is in regard to General UMEZU.

7 UMEZU, while Vice Minister of War, was the
8 leader of the military clique which was responsible
9 for the failure of General UGAKI to form a new
10 cabinet in January, 1937 by refusing to name a War
11 Minister. This usurpation of authority by the
12 military to make and unmake cabinets gave them practic-
13 ally control over Japan's governmental policy.

14 In March, 1935, he was appointed Commander
15 of the Japanese Army stationed in China. There, in
16 conjunction with General MINAMI, then Commanding
17 General of the Kwantung Army, and with the approval
18 of the War Ministry, he engineered the taking over
19 of North China and establishment of the North China
20 Autonomous Government.

21 He was the author of the well-known HO-UMEZU
22 Agreement of 10 June 1935 which resulted in the with-
23 drawal of Chiang Kai-shek's forces from North China.

24 Prosecution will now offer documents in proof
25 of the above facts.

1 The prosecution offers for identification
2 only document No. 1144, which is "Details Regarding
3 Movement of Rightist Bodies in Connection with the
4 Change of Government," published by the Peace Section,
5 Police Bureau, Home Ministry, April, 1937, and offers
6 in evidence document No. 1144-A, which is an excerpt
7 from pages 5 to 8 of that document.

8 THE PRESIDENT: Admitted on the usual terms.

9 CLERK OF THE COURT: Prosecution document
10 No. 1144 will receive exhibit No. 2208 for
11 identification only; and the excerpts therefrom,
12 document No. 1144-A, will receive exhibit No. 2208-A.

13 (Whereupon, the documents above re-
14 ferred to were respectively marked prosecution's
15 exhibit No. 2208 for identification and prose-
16 cution's exhibit No. 2208-A in evidence.)

17 MR. WOOLWORTH: The prosecution will now
18 read exhibit 2208-A.

19 (Reading) "Declaration issued by the SEIYUKAI
20 Party Mass Meeting (20th of January 1937)

21 "Excerpt from pages 5-8 of 'Details Regarding
22 Movements of Rightist Bodies in Connection with Change
23 of Government' published by Peace Section, Police
24 Bureau, Home Ministry, April 1937.

25 "Owing to the multiplicity of the Government's

1 diplomatic policy, it is not clear where responsi-
2 bilities rest. Moreover, the Government has persis-
3 tently adhered to secret diplomacy, originating in
4 bureaucratic self-complacency, thereby failing to
5 carry out national diplomacy characteristic of a
6 Modern State. The purport of the JAPAN-GERMAN Pact
7 was defence against the Comintern, which desires to
8 destroy our State organization through Communism.
9 But the Government bungled the matter so as to cause
10 other Powers to suspect the formation of a rightist,
11 dictatorial State. The Government can never be
12 absolved from responsibility for diplomatic failure
13 as to procedure, time and method in concluding the
14 Pact. Our Party is very anxious about the matter,
15 and herein lies the reason why we are going to seek
16 thorough clarification of the matter at the Diet.

17 "The Government formulated many plans dog-
18 matically concluding that a semi-wartime organization
19 is necessary. If those plans, however, discourage
20 industrial development and result in a menace to
21 national livelihood, the nation will turn from its
22 present attitude to grudge and resentment against
23 the Government, and laxity of national spirit will
24 be caused thereby. Our Party is determined to subject
25 Government plans to strict examination in the Diet,

and rectify their demerits relentlessly.

1 "The present Cabinet calls the State control
2 of electric power and the extension of compulsory
3 education period products of all-out administrative
4 reform. Our Party is willing to agree to the Govern-
5 ment's claim in principle. But pure bureaucratic
6 control of economy is harmful without being useful
7 in any way. Autonomous control should be encouraged,
8 with State control exercised when necessary. Only
9 thus may free progress be promoted.
10

11 "It has long been our desire to elevate the
12 educational level of the nation. Which is more
13 urgent, however, the extension of the period or the
14 repletion of the substance? Moreover, necessity
15 of sweeping reforms in the educational system has
16 for many years been the public opinion of the nation.
17 If the Government disregards it at this time, it
18 will bring discredit on civil administration. Measures
19 adopted by the present Cabinet are not generally based
20 on the nation, but are influenced by the dogmatic
21 prejudices of the bureaucrats and the military.

22 "The bureaucrats are wedded to self-complacency.
23 The Military are overflowing with superiority complex.
24 And they want to interfere in every sphere of State
25 function. If this evil grows the will of the people

1 will be prevented from free realization, constitutional
2 government become nominal, and oligarchic tyranny
3 introduced. This, we fear, is contrary to the funda-
4 mental principles of our State, which are based, on
5 the whole upon the national allegiance to the single
6 Sovereign, and betrays the principle that the civil
7 and military services should keep to their respective
8 duties. We herewith intend to live up to the spirit
9 of the Constitution, strengthen parliamentary poli-
10 tics with solemn determination, to devise a new
11 departure for our Party to forge ahead to regeneration
12 and to make strenuous efforts day and night, thereby
13 to requite Imperial favour and to serve the State."

1 Prosecution offers in evidence document
2 No. 1144B, an excerpt from exhibit 2208.

3 THE PRESIDENT: Admitted on the usual terms.

4 CLERK OF THE COURT: Prosecution's document
5 No. 1144B will receive exhibit No. 2208B.

6 (Whereupon, the document above re-
7 ferred to was marked prosecution's exhibit
8 No. 2208B and received in evidence.)

9 MR. WOOLWORTH: (Reading)

10 "Details Regarding Movements of Rightist
11 Bodies in Connection with Change of Government /T.N.
12 Cabinet Changes/.

13 "Peace Section, Police Bureau, Home Ministry.

14 "Views expressed by Army authorities.

15 "(Night of 21st January 1937)

16 "Under the prevailing atmosphere it is
17 absolutely impossible to discuss any all-out administra-
18 tive reform with the present day political parties.
19 The political parties make it their sole business to
20 attack the military authorities all the time without
21 reflecting on their own conduct. The political parties
22 are advocating an all-out administrative reform, but
23 they do not possess any concrete plans. The only
24 plans they have are of a negative nature and are
25 inclined to the maintenance of the status quo. An

1 all-out administrative reform to create a Conservative
2 (Retrogressive) Japan runs completely counter to the
3 loud cry for an all-out administrative reform that
4 arose immediately after the February 26th Incident.
5 Such a reform is like crying wine and selling vinegar,
6 and our 100,000,000 compatriots cannot possibly be
7 satisfied with same. Has not a positive wholesale
8 administrative reform aimed at the existence and
9 expansion of our people, with the Empire /T.N. Japan/
10 as the stabilizing power of East Asia, always been the
11 very cry of our 100,000,000 compatriots? Would not
12 the abandonment of a positive policy imply being
13 cramped up within Insular Japan? Could we thereby
14 ever fulfill the heaven-ordained mission of the Yamato
15 Race? We agree indeed to a positive all-out admin-
16 istrative reform as the general will of the people,
17 but we cannot agree to a negative all-out administra-
18 tive reform. Ought we not to get rid of the present
19 state of Parliament that has hitherto given itself up
20 to party interest and party politics and ignored
21 national interests and the welfare of the people, and
22 return to true parliamentary politics conforming to the
23 Constitution, and, hand in hand, clarify the national
24 polity, develop industry, complete national defence,
25 stabilize the living of the people, and steadily dis-
pose of important questions? What was expected to

1 come has /T.N. finally/ come; that is, the collision
2 between the /T.N. advocates of the/ status quo and
3 /T.N. the advocates of/ the destruction of the status
4 quo. Japan stands now at the turning-point where she
5 should realize a positive all-out administrative
6 policy in order to overcome the present difficulties
7 and tide over the existing international crisis."

8 Prosecution offers in evidence document
9 No. 1144C, being excerpts from exhibit 2208.

10 THE PRESIDENT: Admitted on the usual terms.

11 CLERK OF THE COURT: Prosecution's document
12 1144C will receive exhibit No. 2208C.

13 (Whereupon, the document above referred
14 to was marked prosecution's exhibit No. 2208C
15 and received in evidence.)

16 MR. WOOLWORTH: (Reading)

17 "Publication of War Minister TERAUCHI's
18 Talk. (8:25 p.m. 23rd)

19 "Because there are matters in the present
20 political situation which differ from my beliefs, I
21 took steps for presenting my resignation yesterday,
22 the 22nd. There are said to be some people who say
23 that Mr. HAMADA's speech is the cause of matters
24 having come to this stage, but that is not the reason
25 at all. It is because I ascertained the fact that the

1 views on the /T.N. present/ situation by the party which
2 has some members sitting as cabinet members for the
3 purpose of cooperating with the execution of the policy
4 of the present cabinet, differ fundamentally with ours.
5 This is clear in view of the declaration made at their
6 party meeting prior to the opening of the Diet session,
7 the speech of the party leader, the speech of the party
8 representative on the first day when the Diet recon-
9 vened after the recess, the atmosphere in the House,
10 etc. I think it is utterly impossible to tide over
11 the present situation by temporizing under compromise
12 between those who fundamentally vary in their cognition
13 of the present situation. In short, under such cir-
14 cumstances, I believe it to be absolutely impossible
15 to enforce military discipline, the completion of
16 national defence, an all-out administrative reform,
17 etc., to which I have exerted my utmost efforts since
18 I took office. This is why I have humbly tendered
19 my resignation /T.N. to His Majesty./"

20 Prosecution offers in evidence document No.
21 1144D being extracts from exhibit 2208, "Talk by
22 General UMEZU, Vice War Minister."

23 THE PRESIDENT: Admitted on the usual terms.

24 CLERK OF THE COURT: Prosecution's document
25 1144 D will receive exhibit No. 2208D.

(Whereupon, the document above

1 referred to was marked prosecution's ex-
2 hibit No. 2208D and received in evidence.)

3 MR. WOOLWORTH: (Reading)

4 "(P.M. 27th January 1937)

5 "Whether General UGAKI would accept the
6 Imperial mandate or not depends upon the attitude of
7 General UGAKI's Office for the Cabinet Formation, and
8 as for the Army it will not call any particular meet-
9 ing nor take any measures to check the formation of a
10 cabinet by General UGAKI. As you know the Army is
11 just watching calmly the development of the situation.
12 Rumour is circulating among the public that General
13 UGAKI is persistently trying to continue the work of
14 cabinet formation even by resorting to drastic measures,
15 and because of this the nation is feeling great unrest.

16 "This, however, is an intentional rumour made
17 by those who still do not understand the real intentions
18 of the Army or by those who for certain purposes dare
19 to avoid understanding. The Army firmly believe that
20 such malicious rumour has not been uttered from the
21 mouth of General UGAKI himself and it is clear that a
22 cabinet which has been formed unreasonably is not the
23 best one.

24 "Viewing the objective situation, the formation
25 of a cabinet by General UGAKI is now most difficult
and it can't be imagined that General UGAKI who is

1 supposed to be a great statesman would resort to a
2 temporizing measure even at the expense of sacrific-
3 ing his dignity. I, therefore, firmly believe that
4 he would respectfully decline, and that his attitude
5 would be such as that he as a General, a great superior
6 Army officer, would decline peacefully not leaving the
7 Army in the lurch but obtaining true understanding of
8 the Army's standpoint and sympathizing with their real
9 intentions.

10 "I think that among the public not a few
11 people are doubtful of the Army's real intention since
12 the Army has not published the reasons till today as
13 to why it is so strongly opposed towards General UGAKI,
14 and to my great regret I still cannot disclose openly
15 the true state of affairs.

16 "And yet if you look back upon the Army's
17 determination for the maintenance of discipline through
18 purge which was carried out resolutely at the expense
19 of many victims as well as upon the results gained
20 thereby, the reasons for the general will of the Army
21 having stood against General UGAKI would naturally be
22 understood. Although I cannot disclose the true state
23 of affairs right now, a word may be given to the effect
24 that the objection is a result of full consideration
25 by the whole Army united for the sake of completion of

1 the maintenance of discipline and the control of the
2 circles /T.N. cliques/. Therefore it was against
3 General UGAKI himself that the Army raised an objec-
4 tion and the policy to be announced by General UGAKI
5 was not in question. I firmly believe, without
6 mentioning those who are indifferent to the maintenance
7 of discipline and control of the circles /T.N. cliques/
8 that anyone who has an ardent wish for these would
9 surely be good enough to understand and approve the
10 Army's present attitude."

11 Prosecution desires to introduce in evidence
12 document No. 1144E which is a notice to the ex-soldiers
13 organizations from Vice War Minister UMEZU, out of
14 exhibit 2208.

15 THE PRESIDENT: Admitted on the usual terms.

16 CLERK OF THE COURT: Prosecution's document
17 No. 1144E will receive exhibit No. 2208E.

18 (Whereupon, the document above
19 referred to was marked prosecution's ex-
20 hibit No. 2208E and received in evidence.)

21 MR. WOOLWORTH: (Reading)

22 "Notice to the Ex-Soldiers Organizations from
23 Vice War Minister (Umezu).

24 "Matter pertaining to the measures taken by
25 the Army authorities in connection with the present
political changes.

1 "1) Summary of Development.

2 "On receipt of the report that the Imperial
3 mandate had been given to General UGAKI on the evening
4 of 24th January (Sunday), the Army established the view
5 that now they are making progress toward the maintenance
6 of military discipline that from an impartial and really
7 fair standpoint whoever might be nominated as War Min-
8 ister on behalf of the Cabinet headed by General UGAKI,
9 he would not be capable of bearing the heavy responsibil-
10 ity of controlling the Army because the formation of
11 the cabinet by General UGAKI who had been alleged to
12 have some connection with a certain incident while he
13 was occupying the post of War Minister and widely
14 believed to be a responsible person for the clan
15 struggle among the Army, would make it more difficult
16 to maintain military discipline and moreover there is
17 much fear that the control of the Army would greatly
18 be embarrassed.

19 "In view of the above, the War Minister when
20 he received a visit from General UGAKI at 4 p.m. on
21 25th (Monday) for recommendation of a succeeding War
22 Minister, replied to the effect that although the Army
23 would not dare to check the formation of a cabinet by
24 General UGAKI, the Army would ask him to fully consider
25 his behaviour from the standpoint of the Army

1 maintenance and control.

2 "At 11 a.m. on 26th (Tuesday), the Inspector-
3 General of Military Education SUGIYAMA called on
4 General UGAKI and asked further consideration giving
5 full explanation of the situation within the Army. In
6 the afternoon of the same day, the three Chiefs'
7 meeting was held to decide a choice of candidates for
8 succeeding War Minister in accordance with General
9 UGAKI's request for recommendation, but none of the
10 candidates accepted the post in view of the fact that
11 they would not be able to fulfill the duty of War Minister
12 in the present situation, and they came to the conclu-
13 sion that others besides the candidates would also feel
14 the same. Therefore, the War Minister called on
15 General UGAKI at 5:30 p.m. on the same day to reply
16 accordingly.

17 "At about 11 a.m. on 28th (Thursday), the
18 War Minister received a call from Seitoku IMAIDA but
19 replied according to the above-mentioned point. Thus
20 since nobody was willing to accept the post of War
21 Minister for the UGAKI cabinet, General UGAKI finally
22 respectfully declined the Imperial mandate.

23 "2) Regarding the Army's attitude for the
24 present political situation.

25 "As explained in the above-mentioned development,

1 the Army's behaviour in the present political situation
2 is based on its inmost hope to complete the control
3 and maintenance of the Army in order to dispaly the
4 true feature of the Imperial Army, and the measures
5 were moderate and legal; there existed absolutely no
6 such fact as would impinge upon the Imperial prerogative
7 and the replies to General UGAKI were given with every
8 mark of respect and left no room for criticism."

9 THE PRESIDENT: We will adjourn until half
10 past one.

11 (Whereupon, at 1200, a recess was
12 taken.)

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AFTERNOON SESSION

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3 The Tribunal met, pursuant to recess at 1330.

4 MARSHAL OF THE COURT: The International
5 Military Tribunal for the Far East is now resumed.

6 THE PRESIDENT: Mr. Tavenner.

7 MR. TAVENNER: Mr. President and Members of
8 the Tribunal, IPS document No. 646 shows the transfer
9 of large secret funds from the Manchurian Incident
10 Expenditure Account to the accused TOJO and UMEZU.
11 I offer it in evidence.

12 THE PRESIDENT: Admitted on the usual terms.

13 CLERK OF THE COURT: Prosecution document
14 No. 646 will receive exhibit No. 2209.

15 (Whereupon, the document above re-
16 ferred to was marked prosecution's exhibit
17 No. 2209 and received in evidence.)

18 THE PRESIDENT: Captain Brooks.

19 MR. BROOKS: If the Court please, I wish to
20 object to the introduction of this document for its
21 lack of probative value standing alone, and to ask
22 also that the title designating certain funds be
23 checked for correct translation, as there are several
24 related documents dealing with funds in which the
25 word "kimitsuhi" appears, and has been translated in

1 several instances as "secret service funds." This,
2 we contend, is an error, and the defense states that
3 the meaning of this word implies a fund without
4 accountability for official use for entertainment or
5 special expenses similar to our "general staff officers
6 funds," and that the mere transfer of funds to an offi-
7 cial of these capacities designated does not have any
8 probative value as to the use thereof. I would like
9 to also add, if the Tribunal please, that the defendant
10 KOISO is not named in this document or the position he
11 held either.

12 THE PRESIDENT: This document, like other
13 documents, has been admitted for whatever probative
14 value it has. There is no reason for rejecting it
15 instanter. What effect we will give to it we will
16 determine later when we consider it.

17 The language question will be referred to
18 the board of reference.

19 We note what Captain Brooks says about KOISO.

20 MR. TAVENNER: Page 2 of exhibit No. 2209
21 appears to be in the nature of an authorization or
22 receipt, which is endorsed by a number of officials.
23 I will read only the caption and the names of those
24 of the accused whose names are signed to this docu-
25 ment.

1 "Transfer of secret funds from the Manchurian
2 Incident Expenditure Account, 13 April 13th year of
3 Showa, 13 April 1938. Vice-Minister UMEZU," followed
4 by his seal.

5 I will now read page 3 of the document:

6 "Draft of Notification to the Chief of the
7 Extraordinary Army Intendance Section in Tokyo,
8 'Riku Man Mitsu' /Military Manchuria Secret/.

9 "Secret funds from the Manchurian Incident
10 Expenditure Account shall be transferred upon dis-
11 bursement as follows:

12 "Items:

13 "To TOJO, Hideki, the Chief of Staff of the
14 Kwantung Army: 700,000 yen."

15 I will omit reading the next item.

16 "To UMEZU, Yoshijiro, Vice-Minister of War:
17 77,800 yen.

18 "Riku Man Mitsu No. 134 / Army Manchuria
19 Secret/ 6 April Showa 13 /1938/"

20 THE PRESIDENT: What is the significance
21 of **this**? We know that the Japanese had an army
22 in Manchuria and that it involved expenditure from
23 Japanese funds; and we know who were the army heads in
24 Manchuria, and it would follow that any expenditure
25 would be disbursed through them, wouldn't it? Has

1 it any greater significance, Mr. Tavenner?

2 MR. TAVENNER: We anticipate that it may,
3 your Honor. If we were certain that it had no greater
4 significance than your Honor has indicated we would not
5 have had the document processed. These do not appear
6 to be ordinary military expenditures. However, the
7 extent to which the evidence may go in showing what
8 they are is a matter on which we will have to await
9 further developments, and I cannot at this time make
10 any statement with respect to that.

11 MR. BROOKS: If the Court please, the document
12 on its face shows that it is a large numbered page
13 of several documents, and they are, as can be readily
14 ascertained if the prosecution wishes, complete records
15 of all the financial transactions of the army, includ-
16 ing this.

17 MR. TAVENNER: IPS document No. 2900 is a
18 similar record relating to the payment of money to the
19 accused KOISO. I offer it in evidence.

20 MR. BROOKS: If the Tribunal please, I would
21 like to make the same objection to this document and
22 ask that the word here appearing be also checked with
23 the translation section; and I would call the prosecu-
24 tion's attention that there are other documents that
25 he can **very well** ascertain that the 20,000 yen of

1 KOISO as Vice-Minister of War on page 2 is set down
2 for entertainment funds for the parties of that
3 Ministry.
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1 MR. LOGAN: If the Tribunal please, on the
2 basis of Mr. Tavenner's answer to your Honor's ques-
3 tion with respect to the last document, it is quite
4 apparent that neither this nor the previous document
5 has any probative value, it is purely speculative,
6 and the previous document should be stricken and
7 this document now offered should not be permitted
8 to be introduced in evidence.

9 THE PRESIDENT: I made an inquiry and
10 received a reply which did not warrant the rejection
11 of the document. The objection taken by Captain
12 Brooks and by Mr. Logan is overruled. The document
13 is admitted on the usual terms.

14 CLERK OF THE COURT: Prosecution's document
15 No. 2900 will receive exhibit No. 2210.

16 (Whereupon, the document above
17 referred to was marked prosecution's exhibit
18 No. 2210 and received in evidence.)

19 MR. TAVENNER: I will read from page 2 of
20 exhibit No. 2210.

21 "20,000 yen to KOISO, Kuniaki, Vice-Minister
22 of War."

23
24 IPS document 2907 is a similar record relating
25 to an additional payment to KOISO. I offer it in
evidence.

1 MR. BROOKS: Same objection, your Honor.

2 THE PRESIDENT: Objection overruled.

3 Admitted on the usual terms.

4 CLERK OF THE COURT: Prosecution's document
5 No. 2907 will receive exhibit No. 2211.

6 (Whereupon, the document above
7 referred to was marked prosecution's exhibit
8 No. 2211 and received in evidence.)

9 MR. TAVENNER: I will read from page 2 of
10 exhibit 2211.

11 "18,500 yen to Kuniaki KOISO, the Vice-
12 Minister of War."

13 IPS document No. 2896 is a similar record
14 relating to the payment of money to the accused UMEZU.
15 I offer it in evidence.

16 THE PRESIDENT: Admitted on the usual terms.

17 MR. BROOKS: If the Court please, I would
18 like to enter the same objection, and also point out
19 in connection with this that KOISO, at the date of
20 this instrument, was in Korea during this period
21 for a little over a year as Commander-in-Chief of
22 the Korean Army.

23 THE PRESIDENT: Objection overruled.

24 CLERK OF THE COURT: Prosecution's document
25 No. 2896 will receive exhibit No. 2212.

1 (Whereupon, the document above
2 referred to was marked prosecution's exhibit
3 No. 2212 and received in evidence.)

4 MR. TAVENNER: I will read from page 2 of
5 exhibit 2212.

6 "Disburse from the Manchurian Incident funds,
7 secret expenditures as follows:

8 "To: Vice-Minister of War Yoshijiro UMEZU,
9 150,830 yen. Riku-man-mitsu No. 85. Army-Manchuria-
10 Secret. March 8, 1938."

11 IPS document No. 2896 is a similar record
12 relating to the payment of money to the accused UMEZU.

13 I beg your pardon, I have introduced that
14 document.

15 IPS document No. 2922 is a similar record
16 relating to the payment of money to KOISO. I offer
17 it in evidence.

18 THE PRESIDENT: Admitted on the usual terms.

19 MR. BROOKS: May the same objection be
20 noted for the record.

21 CLERK OF THE COURT: Prosecution's document
22 No. 2922 will receive exhibit No. 2213.

23 (Whereupon, the document above
24 referred to was marked prosecution's exhibit
25 No. 2213 and received in evidence.)

1 MR. TAVENNER: I read from page 2 of this
2 exhibit.

3 "Disburse from Manchurian Incident Funds,
4 Secret Expenditures as follows:

5 "December 27, 1933.

6 "To: Chief of Staff, Kwantung Army,
7 KOISO, Kuniaki, 1,970,000.00 yen."

8 MR. BROOKS: If the Court please, I would
9 like to call attention to the center of page 2,
10 where this fund was turned over "as required by your
11 Armies up to the end of the current year have been
12 disbursed from the Manchurian Incident Funds." And
13 the records previously referred to show that it was
14 used for the suppression of bandits.

15 MR. TAVENNER: Prosecution document No. 4043-G
16 is a--

17 THE PRESIDENT: Observe the red light,
18 Mr. Tavenner.

19 MR. TAVENNER: Thank you, sir.

20 THE PRESIDENT: Mr. UZAWA.

21 DR. UZAWA: Mr. President, may I have the
22 Court's permission for Mr. MIMACHI, Associate Counsel
23 for the defendant KOISO, to address this Court in the
24 absence of Mr. SAMMONJI, Chief Counsel for the
25 defendant KOISO?

1 THE PRESIDENT: He can only take an objection
2 if one is open.

3 I understand he wishes to take an objection.
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MR. MIMACHI: I object to the introduction of this document on the following grounds. In the first part of this document we find the words, "meeting between KOISO and ITAGAKI," but in the next twelve lines we can find no mention of this supposed meeting between KOISO and ITAGAKI at all.

Next, we find the words printed on top of page 2: "Raw Material - For personal information only - Without editorial guarantee." Besides these, besides showing itself in this manner as being a very irresponsible document we find four lines before the end of the page the following translator's note: "ARITA," and then, "/T.N.: sic; error for KOISO?/." The defendant KOISO says that since he was not Foreign Minister he never made such a statement. Therefore he believes that it was Foreign Minister ARITA but this document does not show whether it was ARITA or KOISO. Therefore I must say that this document has no probative value.

Furthermore, the prosecution in its last phase shows no signs of presenting any documents which will prove this document. In connection with this I would like to object -- I would like to say that we defense counsel have taken great pains in drawing up our motions to dismiss. After being written they must

1 be typewritten, stencils must be cut and they must be
2 mimeographed. After we have drawn up these motions,
3 when documents like this document which have very
4 little probative value are submitted, it causes us
5 great trouble -- great inconvenience. May I have the
6 consideration of the Court on this matter?

7 THE PRESIDENT: Many of the matters mentioned
8 are matters for the defense to give evidence of when
9 their turn comes. The other objections raised go not
10 to admissibility at all but to weight only. What you
11 say will be noted but the document will be admitted
12 on the usual terms and the objection is overruled.

13 MR. BROOKS: Will the Court allow the language
14 section to check the translation of the name "KOISO"
15 or "ARITA" and see which is correct?

16 CLERK OF THE COURT: Prosecution's document
17 No. 4043-G will receive exhibit No. 2214.

18 (Whereupon, the document above
19 referred to was marked prosecution's exhibit
20 No. 2214 and received in evidence.)

21 THE PRESIDENT: Only one counsel will be
22 heard on behalf of each accused.

23 MR. TAVENNER: I will read this document:

24 "Tokyo, 8 May. - Domei Radio presents an
25 ITAGAKI-KOISO interview.

1 "War Minister ITAGAKI declared it to be a
2 welcome fact that Germany and Italy had bound them-
3 selves through their military alliance still more
4 firmly to the maintenance of peace in their joint
5 efforts to build up a New Order in Europe. ITAGAKI
6 ascribed the confusion of the European situation
7 to the lack of equilibrium between old and new rising
8 Powers. Asked whether the possibility existed that
9 Japan might enter the Italo-German Military Alliance,
10 ITAGAKI declared that the spirit which animated the
11 conclusion of the Tri-lateral Anti-Pact was very
12 deeply rooted and in case for that reason Germany and
13 Italy wanted it it was not impossible that Japan might
14 conclude a military alliance with the Axis Powers. * * *

15 "9 May 1939.

16 "Minister of Colonies KOISO stated that
17 apparently negotiations directed toward the conclusion
18 of a military alliance among the three Axis powers
19 were being conducted. As a private observation KOISO
20 stated: 'Whether such negotiations lead to the goal
21 or not depends entirely upon whether Germany and Italy
22 understand Japan's point of view and power in East
23 Asia as well as their own position in Europe.' He
24 stated further that it would be suitable for Japan to
25 cooperate with Germany and Italy in the execution of

1 her policies, while it would not only not be suitable
2 but downright dangerous for Germany and Italy to
3 attempt to carry out their policies vis-a-vis the
4 encirclement measures of their opponents without
5 the closest cooperation with Japan, the strongest
6 power in East Asia. The difficulties are constantly
7 causing the lack of mutual understanding, explained
8 KOISO further. Therefore it lay in Japan's interest,
9 as well as Italy's and Germany's for Germany and Italy
10 to understand not only their own position but also
11 that of Japan and her point of view in the Far East.
12 Nearly all Japanese had more knowledge of Germany and
13 German affairs than the Germans of Japan and Japanese
14 affairs. Japan was convinced, ARITA" -- and there
15 appears a translator's note -- (/T.N.: sic; error for
16 KOISO?/) emphasized, of the 'necessity of further
17 strengthening of the Anti-Pact' in view of Japan's
18 earlier experiences and present position in order to
19 be able to face the international situation from
20 'Japan's own standpoint.' As for the Roosevelt
21 Message, ARITA declared that this was a dual-purpose
22 action, namely, first as a domestic political gesture
23 and second as a measure to inflame world public against
24 Germany and Italy. Finally having been directed to
25 the China conflict, ARTITA emphasized that Japan's

1 historic and racial mission lay in the establishment
2 of a New Order in East Asia in closest cooperation
3 with China and Manchoukuo, although third powers
4 were trying to bring into discredit Japan's military
5 actions in China."

6 THE PRESIDENT: That is a document brought
7 from Germany, we notice.

8 MR. TAVENNER: Yes, sir; a German captured
9 document.

10 THE PRESIDENT: If the defense question any
11 translation, they may refer the matter direct to the
12 board of reference without mentioning it in Court.

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1 MR. TAVENNER: I offer in evidence prosecution
2 document No. 2954, which is an excerpt taken from the
3 minutes of the Second Joint Conference of Sections
4 I, II, III, and IV of the Committee of Accounts of the
5 House of Representatives, 75th Session of the Imperial
6 Diet.

7 THE PRESIDENT: Admitted on the usual terms.

8 CLERK OF THE COURT: Prosecution document
9 No. 2954 will receive exhibit No. 2215.

10 (Whereupon, the document above
11 referred to was marked prosecution's ex-
12 hibit No. 2215 and received in evidence.)

13 MR. TAVENNER: It relates to proceedings
14 on 17 March, 1940. This document reflects the views
15 of the accused, KOISO, with regard to Japanese expansion
16 in the South and shows that he participated in the
17 planning of the Japanese program.

18 I will read this document:

19 "Extracts from minutes (Shorthand) of Second
20 Joint Conference of Sections I, II, III and IV of the
21 Committee of Accounts of the House of Representatives.

22 "As for instance, as regards Davao in the
23 Philippines, the population has not decreased so much"--

24 I would like to begin over. This is a state-
25 ment by Committee-Man FUKUDA, which is finally answered

1 by KOISO; so, I begin with the statement by FUKUDA.

2 "As for instance, as regards Davao in the
3 Philippines, the population has not decreased so much
4 although approximately over thirty-five years have elapsed
5 till the present day. Moreover, business is reported
6 as flourishing, and those engaged this day in the
7 cultivation of hemp are said as not having used fertilizers
8 even once during thirty years' time. For instance, in
9 the Lake Tondano/phonetic/ region in Celebes, in the
10 experience of more than ten years in cultivating rice,
11 they have had three crops annually, without using any
12 fertilizer at all, which, if used even for once, would
13 spoil everything. There are such places as these which
14 are indeed inconceivable from the agricultural view-
15 point of the Japanese. How about then going ahead and
16 seizing those places? Of course, we cannot do so; never-
17 theless, the development of the Southern Regions would
18 not necessarily be an impossibility, if we should be
19 prepared to suffer such hardships as in dealing with
20 Manchuria or Russia, or if we possess an equal amount
21 of determination, effort and financial power as required
22 in overcoming the difficulties of the North China
23 Incident. Such being the case, we believe that Japan will
24 be confronted with considerable difficulties unless the
25 Minister of State/T.N. KOISO/ would carry out a drastic

1 reform in the national policy in such a way as to make
2 some two-fold policy -- one phase being for defense, and
3 the other for advance. Now, as for Taiwan /T.N. Formosa/
4 or the South Sea Islands Government Office /T.N. Nanyo-
5 Cho*/ they were able to become independent either
6 shortly after its occupation or its inauguration of
7 government. As regards Chosen and Manchuria -- though
8 Manchuria is an independent nation, Japan is at present
9 obliged to defray enormous sums of money in accordance
10 with armament and other agreements. This may possibly
11 last for scores of years to come. In the case of Chosen,
12 which was the first to be annexed to Japan, not only
13 has she as yet been unable to become independent, but
14 enormous subsidies have to be granted to her. Such are
15 the conditions even in so nice a place like Chosen. I
16 wish to state that it is all the more unnatural to send
17 farmers -- constituting Japan's higher-class labour --
18 to North Manchuria where even coolies and Koreans are
19 unable to go. The policy that they must be sent over is
20 all very fine, but, as that kind of unnaturalness is
21 very hard to overcome, I wish you to kindly give your
22 consideration to this point, and our national policies
23 in the future should be such that whatever difficulties
24 may crop up, -- we are the people that could endure
25 many years of difficulties and hardships as we have been

1 since we started the so-called Sino-Japanese Incident of
2 today -- if we have the determination to go through
3 hardships, we shall find the true treasure house on the
4 Southern Pacific, where probably 200 times as much coal,
5 gold, silver, iron and petroleum as found in the whole
6 of China. If Japan should have such resources, she
7 would no longer have to suffer from her present plight
8 of being unable to wage a war as she would like just
9 because of the scarcity of resources. Such being the
10 case, we must, for the sake of establishing the national
11 policy of the State, have a fundamental change made at
12 this juncture in the traditional national policy of the
13 past. We are extremely pleased at the fact that Minister
14 of State KOISO has, at Cabinet Conferences and the like,
15 expressed his opinion several times fairly strongly in
16 that line or dwelling upon the policy in that line. So,
17 although things may not go so easily as I say -- although
18 it would be splendid if they did -- and things may be
19 difficult, nevertheless even if we are to sacrifice a
20 great deal of our national power, what is to follow
21 could not be compared with the results of the efforts
22 in Manchuria or China. We have been thinking this way.
23 If peace is restored now, it is needless to say that
24 Japan will suffer from over-population. As you have
25 just mentioned, most of our farmers hold only five tans.

1 (T.N. approximately 1.2 acres). As they own only that
2 much of land, although we talk about family system in
3 agricultural villages, children born in those villages
4 must necessarily go out -- if there are five children,
5 four of them, either male or female, must go out and get
6 a job. The eldest son will be left behind and the rest
7 must be abandoned as unnecessary if we wish to enable
8 the Japanese nation to keep on living -- such is the actual
9 condition in Japan's agricultural district today. This
10 fact alone will make you realize that we shall suffer
11 from over-population when peace is restored. What should
12 we do about it? It is quite clear that we shall feed
13 on each other and fall together if we stick to the five-
14 tan-farming. We must establish a great national policy
15 right now. Here lies the basis for our discussion.
16 However, in regard to sending people over to Manchuria --
17 we have heard about your ideals of sending 200,000 or
18 1,000,000 families over there -- it can not be carried
19 out very easily. Much money is spent with no results.
20 Moreover, people are not interested in going in spite
21 of our encouragement to go. I would like to tell you
22 that unless you take into consideration, when establishing
23 national policy, some place where people would by all
24 means go even if they are told not to go rather than
25 the place where people would go and come back, the

1 great task of reviving Japan, of constructing Japan will
2 never be accomplished. In regard to matters in this
3 direction, the military so far have been concentrating
4 too much upon the North. I wonder if this is not mistaken
5 a little bit. I say, mistaken as Japan's national policy.
6 I do not know what you would say from the viewpoint
7 of national defense, but this is, I think, a little
8 mistaken when we consider the great task of reviving
9 Japan, of constructing Japan. Therefore, we must replace
10 this with what we call / the principle of/ having both
11 South and North as our objectives, and make utmost
12 exertion toward the South. We must establish policies
13 which will enable us to overcome the difficulties
14 involved in the task."

15 "CHAIRMAN AOKI: Mr. FUKUDA, please state the
16 gist of your opinion, as we have no more time.

17 "COMMITTEE-MAN FUKUDA: I hope the State
18 Minister will study further in that direction -- we have
19 become members of the committee for accounts and have
20 studied the enormous budget for the coming year of the
21 Ministry for Overseas Affairs. Even if you will make
22 extreme exertions, it will be impossible to achieve
23 hoped-for effect since it will be very difficult to have
24 any results at all, we had better take the neutral point,
25 and in the execution of this budget also we wish you to

1 direct your efforts to attaining the true object. As
2 the Ministry for Overseas Affairs has profound under-
3 standing as to the South regarding the matters of that
4 kind, and as we require great efforts of both Formosa
5 and the South Sea Government today, and as we expect you
6 to make development in the field of economics and others,
7 we would like to know what your opinions along that line
8 are. We should be much obliged if the Minister for
9 Overseas Affairs would inform us with his opinions
10 regarding those national policies."

11 "MINISTER OF STATE KOISO: I fully endorse Mr.
12 FUKUDA's remarks regarding having both North and South
13 as our objectives. The Ministry of Overseas Affairs is
14 also advocating the idea of having both North and South
15 as our objective. There is, however, a slight difference
16 in views in regard to the path to be followed and its
17 substance. In a nutshell, according to the opinion of
18 the Overseas Affairs Ministry who are to carry out the
19 idea of having both North and South as our objectives,
20 special emphasis is to be laid on the following points:
21 As towards the Continent, movement of population, which
22 must naturally be accompanied by economic development,
23 and as towards the South, economic expansion, which must
24 by all means be accompanied by movement of population,
25 as this is our way of thinking. Therefore, as regards

1 Continental Expansion, we consider movement of population
2 as of primary importance, and economic expansion of
3 secondary importance; whereas for Southern Expansion,
4 we consider economic expansion as of primary importance
5 and movement of population of secondary importance.
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7 This is the idea on which we /T.N. the Overseas Affairs
8 Ministry/ are proceeding along. Please note, nevertheless,
9 that as regards the idea of having both North and South
10 as our objectives, I am in full accord with Mr. FUKUDA's
11 opinion."

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1 Colonel Mornane will now address the Court.

2 I beg your pardon, it will be Mr. Comyns Carr.

3 THE PRESIDENT: Mr. Comyns Carr.

4 MR. COMYNS CARR: May it please the Tribunal,
5 first of all I have to ask the Tribunal to correct a
6 misprint which has been detected in the Indictment in
7 count 25. That count is based upon the same facts
8 and evidence as count 52. In count 52 the list of
9 accused is correctly printed and the last name is
10 "TOJO," but in count 25 the last name has been printed
11 as "TOGO," which is incorrect. We ask you to amend
12 count 25 by substituting the name of "TOJO" for "TOGO."

13 THE PRESIDENT: Mr. Blewett.

14 MR. BLEWETT: If the Court please, it looks
15 like it may be an error, a clerical error; however,
16 the matter has not been brought to our attention until
17 just a few moments previously and we feel almost under
18 an obligation to make an objection to save ourselves
19 on the record.

20 MR. COMYNS CARR: The accused TOJO would not
21 be in any sense taken by surprise or prejudiced because
22 he already knew that he had to meet the same facts
23 under the charges in count 52.

24 MR. BLEWETT: If the Court please, we have
25 noticed this in drawing up our motion for dismissal

1 and have already referred to it therein.

2 THE PRESIDENT: Technically until now TOJO
3 did not know that count 25 was directed at him; that
4 is to say, after over eight months.

5 MR. BLEWETT: I recollect, sir, I took
6 advantage of that in my motion to dismiss and also
7 in all my references to the various counts called
8 attention to 25 and asked that he be -- that the
9 defendant be relieved from any responsibility under
10 52 on that basis.

11 MR. LOGAN: Before the Tribunal rules on this
12 we wish to enter a general objection to the prosecu-
13 tion amending the Indictment after issue has been
14 joined. We know--

15 THE PRESIDENT: Substituting a new accused
16 as regards that count after eight months.

17 MR. LOGAN: Yes, sir.

18 THE PRESIDENT: Right at the end of the
19 prosecution's case; however, it is a matter that
20 we should seriously consider among ourselves before
21 we come to any decision. We will reserve our decision
22 on that point, Mr. Carr.

23 Mr. Tavenner.

24 MR. TAVENNER: If your Honor please, I would
25 like for the record to show that exhibit 2215 was

1 introduced for identification only and that
2 excerpts were taken from that document which were
3 introduced in evidence, and that the record show
4 that the correct number of the document which I
5 read be No. 2215-A.

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1 THE PRESIDENT: What are you asking me to
2 do? I do not appreciate it you want me to do anything
3 in particular?

4 MR. TAVENIER: I merely request that the
5 Clerk so record it by direction of your Honor.

6 THE PRESIDENT: Is it clear to you, Mr Mantz?

7 CLERK OF THE COURT: Yes, your Honor.

8 (Whereupon, document No 2954,
9 previously marked prosecution's exhibit
10 No. 2215 in evidence, was marked prosecution's
11 exhibit No 2215 for identification; and the
12 excerpt therefrom was marked prosecution's
13 exhibit No. 2215-A and received in evidence.)

14 THE PRESIDENT: Have you considered Count
15 35 to which my attention is directed by my colleagues?

16 MR. COMYNS CARR: Yes, your Honor.

17 If amendment is granted, the reference in
18 Count 35 would be to the defendants in Count 25 as
19 amended, which is what it was originally intended to
20 be.

21 THE PRESIDENT: That is if we decide to
22 amend Count 25.

23 MR. COMYNS CARR: Yes.

24 The prosecution now offers in evidence
25 documents all but one of which are excerpts from

1 interrogations of the defendant ARAKI. All these
2 excerpts are from exhibits already admitted for
3 identification on the 10 July 1946, pages 2215 and
4 2216 of the record.

5 The prosecution first offers in evidence
6 IPS document No. 2342-B, being excerpts from IPS
7 document No. 2342, which is exhibit No. 187-L.
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1 THE PRESIDENT: Admitted on the usual terms.

2 CLERK OF THE COURT: Prosecution's document
3 No. 2342-B will receive exhibit No. 2216.

4 (Thereupon, the document above re-
5 ferred to was marked prosecution's exhibit
6 No. 2216 and received in evidence.)

7 MR. COMYNS CARR (Reading): "Q. What I
8 mean is that the KONOYE Cabinet, or if the Premier
9 KONOYE was not in favor of aggression in China, how
10 did it happen that the Japanese forces were making
11 progress in advancing?

12 "A. During wartime what the Cabinet wishes and
13 what the Army does are two different things. I be-
14 lieve that the Army and Navy were in favor of aggres-
15 sion in China. KONOYE was not in favor of the aggres-
16 sion. However, since KONOYE was outnumbered two to one
17 I possibly think that the forces took the best of the
18 deal and made the aggression.

19 "Q. What do you mean -- outnumbered two to one?

20 "A. The Army and Navy within the Cabinet.

21 "Q. Because General SUGIYAMA and HITSUMASA
22 Yonai were in favor of advancing and they were Army
23 and Navy members that their word went with the Emperor
24 and not KONOYE's.

25 "A. Since forces cannot be sent overseas without

1 the consent of the War, Navy, Finance, Foreign Ministers
2 and the Premier, I believe that it was approved by
3 these Ministries that the China affair be carried
4 through."

5 The prosecution now offers in evidence IPS
6 document No. 2344-B, being excerpts from IPS document
7 No. 2344 which is exhibit No. 187-N.

8 THE PRESIDENT: Admitted on the usual terms.

9 CLERK OF THE COURT: Prosecution's document
10 No. 2344-B will receive exhibit No. 2217.

11 (Whereupon, the document above re-
12 ferred to was marked prosecution's exhibit
13 No. 2217 and received in evidence.)

14 MR. COLYNS CARR: "Q. I understand, also,
15 that after that resignation the General became a
16 member of what in English is called the Cabinet Ad-
17 visory Council which was established by an ordinance,
18 an Imperial Ordinance of October 14, 1937?

19 "A. I became a member of this Cabinet Advisory
20 Council at request of Prince KONOYE who came to me for
21 advice in connection with the China Incident.

22 "Q. And that council was set up to advise
23 concerning the situation in China?

24 "A. Yes.

25 "Q. How often did it meet?

1 "A. Once a week.

2 "O. That was in 1937 that you were appointed,
3 I believe?

4 "A. Yes.

5 "O. And did you remain a member of that
6 until you were made Minister of Education by Prince
7 KONOYE?

8 "A. Yes, I was a member until I was appointed.

9 "O. Do you remember what date it was you
10 became a member of the Advisory Council?

11 "A. Almost immediately after the formation
12 of the Cabinet Council.

13 "O. And then after you were Minister of
14 Education you were again appointed to the same council
15 in 1940?

16 "A. I left the Education Ministry in 1939.

17 "O. And when were you made a member of the
18 Advisory Council again?

19 "A. I think in September, 1939, I am not sure.

20 "O. Did you attend most of these meetings
21 when you were a member of this Council?

22 "A. It was compulsory to attend and I
23 attended all the meetings once a week."
24
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1 The prosecution now offers in evidence IPS
2 document No. 2254-B, being excerpts from IPS document
3 No. 2254, which is exhibit No. 187-G.

4 THE PRESIDENT: Admitted on the usual terms.

5 CLEERK OF THE COURT: Prosecution's document
6 No. 2254-B will receive exhibit No. 2218.

7 (Whereupon, the document above re-
8 ferred to was marked prosecution's exhibit
9 No. 2218 and received in evidence.)

10 MR. McMANUS: If your Honor pleases, I call
11 your Honor's attention that these are excerpts, how-
12 ever I shall not press my objection at this time, as
13 your Honor has already ruled on the admissibility of
14 these excerpts. I do request the Court, however, that
15 in considering the motions to dismiss and also in
16 considering this testimony that they read at least the
17 interrogation of that particular day, which is the
18 exhibit 187 and lettered "N" and so on, rather than
19 just a page of excerpts.

20 THE PRESIDENT: We won't give the prosecution
21 any direction. You will have ample scope for amendment
22 or on the motions to read additional material.

23 MR. COMYNS CARL: Reading exhibit 2218:

24 "Q When I was here on the 7th of this month,
25 I asked you this question: (Reading) 'Then I

1 understand that when you were Minister of War you
2 attended these meetings but when you were Minister of
3 Education later, you did not attend the meetings con-
4 cerning foreign affairs,' and you answered as follows:
5 (Reading) 'During my tenure of office as War Minister
6 there were very few of these meetings to the best of
7 my recollection, but during the time I held office
8 as Minister of Education these matters were usually
9 discussed at the usual cabinet meetings held once a
10 week.' Do you remember those answers?

11 "A Yes. When I was Minister of Education, I
12 did not attend these meetings. If a question regard-
13 ing foreign policy came up, this would be discussed
14 at the usual cabinet meetings.

15 "Q And you were appointed Minister of Education
16 in May, 1938, and held that position until August 29,
17 1929, and I understand then that important matters
18 concerning foreign affairs were discussed at full
19 cabinet meetings during that period?

20 "A At one time the Premier requested SUETSUGU,
21 Nobumasa who was Home Minister, and myself to confer
22 with him on the China question. It was decided to
23 hold these meetings regularly but as my views and
24 SUETSUGU's views differed so widely and we could not
25 agree, it was decided after the second meeting to hold

1 no more. I do not know whether SUETSUGU was re-
2 quested to attend this meeting as Home Minister or as
3 an Admiral.

4 "Q That is SUETSUGU who is dead now, who was
5 Minister for Home Affairs?

6 "A Yes.

7 "Q I assume that the Prime Minister was the one
8 who decided what foreign affairs were important enough
9 to discuss in the full cabinet meetings, is that
10 correct?

11 "A Yes, that is correct.

12 "Q Did the Foreign Minister ever bring up a
13 question as to foreign affairs for the full cabinet
14 meeting to discuss?

15 "A Yes the foreign minister would also have to
16 bring up the question at full meetings.

17 "Q And did the War Minister bring up such ques-
18 tions before the full cabinet meetings?

19 "A As this was during the China incident, and
20 the War and Navy Ministers were deeply concerned, they
21 would also bring up such questions before the full
22 cabinet. However, matters of great importance to the
23 foreign office, the War and Navy and Finance Ministries,
24 were usually not put before the full cabinet meetings
25 as interference by other ministers was not relished

1 and matters were usually discussed by the respective
2 ministers direct with the Prime Minister.

3 "Q That seems to contradict what you said up
4 to now. Do I understand then that the full cabinet
5 has nothing to do with decisions made?

6 "A Yes, the full cabinet was concerned with
7 decisions made, but if the four principal ministers
8 mentioned previously, and the Prime Minister decided
9 on a line of policy, this would be pushed through the
10 cabinet in spite of opposition.

11 "Q If there was opposition in the cabinet to a
12 decision made by these four would a vote be taken on
13 the question submitted?

14 "A No, a vote would not be necessary. The Prime
15 Minister would request opinions from the other members,
16 but when he had decided, the measure was put through.
17 If that became impossible, the cabinet would fall, or
18 the member opposing any measure up for discussion
19 would resign."

20 The prosecution offers in evidence IPS
21 document No. 2347-B, which is excerpts from IPS
22 document No. 2347, which is exhibit No. 187-Q.

23 THE PRESIDENT: Admitted on the usual terms.

24 We will recess for fifteen minutes.

25 (Whereupon, at 1445, a recess was

1 taken until 1500, after which the proceedings
2 were resumed as follows:
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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Mr. Comyns Carr.

4 MR. COMYNS CARR: The prosecution offers in
5 evidence, in this order, IPS document No. 2253C and
6 2253B, being excerpts from IPS document No. 2253
7 which is exhibit No. 187F.

8 THE PRESIDENT: Admitted on the usual terms.

9 Are you going to read exhibit --

10 MR. COMYNS CARR: I beg your Honor's pardon.
11 I had not read that.

12 CLERK OF THE COURT: The last document which
13 you introduced, prosecution document 2347B, was given
14 exhibit No. 2219.

15 (Whereupon, the document above re-
16 ferred to was marked prosecution's exhibit
17 No. 2219 and received in evidence.)

18 MR. COMYNS CARR: That is right.

19 (Reading)

20 "Q Did the Cabinet, along about this time, in
21 the fall of 1938, when in session, discuss the trouble
22 with the United States over United States rights in
23 China, if you remember?

24 "A I do not remember any discussions of these
25 things took place. It must have been the Foreign
Minister and the War and Navy Ministers.

1 "Q Well, this is the rejection of the United
2 States' protest. Now, if war had ensued on this ac-
3 count, do you think that the blame would have been
4 entirely on the Foreign Minister and could the
5 Cabinet have said it was not its fault that war took
6 place?

7 "A No, the Cabinet could be held responsible
8 for the outbreak of the war. If there was actual
9 danger of war breaking out, the matter would be dis-
10 cussed thoroughly in the Cabinet.

11 "Q I understand then, General, that you were
12 on the Cabinet here, and a statement was made for
13 which, under the Constitution, the Cabinet ought to
14 be responsible, to a friendly power, and you didn't
15 approve the statement, had nothing to do with its
16 issuance, and yet under the Constitution were re-
17 sponsible for that statement and whatever happened
18 by reason of its issuance. Is that correct?

19 "A As a member of the Cabinet, and according
20 to the Constitution, I could be held responsible. If
21 there had actually been danger of war breaking out as
22 as a result of this defiance, the matter would cer-
23 tainly have come up for discussion and judgment in
24 the Cabinet. Around 1938, I had several talks with
25 three British Ambassadors, namely, Lyndley, Clive,

1 and Craigie. Also with Major Pigott, Military
2 Attache to the British Embassy. In my conversations,
3 I always advocated that Japan, the United States and
4 England should work together and establish the foun-
5 dations for a peaceful world. With such views, I am
6 certain that if a matter such as the defiance of the
7 United States had come up, I would have had plenty
8 to say. Perhaps it was not considered a very import-
9 ant matter at the time.

10 "Q Let me ask you, General, if in 1938 or
11 1939, while you were in the Cabinet, there ever was
12 a discussion of the friction between the United
13 States and Japan on account of America's claims that
14 her treaty rights were being violated in China by
15 Japan.

16 "A No, I do not remember this ever having been
17 discussed, however, my own view is that violations of
18 treaty rights were some times unavoidable, and if the
19 matter were referred to me, I would have advocated
20 settling these violations to the satisfaction of all
21 by diplomatic means after the settlement of the
22 Incident in China."

23
24 The prosecution now offers in evidence, in
25 this order, IPS document No. 2253C and 2253B, being
excerpts from IPS document No. 2253 which is exhibit

1 No. 187F.

2 THE PRESIDENT: Admitted on the usual terms.

3 CLERK OF THE COURT: Prosecution's document
4 No. 2253C will receive exhibit No. 2220, and document
5 No. 2253B will receive exhibit No. 2221.

6 (Whereupon, prosecution's document
7 No. 2253C was marked prosecution's exhibit
8 No. 2220, and prosecution's document No.
9 2253B was marked prosecution's exhibit No.
10 2221, and both were received in evidence.)

11 MR. COMYNS CARR: Exhibit 2220:

12 "After I became War Minister, I discussed
13 the policy of the occupation of General Chang's four
14 provinces to clear up the Manchurian situation.
15 After I had made the plan up myself with the Prime
16 Minister, the Foreign Minister, and the Finance
17 Minister, all agreed with me. The Prime Minister
18 approached the Privy Council for approval."

19 Exhibit 2221:

20 "The Japanese naval commander ordered the
21 landing of troops in Shanghai on January 28, 1932. I
22 do not remember discussions in the Cabinet. The
23 Cabinet could not recall the troops because the battle
24 was going on. I do not think the attack was to cripple
25 the Chinese boycott. I do not remember that it was

1 discussed in the Cabinet. They did discuss the means
2 of ending the incident. The naval commander in
3 Shanghai reported the landing to the Navy Minister
4 who reported it to the Cabinet, and that was the
5 first time I heard of it. Since the Navy Minister
6 said it could be settled quickly, no one was worried.
7 On February the 2nd or 3rd, the Navy Minister came
8 to me and stated that due to the hard fight, the
9 naval forces might be destroyed and could the army
10 send some forces. I conferred with the Cabinet and
11 it was agreed that the army would send supporting
12 forces quickly. Troops were sent the following day
13 on destroyers to Shanghai.

14 "At the Cabinet meeting, the Foreign,
15 Finance, Prime, War and Navy Ministers at least were
16 there. I think it was agreed to send one and one-
17 half divisions. These were sent. Approximately
18 ten thousand men. It was after the Cabinet approval
19 that I ordered that troops be sent and also that the
20 incident be localized. The troops were sent as sup-
21 port for the Navy, the Navy waging a losing war a-
22 gainst the Chinese Nineteenth Route Army.

23 "The first division I sent was under General
24 UEDA, but since he suffered great losses and was having
25 difficulties, I sent another supporting division and

1 when the Nineteenth Army heard of this, they started
2 to withdraw and at that time General SHIRAKAWA either
3 talked to the Nanking Government or with the Nanking
4 Army and urged that fighting cease. Just before the
5 supporting division landed, the battle was concluded.
6 After this conclusion, a representative of the League
7 of Nations, a representative from Japan and from
8 China, came to an agreement that Japan should have
9 one Japanese brigade remain in that area, but I
10 thought all troops should be withdrawn from China."

11 The prosecution offers in evidence IPS
12 document No. 2248B, being excerpts from IPS document
13 No. 2248 which is exhibit No. 187A.

14 THE PRESIDENT: Admitted on the usual terms.

15 CLERK OF THE COURT: Prosecution's document
16 No. 2248B will receive exhibit No. 2222.

17 (Whereupon, the document above re-
18 ferred to was marked prosecution's exhibit
19 No. 2222 and received in evidence.)

20 MR. COMYNS CARR: (Reading)

21 "Q Who was present at the special Cabinet meet-
22 ing of March 17, 1933 at which it was finally agreed
23 in the Cabinet that Japan should withdraw from the
24 League?

25 "A The Prime Minister (SAITO); War Minister

1 (ARAKI); Navy Minister (OSUMI); Finance Minister
2 (TAKAHASHI); Foreign Minister (UCHIDA); Home
3 Minister (YAMAMOTO); and Education Minister (KOYAMA).

4 "Q All Ministers were present?

5 "A Yes.

6 "Q And all agreed that Japan should withdraw
7 from the League of Nations?

8 "A Yes.

9 "Q The Foreign Minister went to the Emperor to
10 call the Privy Council for advice as to Japan's with-
11 drawal, is that correct?

12 "A Yes.

13 "Q A special committee appeared from the
14 Cabinet before the Privy Council?

15 "A Yes.

16 "Q Who were they?

17 "A SAITO (Prime Minister); OSUMI (Navy Minister);
18 ARAKI (War Minister); UCHIDA (Foreign Minister). I
19 think there was a full Cabinet Conference later."

20 That concludes the excerpts from interroga-
21 tions.

22 The prosecution now offers in evidence IPS
23 document No. 2155 for identification. The prosecution
24 offers in evidence IPS document No. 2155B which consists
25 of two speeches by the accused ARAKI taken from the

1 exhibit.

2 THE PRESIDENT: Admitted on the usual terms.

3 CLERK OF THE COURT: Prosecution's document
4 No. 2155 will receive exhibit No. 2223 for identifi-
5 cation only; and the excerpt therefrom, document No.
6 2155B, will receive exhibit No. 2223A.

7 (Whereupon, prosecution's docu-
8 ment No. 2155 was marked prosecution's ex-
9 hibit No. 2223 for identification; and
10 prosecution's document No. 2155B was marked
11 prosecution's exhibit No. 2223A and re-
12 ceived in evidence.)

13 MR. COMYNS CARR: I now propose to read
14 excerpts from the first speech:

15 "On the Occasion of the 15th Anniversary
16 of the Issuance of the Imperial Rescript on the
17 Awakening of the National Spirit

18 "Minister of Education,
19 Baron ARAKI, Sadao.

20 "On 10 November 1923, the Emperor TAISHO,
21 being greatly concerned about the contemporary condi-
22 tion of our Empire, reverently issued an Imperial
23 Rescript on the Awakening of the National Spirit.

24 "For the past fifteen years since then our
25 people have observed its spirit day and night and

1 have endeavored earnestly for its realization. The
2 10th of October marks its fifteenth anniversary.

3 "This is just the time when CANTON and
4 three principal cities near HANKOW have been cap-
5 tured in succession by our Imperial Army marking one
6 phase of this incident. We have finally come to a
7 period for actual activities in the long-term con-
8 struction. In view of the graveness of the present
9 situation of our Empire, I believe our people should
10 proceed with the subjugation of difficulties with a
11 determination much firmer than that made after the
12 KWANTO earthquake disaster.

13 "And now, as we await the anniversary of the
14 issuance of the Rescript, I believe we must proceed
15 on the path of supporting the Emperor's undertaking of
16 expanding the Imperial Way by renewing the spirit with
17 which we had received the Imperial Rescript."

18 And another excerpt on page 2 at the
19 bottom:

20 "As I have often repeated on several occas-
21 sions, the fundamental question of the present situa-
22 tion does not lie in the China Incident but the pre-
23 sent situation must be regarded as a sign of the laws
24 of a new world peace. Therefore, it is a great mistake
25 to think that the occupation of some important strate-

1 gic points in China will mean the settlement of the
2 present situation. On the contrary, at present, we
3 have only seen the first ray of the dawn of a new
4 world that has been gradually approaching since the
5 close of the World War. It is our country that has
6 been playing a leading part in it as a pioneer, and
7 I believe that Japan is in a position to play an
8 important role in the coming new world. Consequently,
9 we have an important duty imposed upon us, and we
10 must be fully prepared for any emergency. Japan,
11 who has sprung from 'Japan in the Orient' to 'Japan
12 in the world,' is now placed in such a difficult
13 condition. So we must bear in mind, as the Japanese
14 subjects, the honor and the duty to play an important
15 role on the world's stage in settling the present
16 difficult question. The present condition, I think,
17 will not come to an end in near future. Whatever
18 Chiang Kai-shek or the world may say about us, we
19 must be pushing forward, slowly but steadily, towards
20 the construction of a new world, ever storing up the
21 national strength, ever reflecting upon our own es-
22 sence and ever eradicating the roots of evils, as the
23 subjects of a glorious country who is holding a heavy
24 responsibility upon themselves, at this dawn of a new
25 world."

1 And then -- I now propose to read excerpts
2 from the second speech, heading:

3 "Instructions at the National Conference of
4 Principals of Agricultural Schools.

5 "I have just been appointed by the Emperor
6 to the post of Education Minister, and am to manage
7 the educational administration. In view of the
8 present situation, I am aware of the extremely heavy
9 responsibility of the task, and expect to exert my
10 utmost in carrying out my duty.

11 "At this critical period the most important
12 thing is the strengthening of the national spirit."

13 On the bottom of page 6:

14 "Next, in view of conditions in our country,
15 I think it is very important to devise the overseas
16 expansion of the people. Especially, in order to
17 carry out the national policy based on the unity of
18 Japan, Manchukuo and China, the most urgent mission
19 is the advancement to the Continent of many youths
20 possessing thorough education and firm faith. I de-
21 sire everyone of you to fully understand the state
22 of affairs in our country and endeavor to promote the
23 spirit of overseas expansion of the YAMATO Race."

24 That concludes the documents with regard to
25 ARAKI, and I now propose to recall General TANAKA for

1 further evidence with regard to a number of small
2 points relating to several different defendants.

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1 THE PRESIDENT: Mr. Logan.

2 MR. LOGAN: If the Tribunal please, we
3 renew the objections made when General TANAKA was
4 called the second time, with the same force and
5 effect as if made today, and there has been no
6 reservation by the prosecution at the time he left
7 the stand the second time for permission to recall
8 him at this time.

9 MR. COMYNS CARR: My friend is in error in
10 his last remark. The Tribunal may remember that I
11 applied at the time when he was here on the second
12 occasion and informed the Tribunal that we would
13 have been perfectly prepared to proceed with this
14 matter then, but that as some of the evidence which
15 he is to give affects the accused MUTO, who was
16 absent on that occasion, and also his counsel, owing
17 to illness, we asked leave to postpone it.

18 THE PRESIDENT: The Tribunal will receive
19 further evidence from TANAKA. The objection is
20 overruled.

21
22 MR. McMANUS: If your Honor please, concern-
23 ing the last document read by Mr. Comyns Carr, may
24 I call the Tribunal's attention that where it was
25 mentioned "overseas expansion" the speech was

TANAKA

DIRECT

1 delivered from the standpoint of an agricultural
2 policy?

3 - - -

4 R Y U K I C H I T A N A K A, recalled as a wit-
5 ness on behalf of the prosecution, resumed
6 the stand and testified through Japanese
7 interpreters as follows:
8

9 THE PRESIDENT (to the witness): You are
10 under your former oath.

11 DIRECT EXAMINATION

12 BY MR. COMYNS CARR:

13 Q The first thing I want to ask you, General,
14 is about another conversation with the accused
15 ITAGAKI concerning the Manchurian Affair. Do you
16 remember the conversation to which I am referring?

17 A Yes.

18 Q About when did that conversation take
19 place?

20 A In the summer of 1935.

21 Q Now, would you tell us what ITAGAKI told
22 you:

23 A In December of 1931 General HONJO, Commander-
24 in-Chief of the Kwantung Army, made up his mind that
25 Manchukuo -- that Manchuria must become an independ-

TANAKA

DIRECT

1 ent state; and when ITAGAKI went to Japan to convey
2 this opinion to the Japanese Government, he con-
3 veyed -- ITAGAKI conveyed HONJO'S opinion to the
4 government and army circles, whereupon, concerning
5 complete independence, these circles showed some
6 difficulty. But War Minister ARAKI said that com-
7 plete independence was the only way in which the
8 Manchurian Incident could be solved, and concurred
9 with this opinion of HONJO'S. This is what ITAGAKI
10 told me.

11 Q According to what he told you, was the
12 Cabinet in favor of this policy or against it?

13 A The Cabinet was against it.

14 Q Did ARAKI, according to ITAGAKI, give him
15 any instructions as to what he was to do?

16 A I believe that he didn't give him any instruc-
17 tions. I heard only that War Minister ARAKI agreed
18 with this opinion, saying that that line of policy
19 should be taken.

20 Q And what happened?

21 A In March Manchuria declared her independ-
22 ence.

23 Q Now, were there in the army at that time
24 certain factions, divisions of opinion between the
25 high officers?

TANAKA

DIRECT

1 A Yes, there were divisions of opinion.

2 Q What were the names of the principal groups?

3 A All these factions had as their fundamental
4 aim the renovation of the corrupt politics at that
5 time and the complete reformation of the corrupt
6 government of the time. One of these factions was
7 called the Kodo faction, or the Imperial Way fac-
8 tion. The other faction was called the Tosei
9 faction, or the Control faction. Both of them were
10 for the reformation of Japan.

11 Q Who was the head of the Kodo faction?

12 A The leaders of the Kodo faction were General
13 ARAKI, General MAZAKI, and Lieutenant General YANA-
14 GAWA.

15 Q Had that faction any particular views with
16 regard to war?

17 A The principal motto of the Kodo faction
18 was reverence for the Emperor -- was the direct rule
19 of the Emperor, and was -- and this faction was en-
20 tirely opposed to communism. Therefore it was very
21 antagonistic towards Soviet Russia. It had no
22 enmity -- no special enmity towards other nations.

23 Q Now quite a different subject: During the
24 early years of the Manchurian Affair what organiza-
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TANAKA

DIRECT

1 tion controlled opium traffic in Manchuria:

2 A Until 1935, when the Opium Control Board
3 was set up, the opium trade was controlled by the
4 various special service organs of the army.

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Q In Southern Manchuria who was at the head of the special service organ in question?

A It was the Mukden Special Service Organization.

Q Yes. And who was in command of that?

A Major General ISHIHARA was in charge of the special service organization at Mukden when the Manchurian Incident broke out. Later, for a short time, someone whose name I do not remember occupied that position, and then again Major General DOHIHARA became the head of that organization.

Q And did he remain in that position until the change-over that you have spoken of?

A Correction. At the time of the outbreak of the Manchurian Incident the head of the special service organization was Major General DOHIHARA in Mukden.

Q Then, to go to my next question, did he remain at the head of that organization right down to the time when the control of the opium traffic was transferred?

A Yes.

Q Now, who were the people who principally brought about that change, that transfer of control?

A The ones who made efforts to take away the control of opium traffic from the various special

TANAKA

DIRECT

1 service organizations and to establish the opium
2 monopoly bureau were these three, namely: General
3 MINAMI, Commander-in-Chief of the Kwantung Army; his
4 Chief of Staff, General ITAGAKI; and the next Chief
5 of Staff, General TOJO.

6 Q Now, when the transfer had taken place
7 what was the relation between the new bureau and the
8 Government of Manchukuo?

9 A The duties of this monopoly bureau was to
10 collect and to sell opium as one of the outer bureaus
11 of the Manchurian Government.

12 Q And what was the effect of that change upon
13 the finances of Manchukuo?

14 A Although I do not remember exactly, I
15 believe that at the time I was there the yearly
16 revenue from this source was about twenty million yen.

17 Q And did that go to the Manchukuo Government?

18 A Yes.

19 Q Now, I want you to tell us a little bit
20 more about the position of the Military Affairs
21 Bureau in the War Ministry.

22 MR. LOGAN: If the Tribunal please, that
23 subject was covered fully the last time General
24 TANAKA appeared upon the stand, and the prosecution
25 had no further redirect at that time.

TANAKA

DIRECT

1 THE PRESIDENT: There was much evidence
2 about it, but I do not think the position was made
3 as plain as it might be.

4 BY MR. COMYNS CARR (Continued):

5 Q In the first place, what were the powers
6 of that bureau with relation to measures taken by the
7 General Staff?

8 A The General Staff Office draws up plans for
9 the operations, mobilization, and organization of the
10 army; but these are only plans, and in order to put
11 these plans into execution the General Staff must
12 gain the agreement of the Military Affairs Bureau.
13 In other words, since the War Ministry controls expenses
14 and supplies, in drawing up any plans for operations,
15 organization, and the mobilization of the army, the
16 General Staff Office must have the expenses and
17 supplies given to it from the War Ministry, and, there-
18 fore, in making such plans the General Staff Office
19 requests the War Ministry for such expenses and
20 supplies. Upon receiving such request the War Ministry,
21 after studying the funds and supplies it has, carries
22 out the General Staff's plans, and the Military Af-
23 fairs Bureau is that section of the War Ministry for
24 carrying out these plans, which does these things.

25 Q I think you told us before that they control

TANAKA

CROSS

the budget; is that right?

1 A Yes, that is true.

2 Q And now, if they have enough money them-
3 selves for the purpose, do they need to ask anybody
4 else's consent before handing it over to the General
5 Staff?

6 MR. LOGAN: I object to that as leading,
7 your Honor.

8 THE PRESIDENT: It is not leading, in my
9 opinion. The objection is overruled.

10 A The General Staff does not receive any of
11 the budget of the army. The War Ministry itself
12 apportions out the funds according to the directions
13 of the War Ministry. The budget for the army is a
14 budget which has been passed by the Diet.

15 Q Now, ~~take~~ the case where they have not got
16 within the budget already passed sufficient funds to
17 carry out what the General Staff recommends, what do
18 they do then?
19

20 A The War Ministry reduces the budget -- reduces
21 its expenses.

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TANAKA

DIRECT

1 Q If they wish to spend the additional money,
2 to whom do they apply for it?

3 A The General Staff puts in a request to the
4 War Ministry, which then puts in a request to the
5 government, and the government, after drawing up an
6 additional budget, presents it to the Imperial Diet,
7 and after receiving the consent of the Imperial Diet
8 then the additional expenditure is granted and is
9 apportioned out by the War Ministry to the necessary
10 sections. This work is carried out under the direction
11 of the Military Affairs Bureau.

12 Q Now, a different subject. When we find
13 from time to time a statement of policy being issued
14 by the army -- not by any individual but in the name
15 of the army -- who are the people or what office
16 is responsible for preparing and issuing such a
17 statement?

18 MR. LOGAN: If the Tribunal please, that--

19 THE INTERPRETER: The witness replied, "It
20 is the Military Affairs Bureau."

21 MR. LOGAN: That question is highly speculative,
22 to try and find out who is responsible for a certain
23 general policy. If the prosecution has any particular
24 policy in mind and this witness knows who made the
25 statement, that would be proper, to ask him that.

TANAKA

DIRECT

1 But for a general policy to include everybody in it
2 in a sort of blanket manner is certainly objectionable.

3 I understand that the witness answered the
4 question. I also ask that his answer be stricken out.

5 THE PRESIDENT: He did not answer as far as
6 I am aware. I did not hear any answer.

7 I understand the interpreter says he did.

8 THE MONITOR: Yes, your Honor, the witness
9 answered, "The Military Affairs Bureau," sir.

10 THE PRESIDENT: Well, we will take his answer.
11 But I see no reason why the question should be stricken.
12 It seemed to me to be a reasonable question and
13 answer. Apparently one body is responsible for
14 statements of policy, and that is the Military Affairs
15 Bureau. Who was responsible on any particular occasion
16 is a matter to be determined; I mean, what individuals
17 associated with the bureau.

18 Q Now, when questions required to be settled
19 between the army and the navy, which department in
20 the army and which department in the navy would deal
21 with them?

22 A All negotiations with sections outside the
23 respective ministries were done by the respective
24 military affairs bureaus.

25 Q Now, I want to come to ask you some questions

TANAKA

DIRECT

1 with regard to the relations between TOJO when he
2 was War Minister and afterwards also Prime Minister,
3 and, first of all, MUTO and then SATO.

4 Take MUTO first. From your personal obser-
5 vation when you were in the War Ministry, what would
6 you say were the relations between TOJO and MUTO?

7 A Lieutenant General MUTO became Chief of the
8 Military Affairs Bureau in October 1939, and because
9 of his brilliant brains and political ability, he was
10 the outstanding character --- he was one of the prin-
11 cipal figures in the War Ministry. In July 1940,
12 when the YONAI Cabinet fell and War Minister HATA
13 resigned, he continued, MUTO continued, in his post
14 as Chief of the Military Affairs Bureau. And when
15 Lieutenant General TOJO succeeded General HATA as War
16 Minister he continued in this post. And in October
17 1941 when General TOJO became Prime Minister and con-
18 currently War Minister, MUTO was still Chief of the
19 Military Affairs Bureau, and MUTO continued in this
20 post until April 1942, when he became Commander of
21 the Imperial Guards Division.

22 During these years, in reality the army was
23 the driving force in Japan, and as a matter of fact,
24 almost all the policies of the army were evolved from
25 the brilliant mind of this same General MUTO as

TANAKA

DIRECT

1 Chief of the Military Affairs Bureau.

2 THE PRESIDENT: I don't suppose you expected
3 answers just in that terminology. That is outside
4 his province as a witness.

5 We will adjourn now until half-past nine
6 tomorrow morning.

7 (Whereupon, at 1600, an adjournment
8 was taken until Wednesday, 22 January 1947,
9 at 0930.)

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