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Extract from Note addressed by United States Acting Secretary of State to the Charge d'Affairs ad interim of New Zealand Legation, Washington, on 31st of May 1945 (Ref. 390.0015/3-3045).

The following is quoted from a recent report of the American Consulate General at Manila:

"I have the honor to refer to the Department's airgram No. 4 of March 10, 1945, transmitting a communication received by an officer of the Department from the New Zealand Legation at Washington concerning the whereabouts and welfare of four Catholic priests and to report that Martin Strong, Arthur Price and Thomas Dwyer are in good health and at present are being quartered in the New Bilibid camp at Muntinlupa.

"According to information received by Arthur Price through Philippine sources, Vernon Douglas was subjected to extreme torture in the presence of a large group of Filipinos at Pililla Convent, Pililla, Rizal, over a period of three days in July of 1942. When last seen by eye-witnesses one eyeball was hanging entirely out of his head and there was a large hole in his forehead. According to some reports he was then taken to Paete, Laguna, and subsequently to Santa Cruz but it is the belief of Arthur Price that he died near Paete."

I, Harold James Evans, Flight Lieutenant, Royal New Zealand Air Force hereby certify that the above is a true copy of an extract from a note addressed by the United States Acting Secretary of State to the Charge d'Affairs ad interim of New Zealand Legation, Washington, on 31st May 1945, (Ref. 390.0015/3-3045).

/s/ H. J. Evans

F/Lt. RNZAF

12.9.1946

S E C R I T

2159

GENERAL HEADQUARTERS
UNITED STATES ARMY FORCES, PACIFIC
OFFICE OF THE THEATER JUDGE ADVOCATE
WAR CRIMES BRANCH

AG 000.5 (3 Jul 45) JA

APO 500
3 July 1945

SUBJECT: Report of War Crimes on Atrocities.

TO : The Judge Advocate General
Washington 25, D. C.

POW

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III. SUMMARY OF EVIDENCE:

Briefly summarized, the evidence adduced by the Investigator-Examiners is to the effect that:

When the Imperial Japanese Forces entered Manila on 2 January 1942, the Consulate officials representing the Republic of China in Manila (Em. A, B, C; R 1, 2) and consisting of Dr. Clarence Kuangson YOUNG, Kai Yien MOK, Siao Pin CHU (D. P. CHU), Yu Heng LOO (Ping-Se IU), Tsu Siu YAO, Tom Ming SIAO, Ching Siu YOUNG and James Kung Wei WANG, proceeded to hide in the Swiss Consulate in Manila with the exception of Mr. YOUNG who moved to the Manila Hotel. These officials remained at the Consulate for a few days, returning to their homes at No. 15 Brixton Hill, Santa Mesa, Manila, by 4 January.

About 8 January they were all taken into custody by the Japanese and interned at Villamor Hall, University of the Philippines, Manila, for examination and interrogation (R 2, 9, 12, 16, 19, 23, 28, 29, 33, 37, 67, 75, 78, 80). They were confined in the music practice room about six by twenty meters in size on the second floor (R 33), without any mattresses, cots, clothes or food except that which was brought to them by their respective families (R 3, 29, 33, 38). The treatment accorded them in the beginning was fair and they were permitted to walk in the university garden and around Villamor Hall under guard (R 3, 38) while their families were allowed to visit them because their captors were trying to obtain their cooperation (R 33, 38). The Japanese in charge of the Consulate Group were members of the Military Police Command whose headquarters was located at Fort Santiago, Intramuros, Manila (R 38).

From 8 January to 28 March they were questioned by the Japanese and it was reported that Dr. YOUNG was asked about 15 March by Lt. Col. OHTA, Commander of the Military Police, how much the Chinese in the Philippines had contributed to the Chungking Government since 1937 to which Dr. YOUNG replied "about twelve million pesos." This officer then stated that if the Chinese could contribute that much to the Chungking Government, they could contribute more than that amount to the Japanese Army, and demanded that Dr. YOUNG inform the Chinese people in the Philippines to contribute twice that amount within three months, ordered him to denounce the Chungking Government under CHIANG Kai Shek and recognize the WANG Ching Wei (puppet) Government (R 24). Furthermore, the Japanese Commander gave Dr. YOUNG three days to make a decision but after discussing the matter with his colleagues he replied that he could not meet the demands (R 9, 24, 37).

The Consulate Group were transferred to Fort Santiago, Intramuros, on 28 March (R 10, 84) where they were placed in Cell 14 (R 40) located in a temporary building without windows and with meager ventilation facilities. They were rarely allowed to receive their families and

the usual means of conversation with them was through a slit in the cell (R 40). They had nothing to sleep on except empty rice sacks (R 4), wore only their underwear and were allowed out of the cell once a week for the purpose of bathing and exercising (R 10, 41).

The treatment received at Fort Santiago was very poor, so on 5 April, Dr. YOUNG complained to Major NISHIMURA who was in charge, that there was not even a place to rest or sit down in the cell (R 68). On 16 April the Japanese informed the Consulate Group that they would be removed to Nuntinglupa Internment Camp, Rizal Province (R 5, 17, 84).

Mrs. Kay Lo MOK last visited her husband on the morning of 17 April at ten o'clock when she was informed by the Commander of the Military Police at Fort Santiago that the wives could return and visit their husbands on the following day (R 5, 10). At 1700 hours on the afternoon of 17 April, Mr. Ang Tian SANG of the (Pro-Japanese) Chinese Association informed Mrs. MOK and Mrs. Yang Si Cheng YAO that there would be little use for the families of the Consulate Group to try and see their husbands again at Fort Santiago as they had been transferred (R 5, 17). In spite of this, Mrs. Clarence K. YOUNG, Mrs. MOK, Mrs. Felisa Cu LOO, Mrs. Shirley Shao WANG, Mrs. Ruby Wang SIAO and Mrs. YAO returned to Fort Santiago on 18 April and were told by the Commanding Officer that "They are not under our custody any more. They have been transferred to the Army" (R 6). Mrs. MOK then went to a Military Chief whose name is unknown and asked him where her husband was and she was told that he was far away and that his whereabouts was secret, but it was suggested that she return in ten or twelve days for an answer "after he had wired the Emperor." She waited for this period to elapse and returned to the office of this Military Chief who told her that he was sorry that he could not give her an answer because the Emperor said "No" and he added, "Don't come here any more" (R 6). The wearing apparel and personal property of the Group were thereafter returned to their families except articles which the husbands had carried on their persons (R 6, 10, 13, 17, 20).

Between 16 and 19 April two internees at Fort Santiago, Joaquin Pardo de TAVIRA and Jovito SALONGA, saw three or four Japanese officers with pistols and sabers line up the Consulate Group in front of their cell, tie their hands and march them away (R 41, 84). Actually, at about 1400 hours on 17 April a Japanese convoy including a Military Police automobile, one truck filled with Japanese soldiers and another with the consular officials with guards, entered the gate of the Chinese Cemetery, Santa Cruz, Manila, proceeded towards the Chinese chapel and turned off to the right on a road which passed beside the grave of Lai Yip SANG in Section 25. The motor caravan then turned to the left, drove across the open field about 100 yards from this latter grave and stopped (Ex. D; R 59). The entire Consulate Group was taken from the truck and caused to sit on the ground in a circle surrounded by the Japanese soldiers (R 54). An unknown priest, presumed to be Japanese, moved around the circle after which the Chinese were lined up in front of a prepared grave eight meters long, with their hands tied behind them, blindfolded, and caused to kneel while a Japanese soldier with a rifle stood behind each of the eight officials. After an officer made an inspection, each soldier shot his victim and those who did not die instantly were bayoneted, after which the soldiers threw some loose earth over the bodies in the grave in Section 9, and then departed (R 49, 59, 60).

Other laborers in the cemetery were directed to complete the filling of the grave and a wood marker bearing four Japanese characters meaning "community grave" was placed thereupon (R 49). Mr. Delagio REYES, Superintendent of Cemeteries, Department of Health, Manila, whose office was 200 meters away from the Chinese Cemetery, recorded in his book without the knowledge of the Japanese authorities the date of burial and number of bodies interred there during the Japanese occupation. Such records disclose that at 1500 hours on 17 April 1942 eight bodies were buried in a grave prepared upon the order of the Japanese. He marked his record of the burials "ass't'd" (assorted) since he was not certain of their nationality at that time (Ex. D; R 44, 45).

On 14 June 1945 the remains of the eight bodies were exhumed from the common grave in Section 9, Chinese Cemetery (R 49, 52, 57, 62), in the presence of Shirley Shao WANG, wife of James Kung Wei WANG, Alfonso YOUNG and Yu King HUN (Young King HUN), brothers, and Wy Chut YOUNG, mother of Ching Siu YOUNG; Ruby Wang SIAO, wife of Tom Ming SIAO; May Lo MOK, wife of Kai Yien MOK; Felisa Cu LOO, wife of Yu Heng LOO; Yang Si Cheng YAO, wife of Tsu Siu YAO. These relatives were able to positively identify the bodies as those of the eight Chinese Consulate officials from the shape of their respective skulls and personal property of the victims found in the grave (Ex. F, G, H, I, J, K; R 63, 65, 66, 68, 70, 72, 74, 75, 76, 78, 80, 81). Mrs. MOK recognized the horn-rimmed glasses found in the common grave as those worn by her husband, and many of the wives of the Consulate Group further identified Dr. YOUNG's white, gold-rimmed and sun eyeglasses (R 63, 68, 70, 72, 74). Mrs. WANG, Mrs. MOK and Mrs. SIAO believed that a pair of shoes discovered in the grave belonged to Mr. WANG since he had always had two holes in the toes (R 63, 70, 74). The red pencil found in the grave of Mr. LOO was the same one which Mr. Chang CHIN had given to Mr. LOO during the time he had acted as Deputy Consul in the Chinese Consulate from 1935 to 1940 (R 63, 67, 68). A brown leather belt taken from Mr. LOO's grave was the one which he had previously purchased before being taken prisoner and his wife was further able to point out that the Dr. West "Miracle Tuft" toothbrush taken from the grave was identical with the one she had taken to him when he was at Fort Santiago (R 65). The upper jaw of the skull of Mr. LOO was examined and a tooth with a silver filling was identified while a toothbrush and a pair of eyeglasses rimmed with silver and a flowery design were found and identified as those of Mr. YAO (R 66, 72). Mrs. SIAO identified her husband's silver tooth found in his skull; and the suspenders of Mr. CHU and Mr. C. S. YOUNG (R 70). There were also taken from the grave a cigarette holder and toothbrush which were recognized as belonging to Ching Siu YOUNG (R 66, 76, 78). His mother, Wy Chut YOUNG, and brothers, Alfonso YOUNG and Yu King HUN, further identified the shape of the skull and his four front upper teeth found in the grave (R 76, 78, 81).

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C E R T I F I C A T E

I, Alva C. Carpenter, Chief, Legal Section, General Headquarters, Supreme Commander for the Allied Powers, do hereby certify that immediately after the liberation of the Philippines roving teams, comprised of military personnel from the Judge Advocate Service of the United States Army, were sent out to conduct investigations throughout the Philippines on reported and known cases of atrocities committed by the Japanese Army and Navy personnel; that many of those cases have been thoroughly investigated in the immediate vicinity of their occurrence; that witnesses who had first-hand knowledge of the atrocities were interrogated and their affidavits taken and ocular inspection of the place where the crimes were committed were invariably made; that reports have been submitted regarding those atrocities investigated and are now on file in our office; and that the attached document is the Summary of Evidence contained in Report No. 33, War Crimes Branch, Judge Advocate Section, General Headquarters, AFPAC, of the investigation of the murder of Dr. Clarence Kuangson Young, Kai Yien Wok, Siao Pin Chu, Yu Heng Loo, Tsu Siu Yao, Tom Ming Siao, Ching Siu Young and James Kung Wei Wang, all Chinese Consulate officials, at the Chinese Cemetery, Santa Cruz, Manila, P.I., on 17 April 1942, which is now on file in our office.

/s/ Alva C. Carpenter
Alva C. Carpenter,
Chief, Legal Section

Witness: /s/ John R. Pritchard

Sworn to before me this 3rd day
of January, 1947, Tokyo, Japan.

/s/ John R. Pritchard
Captain, Infantry
Summary Court.

AFFIDAVIT OF A WITNESS

3161

1 MOSCOW March 12, 1946. The Military Investigator for the USSR, at the International Military Tribunal in Tokyo, colonel of the Judicial Corps, Dolitzky examined with due warning of the responsibility for giving false evidence under article 95 of the Criminal Code of the R.S.F.S.R. the undernamed as a witness, who stated the following.

Orelchenko, Yakov Vasilevich born in 1911, in the Kiev district, the inhabited point of Emelchino, rank major, at present a student of the Frunze Military Academy;

I live in Moscow, Harovniki, 3. Have never been charged with criminal offence.

In 1939 I was a lieutenant and held the position of Second-in command of the rifle regiment 149 which at that time was in the area of the Halhin-Gol river. The conflict in the mentioned area was caused by the provocative actions of the Japanese troops, to which I was a witness.

Thus, in April, 1939, a Japanese plane, having trespassed the frontier with the Mongolian People's Republic flew for about 75 kilometres deep into the country and opened fire at one of the platoons of my company. One of the Red Army Men was killed, two were wounded. At that time the platoon was having parade drill; it had no ammunition and therefore it was not able to defend itself from the attacks of the plane, that was flying very low.

In the same month I witnessed another provocation of the Japanese troops; 3 Japanese planes attacked a Mongolian outpost, 70-75 kilometres deep from the State frontier in the Mongolian Peoples' Republic.

As the result of this bombing the monastery, where the outpost was, was destroyed.

In the course of the fighting, near the Halhin-Gol river, in which our units were engaged against the Japanese troops who encroached on the Mongolian People's Republic, Junior Lieutenant of our company Komaristih, was wounded and taken prisoner by the Japanese.

It was on the night before the 29th of May, 1939. In the morning when we were advancing, near the mount "Rerizovo" my scouts and I found the corpse of Junior Lieutenant Komaristih. 5 stars were carved out on the back of the corpse. A large star with the sickle and hammer was carved out on the chest. Cartridges were driven into his eyes. The skull was broken in many places; the wrists and ankles were broken whereas the hands

were twisted. The penis was cut off, there was an anti-tank shell in the abdomen, the heels of the feet were scorched, the finger nails were torn off, the tongue and the ears were cut off, all the body was pierced through with barrods. I was witness of the atrocities of the Japanese military clique over our Red Army men and officers.

On the 24th of June, 1939, a Japanese cavalry squadron and 7 Japanese armoured cars surrounded a group of the Red Army men of our regiment. The group consisted of 13 Red Army men and 1 officer.

All of them were wounded and taken prisoners by the Japanese in the fighting where the odds were against them, a group, under my command consisting of 1 battalion was sent to the place of the fighting. When the Japanese were driven out, we saw the following picture: our Red Army men 13 in number and one lieutenant that were taken prisoners by the Japanese lay cut to pieces in one spot.

I have nothing else to state.

My testimony has been written down and read to me to which I sign my name. The Military Investigator at the International Military Tribunal in Tokyo, Colonel Dolitzky.

CERTIFICATE OF TRANSLATION OF THE ABOVE DOCUMENT

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

SIGNATURE

BEDOVA

C E R T I F I C A T E

I, Lt. Colonel Taranenko G. I.

a member of the military forces of the U.S.S.R., do hereby certify that affidavit of witness Omelchenko, an eye-witness of the Khalkin-Gol river incident of March 12, 1946, on 2 pages

was delivered to me by

Colonel Dolitsky.

on or about March, 12, 1946, and that the original of the said document may be found in

I do further certify

/s/ Lt. Col. Taranenko
(Signature and rank.)

Tokyo, Japan,

June 15, 1946.

M I N U T E S

Of interrogation of witness

Moscow, March 11, 1946

2162

I, the Military Interrogator for the USSR in the International Military Tribunal in Tokyo, colonel of Judicial corps DOLITSKY, having warned of the responsibility for giving false testimony (as provided) by article 95 of the Criminal Code of the RSFSR interrogated as a witness the undernamed KOBZEV Vladimir Ivanovich, born in 1910; has military rank of colonel, at present an instructor of the chair of Artillery of the Frunze Military College in Moscow. Address: Smolensky Bouivar 3/5 fl.49, Moscow who gave following evidence;

Since July 19, 1939, till October 22, 1939 I, as chief of the staff of an artillery regiment in the rank of captain, was at the Nomangan River battle area. When I arrived, stubborn fighting between the Soviet-Mongolian and the Japanese troops was going on there. The Soviet and Mongolian troops had the task of clearing the territory of Mongolian People's Republic of Japanese troops who had penetrated into it.

Remaining all the time on the battle field in immediate vicinity of the Japanese advanced positions, I witnessed atrocities perpetrated by the Japanese military to our Red Army soldiers and officers.

So, on August 27, 1939, a part of Mongolian territory in the vicinity of Peschanaya hill was liberated as a result of our offensive operations. I arrived at that territory together with my scouts to establish a new observation post there. There I saw the corpse of a Red Army soldier, dressed in Red Army uniform, but without a cap. Coming nearer I saw that its nose and ears were cut off, and that the corpse was pinned to the earth through the chest by the bayonets of three Soviet rifles which had broken butts and no locks.

On September 2, 1939, in the vicinity of the Zelenaya hill I conducted officer's reconnaissance of sector where the regiment was to be deployed for defense. The sector of Zelenaya hill was a strongly fortified strongpoint of the Japanese and was in their hands till the last days of August.

Inside this strongpoint there were about 15 corpses of Red Army soldiers and officers (12 of them were Red Army soldiers; and 3 officers).

The corpses were decayed. Legs and arms of most of the corpses were cut off. The limbs of some of them were lying thereb near the corpses. The limbs of other corpses were not cut off completely, and moreover, there were traces of innumerable blows inflicted on the limbs with some sharp cutting weapon. The skin in some places of the chest of almost all the corpses was cut out. All corpses had a great number of stabs and cut wounds on them.

The nature of the wounds excludes all possibilities for them having been received in battle.

All the above said I saw myself.

I have nothing more to testify.

It is written down and read to me correctly, and to this I sign my name.

Colonel of the Guards

KOBZEY.

Military Interrogator of the Prosecution Section of the USSR in the International Military Tribunal in Tokyo Colonel of Judicial Corps.

DOLITSKY.

CERTIFICATE OF TRANSLATION OF
THE ABOVE DOCUMENT

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

M. GILDENBLAT

C E R T I F I C A T E

I, Lt. Colonel Taranenko G.I., a member of the military force of the U.S.S.R., do hereby certify that the attached document - a statement and affidavit of Kobzaev V.D. a participant of the Khalkin-Gol river fighting, of February 11, 1946, was delivered to me by Dolitsky V.A., colonel of Judicial Corps, on or about March 20, 1946, and that the original of the said document may be found in _____.

I do further certify _____.

/s/ Lt. Col. Taranenko
(Signature and rank.)

Tokyo, Japan,
June 15, 1946

THE AFFIDAVIT OF THE WITNESS (TOMILIN NIKOLAI IVANOVITCH)

March 12, 1946, Moscow I, Military Investigator for the U.S.S.R. at the International Military Tribunal in Tokyo, Colonel of the Judicial Corps Dolitsky have, with due warning of the responsibility for giving false evidence according to article 95 of the R.S.F.S.R. Criminal Code, examined the under-named as a witness, who stated:

I, Tomilin Nikolai, Ivanovitch, born 1902 in the Gorky District, in the town of Sormovo, military rank colonel, at present an instructor of the Frunze Military college address Moscow, Building No. 14, Zubovsky street flat 124.

Not previously under trial.

In 1939 I was in the rank of major and the second in command of the 1st Army Artillery Group in the Battle area of the Khalkhin-Gol river.

In September 1939 when the active hostilities were over, I was appointed by the Soviet Government to the Committee for exchanging of war-prisoners and delivery of corpses.

Personally I received about 60 Soviet war prisoners according to the list from the Japanese Command. All the prisoners were extremely exhausted. They could hardly stand on their feet because of their weakness. Their thinness and paleness were striking. Their faces and bodies were bruised and scratched all over.

After the prisoners were transferred to me they told me in detail about the brutal treatment of the Japanese authorities. The prisoners had been subject to systematic beating and they had been starved for a long time.

In summer 1941 I was President of the 2nd Subcommittee for the frontier demarcation between the Mongolian People's Republic and Manchukuo in the area of battles at the Khalkhin Gol river.

Shinomura an official of the Foreign office in Manchukuo was a representative on the Japanese side. Shinomura is a diplomat by profession. Once at our joined meeting at one of the points when we were setting up the frontier, Shinomura said: "In due time I warned Tokyo that we should not begin this conflict at the Khalkhin-Gol river, as I knew beforehand, that with our strength nothing would come out of this. But Tokyo did not want to take my opinion into consideration and here are the results". Later on we changed the topics of our conversation.

I have nothing else to state.

My testimony has been written down and read to me, to which I sign my name.

Colonel of Judicial Corps,
Dolitzky.

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CERTIFICATE OF TRANSLATION OF THE ABOVE DOCUMENT

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

Signature Nenshova

C E R T I F I C A T E

I, Lt. Colonel Taranenko G.I.,

a member of the military forces of the U.S.S.R., do hereby certify that affidavit of witness Tomilin, an eye-witness of the Khalkhin-Gol river incident of March 12, 1946, on 2 pages.

was delivered to me by Colonel Dolitsky
on or about March 20, 1946, and that the original of the
said document may be found in

I do further certify

/s/ Lt. Col. Tarantenko
(Signature and rank.)

Tokyo, Japan,

June 15, 1946.

E X T R A C T
from the Affidavit of defendant AVANO, ISAMU of
October 12, 1945.

I plead guilty that on the day of the outbreak of the war between the Soviet Union and Japan, i.e. on August 9, 1945, I summoned the chief of the 5th (intelligence) section, senior non-commissioned officer BITO and gave him instructions to get in touch with the Province Police and gendarmerie Departments, to arrest the Soviet citizens who lived in the town of Hailar and were on the list of the Police Department and take special measures, i.e. to murder them; I gave also instructions to murder the Soviet scouts who were kept under arrest in the police prison.

On giving the said order to BITO I left for the fortified area. Later BITO came there to see me and reported that my order had been executed; the Soviet citizens living in the town of Hailar and considered to be suspects had been arrested and murdered. BITO reported that the Soviet scouts under arrest in the police prison had also been murdered.

QUESTION How many Soviet citizens were murdered by your order on August 9, 1945?

ANSWER Neither BITO, nor my other subordinates who had participated in the arrest and murder of August 9, 1945 reported on the number of the murdered Soviet citizens. But I can tell the interrogators the following:

There were not fewer than 20 Soviet scouts in the police prison who had been arrested in the period between the end of 1944 and July 1945. When I was arrested I was shown a ditch in the yard of the Police Department where 43 bodies were buried. So we may say that in the town of Hailar were arrested and murdered about 20 Soviet citizens all of them civilians.

QUESTION Why did you give instructions to murder the Soviet citizens living in the town of Hailar?

ANSWER In accordance with the order of the Commanding General of the Kwantung Army the Police Department had to make up a list of Soviet citizens every year. It was being done in case the war between the Soviet Union and Japan broke out.

Thus these people had to be murdered when the war broke out. This order was to be put

into practice by the Police Department. But on August 9, 1945, considering the situation brought about by the Red Army offensive, I took the initiative into my own hands and gave instructions to arrest and murder the Soviet citizens living in the town of Hailar and being suspects on the list of the Police Department. I also gave order to murder the Soviet scouts who were being kept in the police prison.

QUESTION Who made up lists of Soviet citizens?

ANSWER Lists of Soviet citizens were made up by the special department of Police and Gendarmerie. I don't know the names of the people who did it but it was directed by KABAKAI OSAMI, chief of the Special Department of Police, SHIMORA YUKIO, Chief of the gendarmerie Department.

QUESTION What were the charges against the Soviet citizens murdered by your order on August 9, 1945?

ANSWER No concrete charges were made against the Soviet citizens arrested and then murdered by my order on August 9, 1945; but in accordance with the order of the Commanding General of the Kwantung Army they were put on the lists of suspects in case the war between the Soviet Union and Japan broke out, because we thought that during the war these persons might carry on espionage and sabotage directed against the Japanese Army.

The original is signed personally by AMANO ISAYU in Russian and Japanese, by the interpreter junior lieutenant GORBUNOV who was present at the interrogation, by the Assistant of the Military Prosecution of the Zabaikalye front captain of the Judicial Corps Stambulian and by the Senior Interrogator of the "Smersh" Department of the Zabaikalye front YUSUF-ZADE who conducted the interrogation.

The extract is correct:

THE ZABAIKALYE-AMUR MILITARY DISTRICT,
THE MILITARY TRIBUNAL; Senior SECRETARY
CAPTAIN OF THE JUDICIAL CORPS

(PURYLIN)

CERTIFICATE OF TRANSLATION OF THE EXCERPTS OF THE ABOVE DOCUMENT

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

Signature

M. GILDENBLAT

C E R T I F I C A T E

I, Lt. Colonel Taranenko G. I.,

a member of the military forces of the U.S.S.R., do hereby certify that the attached document - 2 Sentence and a passage copied out of the case on AMANO Isami and others". was delivered to me by the Military Tribunal of the Zabaikalye - Amur district.

on or about March 20, 1946, and that the original of the said document may be found in the record office of the Zabaikalye - Amur Military district.

I do further certify

/s/ Lt. Col. Taranenko

(Signature and rank.)

Tokyo, Japan.

June, 15, 1946.

3165

MINUTES OF INTERROGATION

April 23, 1946.

Town of Iman.

I, Assistant Chief of the 5th Section of X Frontier Guard Detachment of Ministry for Home Affairs, Captain DIAKONOV interrogated as witness:

Surname, name, father's name -

NICHOLAI ALEXEEVITCH ROMANOV.

Date of Birth - 1904

Place of Birth - town of Gorky.

Address - town of Iman, Primorsky region, st. Lazo No. 26.

Party membership - Non-party member.

Nationality - Russian

Citizenship - the U.S.S.R.

Passport or any other document - Certificate N 10072 dated
13.I.45

Education - Middle Medical Education.

Profession and Speciality - Dentist.

Position held by you - in the Active Service

Family - wife ROMANOVA A.A. 1909, housewife, 2 children
15 and 5 years old.

Social origin - Son of employee.

Social and political activities in the past - Held no positions by election.

Governmental decorations - decorated with an order of the Red Star, a medal of "Victory over Germany" and a medal of "Victory over Japan".

Military and Special rank - Captain of Medical Corps.

Service in the Army - Serving in the Red Army.

Participation in Patriotic War - took part in War against Japan,

Wounds or shell-shocks - none

Were you on the territory occupied by the enemy - no.

Did you take part in the bands, anti-soviet organizations and revolts (where, when) - no.

Were under trial - no.

I am aware of the criminal responsibility I bear, for giving false testimony, according to Article 95 of the Criminal Code of the R.S.F.S.R.

(N. ROMANOV)

TESTIMONY

of Captain of Medical Corps - ROMANOV. (continued).

QUESTION: You Captain of m/c ROMANOV, since the beginning of hostilities against Imperialistic Japan, were as a medical officer in X Regiment for providing the rear of the Red Army in the field and being in the town of Dunnan, visited the place of the atrocities perpetrated to Chinese population by Japanese. Tell what did you find out as a medical officer in the place of execution?

ANSWER: On August 19, 1945, being in the town of Dunnan in X Regiment, by order of Major Mityaev, Deputy Commander of the Regiment, I accompanied him to the place of massacre of the Chinese population indicated by Chinese. At about one kilometer South-east of the town suburbs, at a certain distance off the road, at the edge of the wood, 22 corpses in different postures among them 2 female corpses, were discovered. One woman, judging by her face, was a European woman; her nationality could not be established. The majority of corpses were half decayed, as the weather had been very hot, their hands tied behind their backs, some corpses were on their knees with their heads bent to the ground. The cut wounds were on the necks of the corpses, the legs of one of female corpses were cut off, on the back of another male corpse, one vertebrae was broken and there were stabbed wounds. As we succeeded in establishing, the people had been murdered by sabring the neck, but the people were not beheaded at once, only a neck vertebrae was cut and in some cases the vertebrae was slightly cut and the people were alive for a long time after that, dying a long and painful death suffering from thirst and loss of blood. Several corpses were 100-150 meters from the place of execution and were still fresh, which shows that the people were alive for several days, were crawling and died recently from hunger and loss of blood. From the medical point of view, the methods of murdering of the said people I, as a medical officer, consider to be atrocious. I have nothing more to testify concerning the case, all the notes from my words are correct and are read to me.

N. ROMANOV

Interrogated: Assistant Chief of the 5th Section of X
Frontier Guard Detachment of M.F.A.

Captain DYIAKONOV.

CERTIFICATE OF TRANSLATION OF THE ABOVE DOCUMENT:

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

Signature /s/ Gildenblat

C E R T I F I C A T E

I, Lt. Colonel Taranenko G.I. a member of the military forces of the U.S.S.R., do hereby certify that the attached document "Affidavit of a witness Romanov N.A. of April 23, 1946" was delivered to me by the Deputy Chief of the Frontier Guard Detachment of the Home Ministry on or about April 26, 1946, and that the original of the said document may be found in _____.

I do further certify _____.

/s/ Lt. Col. Taranenko
(Signature and rank.)

Tokyo, Japan,
June 15, 1946

Evidentiary Document No. 5219.

2168

I, VX108122, Colonel Edgar Allan GRIFFIN, Director of Prisoners of War and Internees, Army Headquarters, Melbourne, make oath and say:

1. Now produced and shown to me and marked with the letter 'A' is List. No. 1 of Japanese War Criminals charged under the War Crimes Act 1945 by Australian Military Authorities and dated 9th April, 1946.
2. The said list contains a true and correct record of the Japanese tried by Australian Military Courts up to 2nd April, 1946, under the War Crimes Act 1945, and Regulations thereunder, and of the charges, findings and sentences, as confirmed, awarded respectively by such Courts.
3. The findings and sentences have been confirmed in each case by the appropriate Australian Military Authority.

Sworn this 28th day of May, }
1946.

(signed) E. A. Griffin

Before me:

(signed) E. W. Parry (?) Major

An officer of the Australian
Military Forces

Evidentiary Loc. No. 5219

CONFIDENTIAL

Copy No.

WAI. CRIMES TRIALS

JAPANESE WAI. CRIMINALS CHARGED UNDER
THE WAI. CRIMES ACT, 1945, BY AUSTRALIAN
MILITARY AUTHORITIES

LIST NO. 1

1. This list covers Japanese, tried by Australian Military Courts, against whom the findings and sentences have been confirmed, and is made up to 2 Apr. 46. Further lists will be issued periodically.
2. Correspondence regarding this list should be addressed to:-

HQ, AMF,
MELBOURNE,
AUSTRALIA.

(Signal address - LANDFORCES MELBOURNE)

Dated: 9 April, 1946

Exhibit 'A'

This is List No. 1 of Japanese War Criminals charged under the War Crimes Act, 1945, by Australian Military Authorities, and dated 9th April, 1946, referred to in the affidavit of Colonel Edgar Allan Griffin sworn before me this 28th day of May, 1946.

(Sgd) E. W. Parry Major
An officer of the Australian

WAR CRIMES TRIALSJAPANESE WAR CRIMINALS CHARGED UNDER THE WAR CRIMES ACT 1945BY AUSTRALIAN MILITARY AUTHORITIES.LIST No. 1.

1. This list covers Japanese, tried by Australian Military Courts, against whom the findings and sentences have been confirmed, and is made up to 2 April 46. Further lists will be issued periodically.

<u>Rank.</u>	<u>Name.</u>	<u>Charge (abbreviated).</u>	<u>Finding.</u>	<u>Sentence.</u>
1st Lt.	TAZAKI, Takehiko	(1) Mutilation of dead at Soarin No. 1 about 19 July 45. (2) Cannibalism at Soarin No. 1 about 20 July 45.	Guilty Guilty	Imprisonment for 5 years with hard labour
S/Maj.	Sugino, Tsuruo	(1) Massacre of approx. 36 PW near Miri Sarawak 10 June 45 (2) Massacre of approx. 15 PW near Miri Sarawak 10 June 45	Guilty Guilty	Death by shooting
	NAKAYAMA, Hiroji	Massacre near Miri in Sarawak about 10 June	Not guilty	
	MIURA, Wataru	45 killing by shooting and bayonetting about	Not guilty	
	MIYAMOTO, Fumio	15 PW	Not guilty	
	KUMADA, Norihara	"	Not guilty	
Guard	MATSUMOTO, Hideo	"	Guilty	Imprisonment for 10 years with hard labour
"	YOKOYAMA, Nobuo	"	Guilty	"
"	NANGO, Hiroshi	"	Guilty	"
"	YAMADA, Yoshimasa	"	Guilty	"
L/Cpl	MAEKAWA, Harukichi	"	Guilty	"
"	KANEKO, Masumi	"	Guilty	"
Navy L/Cpl	YAMADA, Tokuichi	"	Guilty	"
1st Pte	IGAWA (IKAWA), Kichizaemon	"	Guilty	"
1st Pte	SASAI, Shinzaburo	Massacre near Miri in Sarawak about 10 June 45 killing by shooting and bayonetting about 15 PW.	Guilty	Imprisonment for 10 years with hard labour

<u>Rank.</u>	<u>Name.</u>	<u>Charge (abbreviated).</u>	<u>Finding.</u>	<u>Sentence.</u>
1st Pte	HIROTOMI, Asao	Massacre near Miri in Sarawak about 10 June 45 killing by shooting and bayonetting about 15 PW.	Guilty	Imprisonment for 10 years with hard labour
"	KOMAKI, Kiyomatsu		Guilty	"
"	KOIZUMI, Jisaku		Guilty	"
"	HODOSHIMA, Namiji	"	Guilty	"
Guard	HIROTA, Seiichi	"	Guilty	"
"	KINOSHIGE, Masayoshi	"	Guilty	"
"	FUJIKAWA, Tetsuo	"	Guilty	"
"	HIRAYAMA, Hideo	"	Guilty	"
"	NAKAYAMA, Kenishi	"	Guilty	"
"	KANAMURA, Terusoshi	"	Guilty	"
"	UNEMURA, Seisumu	"	Guilty	"
S/ Maj.	HIDANO, Yoshiteru	(1) Murder of a New Guinea native about Jan. 45 at Kunjama (2) Cannibalism at Kunjama about Jan. 45	Not guilty Not guilty	
Sgt.	YUKI, Yoshio	(1) Rape at Massowa plantation between 31 Oct. 44 and about 19 Dec. 44 (2) Torture of a Chinese female at Massowa plantation about 31 Oct. 44	Guilty) Guilty) Guilty) Guilty) Guilty) Guilty)	Death by hanging
Lt.	ASAOKA, Toshio	Murder of a PW at Beo in Talaud Is. about 23 March 45	Not guilty	
S Pte	SUSUKI, Asamasa	"	Guilty	Imprisonment for 5 years
Pte	OICHI, Tuichi	"	Guilty	"
Lt.	TANAKA, Seizo	"	Guilty	Death by shooting
Pte.	FUJISAKI, Maseo	"	Guilty	Imprisonment for 5 years
Capt.	MISUMI, Michiaki	Murder of PW at Beo Talaud Is. about 23 March 45	Guilty	Death by shooting

<u>Rank.</u>	<u>Name.</u>	<u>Charge (abbreviated).</u>	<u>Finding.</u>	<u>Sentence.</u>
S Pte.	GOTO, Siatoro	Murder of PW at Beo Talaud Is. about 23 March 45	Guilty	Imprisonment for 5 years
WO	MATSUMOTO, Toraturo	Torturing of 6 Chinese civilians at Rabaul about April-June 43	Guilty	Imprisonment for 10 years
S/Maj.	INAGAKI, Masaku	"	Not guilty	
L/Cpl	OKAMURA, Rihei	Murder of a Chinese about Oct. 44 at Massowa	Guilty	Imprisonment for 2 years
S/Maj.	INAGAKI, Masaru	"	Guilty	Death by hanging
Cpl	YAMADA, Uichi	"	Guilty	Imprisonment for 2 years
Capt.	IWASA, Tokio	Murder of RAAF PW in Talaud Is. about March 45	Guilty	Death by shooting
Col.	KOBA, Shigeru	Murder of three RAAF PW at Talaud Is. about Feb.-March 45	Guilty	Death by shooting
Maj.	TAMURA, Toshio	"	Guilty	"
Capt.	NAKATA, Takeo	Ill-treatment of PW at Kuching between 15 May 42 and 20 May 45 thereby causing death	Guilty	"
Capt.	TAKINO, Motoi	"	Guilty	Imprisonment for 5 years
Lt.	OJIMA, Takeo	"	Guilty	"
Lt.	YAMAMOTO, Katsuji	"	Guilty	Death by shooting
Lt.	YABE, Tokuhiro	Murder of a PW in Talaud Is. about 23 March 45	Guilty	Death by shooting
Lt.	NOMURA, Koichi	"	Guilty	"
Sgt.	UCHINO, Seizo	"	Guilty	Imprisonment for 5 years
Pte.	TANAKA, Takeo	Murder of PW in Talaud Is. about March	Guilty	" shooting
Lt.	YUNOMURA, Fumiwo	Murder - ordered killing of two RAAF PW at Sario on 19 June 45	Guilty	"
Col.	KOBA, Shigeru	R.A.F. Sario	Guilty	Death by shooting
Maj.	ODAMURA, Toshitake	Murder - unlawfully ordered killing of 3 unidentified RAAF at Tomohon about Feb. 45	Not guilty	"
Maj.	TAMURA, Toshio	"	Guilty	"
Capt.	NAKATA, Takeo	Ill-treatment of PW at Kuching between 15 May	Guilty	"

<u>Rank.</u>	<u>Name.</u>	<u>Charge (abbreviated).</u>	<u>Finding.</u>	<u>Sentence.</u>
Sgt.	HOSOTANI, Naogi	Murder near 15½ mile Sandakan B.N.B. about June 45 of two PW	Guilty	Death by shooting
Capt.	TAKAKUWA, Takuo	(1) Murder of numerous unknown PW between Sandakan and Ranau B.N.B. between 29 May and 26 June 45 (2) Massacre of about 33 unknown PW near Ranau about 1 Aug. 45	Guilty) Guilty) Guilty) Guilty) Guilty) Guilty) Guilty) Guilty)	Death by hanging
Capt.	WATANABE, Genzo	(1) Murder of PW between Sandakan and Ranau, B.N.B. between 29 May 45 and 26 June 45 (2) Massacre of about 33 unknown PW near Ranau about 1 Aug. 45	Guilty) Guilty) Guilty) Guilty) Guilty) Guilty)	Death by shooting
	NAGAHIRO, Masao	Murder of numerous unknown PW between Sandakan and Ranau between 29 May 45 and 26 June 45	Guilty	Imprisonment for 12 years
	NAKAYAMA, Tamao	"	Guilty	"
	HIROTA, Ginjiro	"	Guilty	Imprisonment for 15 years
	HIROUCHI, Jiro	"	Guilty	Imprisonment for 12 years
	MIYAKE, Tadao	"	Guilty	"
	SHOJI, Shinsuke	"	Guilty	Imprisonment for 8 years
C.M.E.	YOSHIKAWA, Tatsukiko	"	Guilty	Imprisonment for 15 years
	FUKUSHIMA, Masao	"	Guilty	"
	GOTO, Tsuneyoshi	"	Guilty	Imprisonment for 12 years
	MATSUBA, Shokichi	"	Guilty	"
C.M.E.	TAKEUCHI, Yoshimitsu	"	Guilty	Imprisonment for 10 years

<u>Rank.</u>	<u>Name.</u>	<u>Charge (abbreviated).</u>	<u>Finding.</u>	<u>Sentence.</u>
	KAMIMURA, Shoichi	Murder of numerous unknown PW between Sandakan and Ranau between 29 May 45 and 26 June 45	Guilty	Imprisonment for 10 years
	KOBAYASHI, Shizuo	"	Guilty	"
	MATSUDA, Kenji	"	Guilty	Imprisonment for 20 years
	SANADA, Shigenori	"	Guilty	Imprisonment for 14 years
	SONE, Takeyoshi	"	Guilty	Imprisonment for 15 years
C.M.E.	TAKEMOTO, Isao	"	Guilty	Imprisonment for 9 years
"	UMEMURA, Kemburn	"	Not guilty	
	UTSONOMIYA, Seichi	"	Not guilty	
	YOKOTA, Kinzo	"	Guilty	Imprisonment for 9 years
	YOSHIMURA, Hideo	"	Guilty	Imprisonment for 12 years
	IWABE, Shigaru	Massacre of approx. 8 unknown PW near Ranau B.N.B.	Guilty	Imprisonment for 14 years
	HYASHIDA, Mitsujiro	"	Guilty	Imprisonment for 10 years
	ISHII, Fujio	"	Guilty	Imprisonment for 10 years
	KIWAKAMI, Kiyoshi	"	Guilty	Imprisonment for 15 years
	SUZUKI, Saburo	"	Guilty	Imprisonment for 12 years
	TAKATA, Kunio	"	Guilty	Imprisonment for 5 years
	YANAI, Kenji	"	Not guilty	
Rear Adm.	YAMINAKI, Kyoho	Murder - unlawfully ordered at Tonsealama about June 45 and caused to be carried out the killing of one R.I.F and one R.N PW at Sario	Guilty	Imprisonment for 15 years
Comd.	TAKASAKI, Masi-mitsu (Baron)	"	Not guilty	

<u>Rank.</u>	<u>Name</u>	<u>Charge (abbreviated)</u>	<u>Finding</u>	<u>Sentence</u>
	OKADA, Toshiharu	Murder of 17 PW near Ranau about 1 Aug. 45	Guilty	Imprisonment for LIFE
	HIROTA, Ginjiro	"	Guilty	"
	HIROUCHI, Jiro	"	Guilty	15 years
	MATSUDA, Nobunaga	"	Not guilty	
	MIYAKE, Tadao	"	Guilty	Imprisonment for LIFE
	MORIOKA, Teikichi	"	Guilty	10 years
	SHOJI, Shinsuke	"	Guilty	8 years
	YOSHIKAWA, Tatsuhiko	"	Guilty	20 years
	YOSHIOKA, Shigeo	"	Guilty	15 years
	YASUYAMA, Eikichi	"	Guilty	15 years
	GOTO, Tsuneyoshi	Massacre of eleven unknown PW at Ranau	Guilty	15 years
	HAYASHIDA, Kiyoshi	B.N.B. about 1 Aug. 45	Guilty	15 years
	KAESHIGE, Yoshio	"	Guilty	12 years
	MATSUBA, Shokichi	"	Guilty	20 years
	NISHIKAWA, Moriji	"	Guilty	15 years
	TAKEUCHI, Yoshimitsu	"	Guilty	20 years
	TOYOOKA, Eijiro	"	Guilty	15 years
	TOMIYAMA, Shintaro	"	Not guilty	
Capt.	KATO, Kikachiro	Murder of a PW between 10 March and 20 March 45 at Kaparapoka, Dutch New Guinea	Guilty	Death by shooting
	MUROZUMI, Hisao	Massacre of about 23 unknown PW near Sandakan B.N.B. about 13 July 45	Guilty	Imprisonment for LIFE
	FUKUDA, Nobuo	"	Not guilty	
	GOTO, Yoshitaro	"	Guilty	Imprisonment for 15 years
	HIROTA, Nobuo	"	Not guilty	
	IKEDA, Yoshio	"	Guilty	Imprisonment for 15 years

<u>Rank.</u>	<u>Name.</u>	<u>Charge (abbreviated).</u>	<u>Finding.</u>	<u>Sentence.</u>
	MATSUDA, Takee	Massacre of about 23 unknown PW near Sandakan B.N.B. about	Guilty	Imprisonment for 15 years
	NAGATA, Shinichi	13 July 45	Guilty	12 years
	NISHIKAWA, Yoshinori	"	Guilty	12 years
	TOYODA, Kokichi	"	Guilty	12 years
	YANAGAWA, Hideo	"	Guilty	15 years
	YANAGAWA, Shigemori	"	Not guilty	
S/Maj.	BEPPU, Yoichi	Massacre of 5 unknown PW near Ranau B.N.B.	Guilty	15 years
	HASHIMOTO, Masao	about 1 Aug. 45	Guilty	15 years
	KAWAKAMI, Kiyoshi	"	Guilty	15 years
	NAGAHIRO, Masao	"	Guilty	15 years
	NAKAYAMA, Tamao	"	Not guilty	
	OYAMA, Tatsuo	"	Not guilty	
	YAMAMOTO, Jiro	"	Guilty	10 years
Lt.-Col.	KOMURA, Takewo	Murder - unlawfully ordered at Manado about Jan-Feb 45 the killing at Beo on 23 March 45 of three RAAF PW.	Guilty	Death by shooting
Sgt.	OKADA, Tomiyoshi	Murder of two RAAF PW about Aug. 45 at Kaaten	Guilty	Death by shooting
S/Maj.	HONDO, Kazuma	"	Not guilty	
Navy Workman	KIKAWA, Haruo	(1) Murder at Tobera about Aug. 45 of To Iui, To Morag, To Edlin	Guilty))))	Death by hanging
		(2) Murder at Tobera about Aug. 45 of To Uravagi, To Vargil	Guilty))))	

<u>Rank.</u>	<u>Name.</u>	<u>Charge (abbreviated).</u>	<u>Finding.</u>	<u>Sentence.</u>
	HAYASHI, Yoshinori	Ill-treatment PW at Sandakan B.N.B. between Oct. 42 and June 45	Guilty	Imprisonment for 15 years
	KITAMURA, Kotaro	"	Guilty	"
	KIYOSHIMA, Tadeo	"	Guilty	"
S/Maj.	KITADA, Yoshihiko	Torturing civilians - (1) At Ramali about 10 Feb. 45 (2) At Ramali about March 45 (3) At Ramali about Aug. 45 (4) At Bigagalip about April 45	Guilty) Guilty) Guilty) Guilty)	Imprisonment for 10 years
S/Maj.	SHOJI, Kuraji	Ill-treatment PW & I at Kuching between 15 May 42 and 12 Sept. 45	Guilty	Imprisonment for 1 year
S/Maj.	MATSUTAKA, Katsushi	"	Guilty	7 years
Sgt.	KOGO, Shigeru	"	Guilty	20 years
Sgt.	ASAKUSA, Katsuji	"	Guilty	15 years
Lt (1)	INAGAKI, Tetsuo	"	Guilty	10 years
Lt.(1)	KUBO, Akihiko	"	Guilty	LIFE
Guard	NAGATA, Tomio (alias KYOGAWA)	"	Guilty	15 years
Guard	KYOSE, Norisuke	"	Guilty	10 years
"	MITSUDA, Takeishi	"	Guilty	15 years
"	OKAMOTO, Keimei	"	Guilty	15 years
"	ISHIMOTO, Yoshio	"	Guilty	15 years
"	TSUDA, Seiji	"	Guilty	10 years
"	FUJIMOTO, Yoshio	"	Guilty	3 years
"	TAGAWA, Nobuyuki	"	Guilty	10 years
"	SUZUKI, Noboru	"	Guilty	15 years
"	YASUMOTO, Yoshio	"	Guilty	20 years
"	HAYAMA, Takeo	"	Guilty	10 years
"	MATSUDA, Buichi	"	Guilty	7 years
"	ISHII, Hideo	"	Guilty	15 years
"	TAKIMURA, Shoji	"	Guilty	10 years

<u>Rank.</u>	<u>Name.</u>	<u>Charge (abbreviated).</u>	<u>Finding.</u>	<u>Sentence.</u>
Guard	TOKUDA, Masatake	Ill-treatment of PW & I at Kuching between 15 May 42 and 12 Sept. 45	Guilty	15 years
"	MATSUBAYASHI, Takeo	"	Guilty	10 years
"	TAKAMI, Tsuneo	"	Guilty	5 years
"	KIMURA, Seijiro	"	Guilty	15 years
"	NAGAYOSHI, Seiichi	"	Guilty	3 years
"	KAWAMURA, Katsuo	"	Guilty	10 years
"	KANEKO, Shigemori	"	Guilty	15 years
"	IMAGAWA, Masamune	"	Guilty	12 years
	KATO, Tadao	"	Guilty	15 years
	FUJIMURA, Shigeru	"	Guilty	10 years
	TAKENAGA, Shigematsu	"	Guilty	5 years
	KOBAYASHI, Teruo	"	Guilty	12 years
	NAGAMURA, Eiki	"	Guilty	7 years
	KASAMA, Eiji	"	Guilty	7 years
	OKOBAYASHI, Takemitsu	"	Guilty	15 years
Guard	FUJITA, Yoshio	"	Guilty	3 years
"	TOMIBAYASHI, Teruo	"	Guilty	3 years
"	YOSHIDA, Koichi	"	Guilty	7 years
"	OKAMOTO, Shozo	"	Guilty	3 years
"	SIGIYAMA, Seiichi	"	Guilty	10 years
Cpl.	KOIKE, Yasushi	"	Guilty	10 years
S/Maj.	SHIMIZU, Kanzi	"	Guilty	7 years
Guard	TAKEDA, Jiro	"	Not guilty	
"	OKAMURA, Yoshiaki	"	Not guilty	
"	FUKUSHIMA, Kanji	"	Not guilty	
Maj.-Gen.	ENDO, Shinichi	Neglecting to ensure proper treatment of PW in Northern Celebes whereby RAAF PW were killed between Dec. 44 and Sept. 45.	Guilty	5 years

Document No. 10-B-1

2178
Page No. 1

"JO" 3, "FUTSU", "GO" No. 53

Jan. 13, Showa 17/1942/

Vice-Minister of War,

Vice-Minister of the Navy,

Vice-Minister of Home Affairs.

Matter Concerning Transmission of the Notes from the American Government with regard to the adherence to the Provisions of the International Treaty and the Red Cross Treaty of July 27, 1929, regarding Treatment of Prisoners of War.

Concerning the above, the Swiss Minister in Tokyo has sent us a note as per separate copy, which is enclosed herewith. Your opinion thereof will be appreciated.

Vice-Minister of Foreign Affairs.

This message addressed to: Vice-Minister of War,

Vice-Minister of the Navy,

Vice-Minister of Home Affairs.

A copy of note enclosed.

Doc. No. 10 M 1, 10 S 1, 10 B 1,
10 B 2, 10 B 3

C E R T I F I C A T E

I.D.C. No. _____
I.P.S. No. _____

Statement of Source and Authenticity

I, HAYASHI, Kaoru hereby certify that I am officially connected with the Japanese Government in the following capacity: Chief, Archives Section and that as such official I have custody of the document hereto attached consisting of 3/27 pages, dated 12 Feb., 1944, and described as follows: Transmittal of American Government's Protest with regard to the Treatment of Prisoners of War and Civilian Internees in the Area under the Japanese jurisdiction. I further certify that the attached record and document is an official document of the Japanese Government, and that it is part of the official archives and files of the following named ministry or department (specifying also the file number or citation, if any, or any other official designation of the regular location of the document in the archives or files): Japanese Foreign Office.

Signed at Tokyo on this
27th day of December, 1946.

/s/ K. Hayashi

Signature of Official

SEAL

Witness: /s/ Nagaharu Odo

Chief Archives Section
Official Capacity

C E R T I F I C A T E

V.D.C. No. _____
I.P.S. No. _____

Statement of Source and Authenticity

I, HAYASHI, Kaoru hereby certify that I am officially connected with the Japanese Government in the following capacity: Chief, Archives Section and that as such official I have custody of the document hereto attached consisting of 21 pages, dated 19, and described as follows: Notes from the American Government with regard to the Application of the Terms of the Geneva Convention of the treatment of Prisoners of War.
I further certify that the attached record and document is an official document of the Japanese Government, and that it is part of the official archives and files of the following named ministry or department (specifying also the file number or citation, if any, or any other official designation of the regular location of the document in the archives or files): Japanese Foreign Office

Signed at Tokyo on this
27th day of December, 1946.

/s/ K. Hayashi
Signature of Official SEAL

Witness: /s/ Nagaharu Odo

Chief, Archives Section

Official Capacity

Doc. No. 10 M 1, 10 S 1, 10 B 1,
10 B 2, 10 B 3

C E R T I F I C A T E

V.D.C. No. _____
I.P.S. No. _____

Statement of Source and Authenticity

I, HAYASHI, Kaoru hereby certify that I am officially connected with the Japanese Government in the following capacity: Chief, Archives Section, Japanese Foreign Office and that as such official I have custody of the document hereto attached consisting of 6 pages, dated 25 April 1945, and described as follows: Protest from the American Government with regard to the treatment of Prisoners of War. I further certify that the attached record and document is an official document of the Japanese Government, and that it is part of the official archives and files of the following named ministry or department (specifying also the file number or citation, if any, or any other official designation of the regular location of the document in the archives or files): Japanese Foreign Office

Signed at Tokyo on this
27th day of December, 1946. /s/ K. Hayashi SIAL
Signature of Official

Witness: /s/ Nagaharu Odo

Chief Archives Section
Official Capacity

Document No. 10-B-2

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Page No. 1

"JO" 3, "FUTSU" No. 5

Jan. 21, Showa 17/1942/

Vice-Minister of Overseas Affairs

Matter Concerning Transmission of the Notes from the American Government with regard to the International Treaty of July 27, 1929, regarding Treatment of Prisoners of War.

Concerning the above, the Swiss Minister in Tokyo, representative of AMERICAN interests, has sent us a note, as per separate copy, enclosed herewith. We would greatly appreciate your opinion concerning the policy of treatment of overseas non-combatant internees of the enemy countries.

Vice-Minister of Foreign Affairs.

Ref No: 40 L D, 10 S 1, 10 B 1,
10 B 2, 10 B 3

C E R T I F I C A T E

W.D.C. No. _____
I.P.O. No. _____

Statement of Source and Authenticity

I, HAYASHI, Kaoru hereby certify that I am officially connected with the Japanese Government in the following capacity: Chief, Archives Section and that as such official I have custody of the document hereto attached consisting of 3/27 pages, dated 12 Feb., 1944, and described as follows: Transmittal of American Government's Protest with regard to the Treatment of Prisoners of War and Civilian Internees in the Area under the Japanese jurisdiction. I further certify that the attached record and document is an official document of the Japanese Government, and that it is part of the official archives and files of the following named ministry or department (specifying also the file number or citation, if any, or any other official designation of the regular location of the document in the archives or files): Japanese Foreign Office.

Signed at Tokyo on this
27th day of December, 1946.

/s/ F. Hayashi

Signature of Official

SEAL

Witness: /s/ Nagaharu Odo

Chief Archives Section
Official Capacity

Doc. No. 10 M 1, 10 S 1, 10 B 1,
10 B 2, 10 B 3

C E R T I F I C A T E

V.D.C. No. _____
I.P.S. No. _____

Statement of Source and Authenticity

I, HAYASHI, Kaoru hereby certify that I am officially connected with the Japanese Government in the following capacity: Chief, Archives Section and that as such official I have custody of the document hereto attached consisting of 21 pages, dated 19, and described as follows: Notes from the American Government with regard to the Application of the Terms of the Geneva Convention of the treatment of Prisoners of War.

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

Signed at Tokyo on this
27th day of December, 1946.

/s/ K. Hayashi
Signature of Official SEAL

Witness: /s/ Nagaharu Odo

Chief, Archives Section

Official Capacity

Doc. No. 10 M 1, 10 S 1, 10 B 1,
10 B 2, 10 B 3

C E R T I F I C A T E

W.D.C. No. _____
I.P.S. No. _____

Statement of Source and Authenticity

I, HAYASHI, Kaoru hereby certify that I am officially connected with the Japanese Government in the following capacity: Chief, Archives Section, Japanese Foreign Office and that as such official I have custody of the document hereto attached consisting of 6 pages, dated 25 April 1945, and described as follows: Protest from the American Government with regard to the treatment of Prisoners of War. I further certify that the attached record and document is an official document of the Japanese Government, and that it is part of the official archives and files of the following named ministry or department (specifying also the file number or citation, if any, or any other official designation of the regular location of the document in the archives or files): Japanese Foreign Office

Signed at Tokyo on this
27th day of December, 1946. /s/ K. Hayashi SEAL
Signature of Official

Witness: /s/ Nagaharu Odo

Chief Archives Section
Official Capacity

2172

Document No. 10-B-3

Page No. 1

"JO" 3, "FUTSU" No. 17

Jan. 13, Showa 17/1942/

President of the JAPAN Red Cross Society

Matters Concerning Transmission of the Notes from the American Government with regard to the adherence to the Provisions of the International Treaty and the Red Cross Treaty of July 27, 1929, regarding Treatment of Prisoners of War.

Concerning the above, we have received, from the Swiss Minister in Tokyo, a note, as per separate copy which is enclosed herewith for your information.

Vice-Minister of Foreign Affairs.

L.S. No. 10 I 1, 10 S 1, 10 B 1,
10 B 2, 10 B 3

C E R T I F I C A T E

W.D.C. No. _____
I.P.S. No. _____

Statement of Source and Authenticity

I, HAYASHI, Kaoru hereby certify that I am officially connected with the Japanese Government in the following capacity: Chief, Archives Section and that as such official I have custody of the document hereto attached consisting of 3/27 pages, dated 12 Feb., 1944, and described as follows: Transmittal of American Government's Protest with regard to the Treatment of Prisoners of War and Civilian Internees in the Area under the Japanese jurisdiction. I further certify that the attached record and document is an official document of the Japanese Government, and that it is part of the official archives and files of the following named ministry or department (specifying also the file number or citation, if any, or any other official designation of the regular location of the document in the archives or files): Japanese Foreign Office.

Signed at Tokyo on this
27th day of December, 1946. /s/ K. Hayashi
Signature of Official

SEAL

Witness: /s/ Nagaharu Odo

Chief Archives Section
Official Capacity

Doc. No. 10 M 1, 10 S 1, 10 B 1,
10 B 2, 10 B 3

C E R T I F I C A T E

V.D.C. No. _____
I.P.S. No. _____

Statement of Source and Authenticity

I, HAYASHI, Kaoru hereby certify that I am officially connected with the Japanese Government in the following capacity: Chief, Archives Section and that as such official I have custody of the document hereto attached consisting of 21 pages, dated 19_____, and described as follows: Notes from the American Government with regard to the Application of the Terms of the Geneva Convention of the treatment of Prisoners of War.

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

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Witness: /s/ Nagaharu Odo

Chief, Archives Section

Official Capacity

Doc. No. 10 M 1, 10 S 1, 10 B 1,
10 B 2, 10 B 3

C E R T I F I C A T E

W.D.C. No. _____
I.P.S. No. _____

Statement of Source and Authenticity

I, HAYASHI, Kaoru hereby certify that I am officially connected with the Japanese Government in the following capacity: Chief, Archives Section, Japanese Foreign Office and that as such official I have custody of the document hereto attached consisting of 6 pages, dated 25 April 1945, and described as follows: Protest from the American Government with regard to the treatment of Prisoners of War. I further certify that the attached record and document is an official document of the Japanese Government, and that it is part of the official archives and files of the following named ministry or department (specifying also the file number or citation, if any, or any other official designation of the regular location of the document in the archives or files): Japanese Foreign Office

Signed at Tokyo on this
27th day of December, 1946. /s/ K. Hayashi SEAL
Signature of Official

Witness: /s/ Nagaharu Odo

Chief Archives Section
Official Capacity

3173

"Kyo Fi Go" No. 93

12 February 1944
The Vice-Minister of Foreign
Office

Chief of P.O.W. (Information) Bureau:

Transmittal of the American Government's Protest with regard to the Treatment of Prisoners of War and Civilian Internees under Japanese Jurisdiction.

Inasmuch as the Swiss Minister in Tokyo, stating that he was acting on instructions from his home government, recently presented the Imperial Government with the American Government's protest, as per the enclosed copy, I hereby send you this together with the informal translation of the above. Re counter-measures to meet this protest, I wish to confer with you later and in the meantime will you kindly investigate the particulars concerned with your bureau.

Concerning a letter which was cited at the beginning of the Swiss Minister's letter relating to this matter, kindly refer to my telegrams "Kyo Fi Go" No. 25 dated 15 January last year, and "Kyo Fi Go" No. 229 dated 27 March, the same year.

This letter addressed to: The Ministers of War, Navy, Home Affairs, Justice, Greater Asia, and the Chief of P.O.W. Information Bureau.

W.D.C. No. 10 L 1, 10 S 1, 10 B 1,
10 B 2, 10 B 3

C E R T I F I C A T E

W.D.C. No. _____
U.S. No. _____

Statement of Source and Authenticity

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Signed at Tokyo on this
27th day of December, 1946.

/s/ K. Hayashi

Signature of Official

SEAL

Witness: /s/ Nagaharu Odo

Chief Archives Section
Official Capacity

C E R T I F I C A T E

V.D.C. No. _____
I.P.S. No. _____

Statement of Source and Authenticity

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

Signed at Tokyo on this
27th day of December, 1946.

/s/ K. Hayashi

Signature of Official SEAL

Witness: /s/ Nagaharu Odo

Chief, Archives Section

Official Capacity

Doc. No. 10 M 1, 10 S 1, 10 B 1,
10 B 2, 10 B 3

C E R T I F I C A T E

V.D.C. No. _____
I.P.S. No. _____

Statement of Source and Authenticity

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Signed at Tokyo on this
27th day of December, 1946.

/s/ K. Hayashi SIAL
Signature of Official

Witness: /s/ Nagaharu Odo

Chief Archives Section
Official Capacity

2176

INTERNATIONAL PROSECUTION SECTION
DOCUMENT PROCESSING UNIT

14 January 1947

DOCUMENT PROCESSING NOTICE

C O R R E C T I O N

In lines 3 and 4, on page 6 of the mimeographed copy of the English translation of IPS Document 2955, two dots forming part of certain Chinese characters given for comparison have not been put in the vacant spaces.

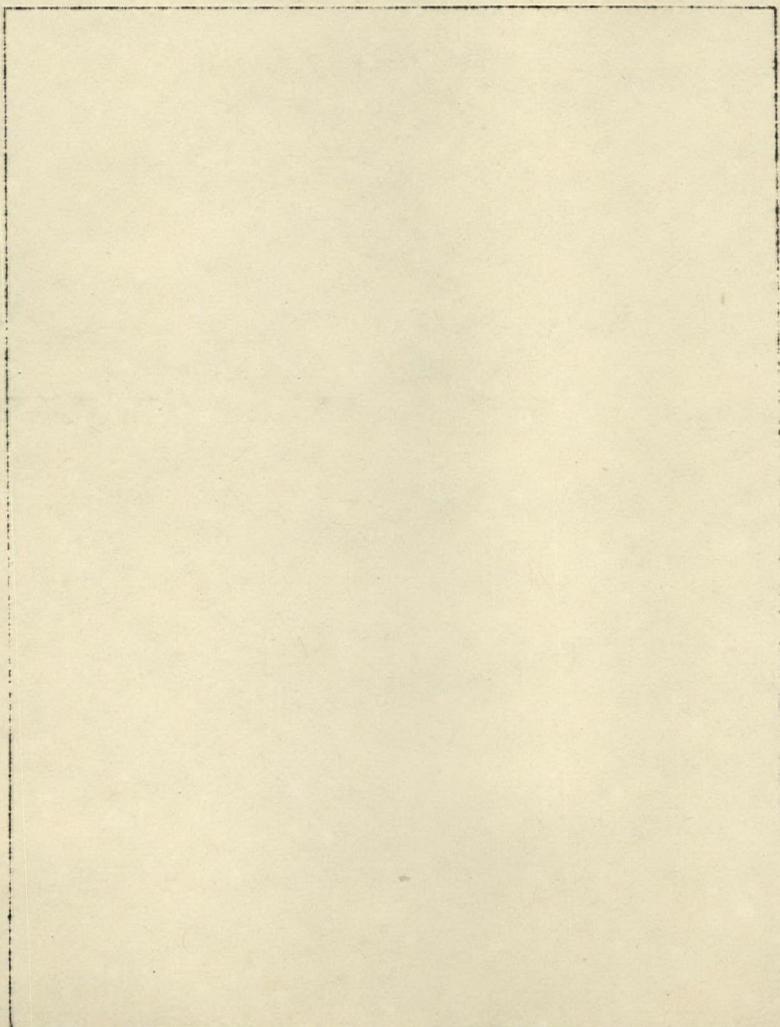
Line 3 of the page should read, "are generally shaped *" Line 4 of the page should read, "questioned letter are in the form of)"

Pu Yi letter

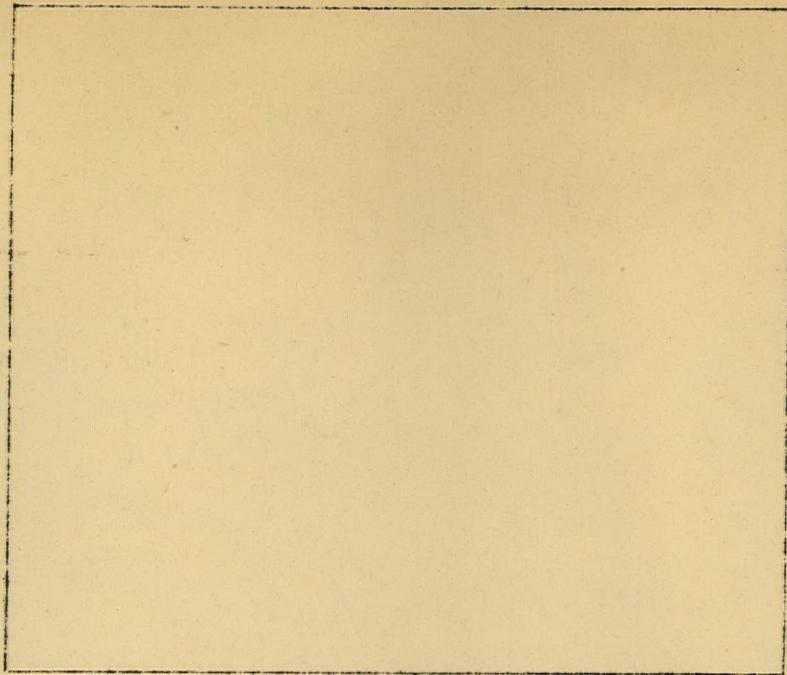
A REPORT ON THE STUDY OF PU-YI'S HANDWRITING

- I. Purpose of the Study - Whether the so-called Emperor Hsuan Tung's letter to General Minami dated the first day of the ninth moon in the year "Hsin Wei" (辛未, 1931) is in Pu-Yi's handwriting.
- II. Findings of the Study - The so-called Emperor Hsuan Tung's letter to General Minami dated the first day of the ninth moon in the year "Hsin Wei" (辛未, 1931) is NOT in Pu-Yi's handwriting.
- III. Reasons supporting the Findings -
/See photostats at end of document representing papers 1 to 5./

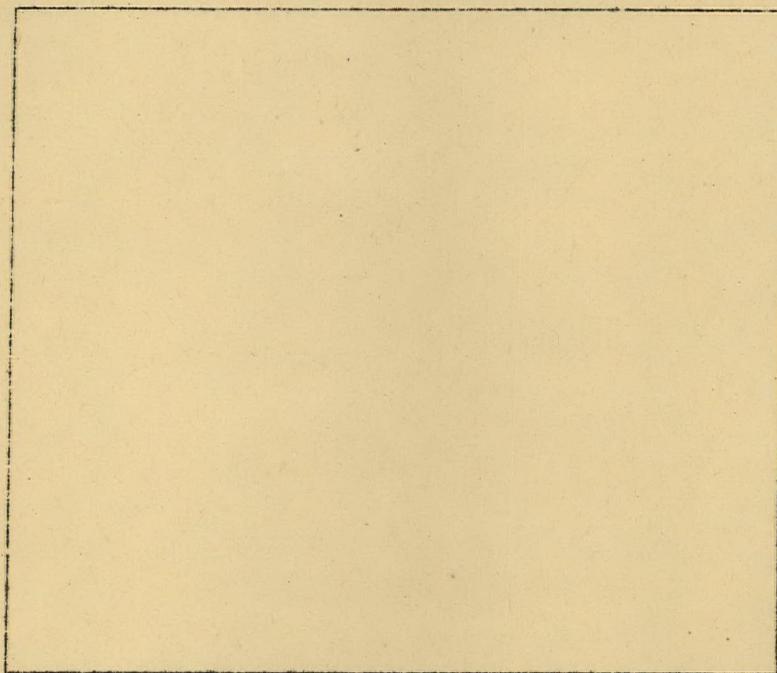
Paper 1.



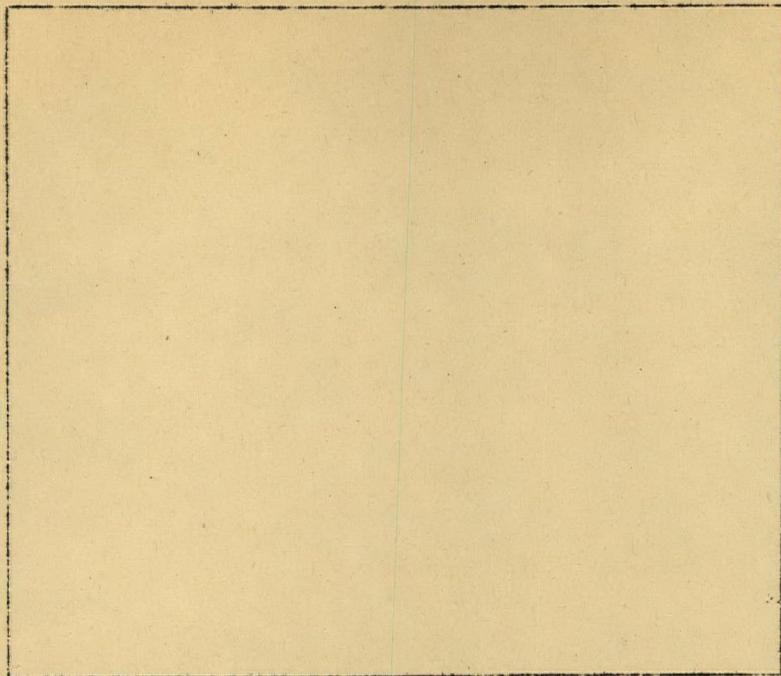
Paper 2



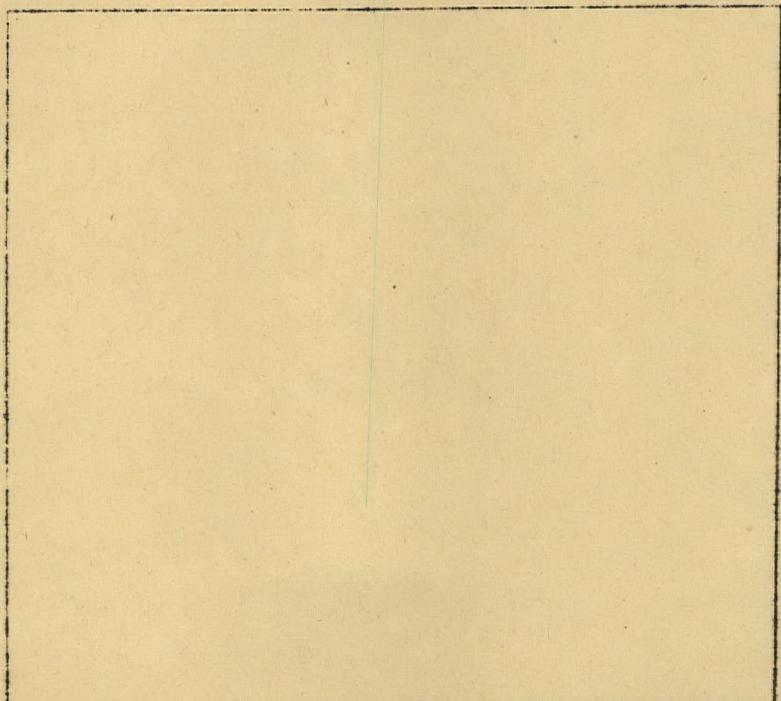
Paper 3



Paper 4



Paper 5



On the afternoon of 29 August 1946, in the presence of the representatives of the International Military Tribunal for the Far East, the International Prosecution Section and the Defense together with the handwriting experts chosen by the prosecution and the defense respectively, Pu-Yi made specimens of his handwriting on three sheets of paper. There are 123 Chinese characters on the first sheet of paper (Paper 1), 17 characters on the second sheet (Paper 2) and 116 characters on the third sheet (Paper 3). The characters which Pu-Yi wrote on the first and the second sheets of paper (Papers 1 and 2) were characters taken from the so-called Emperor Hsuan Tung's letter to General Minani dated the first day of the ninth moon in the year "Psin-Wei" (that is, the 20th year of the Republic of China, namely, the year 1931). As these characters were selected at random and not word for word, the following 37 characters found in the said questioned letter were not written by Pu-Yi in our presence:

處 (Ch'u)	指 (Ts'io)	失 (Shih)	堂 (Tang)
甚 (Shen)	慢 (Min)	茲 (Tzu)	達 (Ch'ien)
皇 (Huang)	室 (Shih)	家 (Chia)	庭 (Ting)
教 (Chiao)	授 (Shou)	赴 (Fu)	祝 (Szu)
軍 (Chun)	臣 (Ch'en)	忍 (Jen)	炭 (T'ian)
權 (Ch'uan)	讐 (Jang)	漢 (Han)	族 (Tsu)
及 (Chi)	者 (Choh)	徹 (Ch'e)	底 (Ti)
赤 (Ch'i)	福 (Huo)	黨 (Tang)	行 (Hsing)
也 (Yeh)	時 (Shih)	局 (Chu)	多 (To)
			觀 (Chieh)

Pu-Yi wrote the characters 濤 (Pu) 儀 (Yi), his signature in Chinese, which are not found in the questioned letter.

The third sheet of paper (Paper 3) contains Pu-Yi's handwriting of characters taken from what is supposedly written by His Majesty Emperor Hsuan Tung on a fan belonging to Johnston, his tutor. On this sheet of paper the two characters 依 (Yee) and 今 (Chin) are erroneously copied for 豈 (Tsao) and 令 (Ling), the latter two characters appearing on the above mentioned fan. The two characters 男 (Nan) and 飛 (Fei) which Pu-Yi wrote in his specimen handwriting are not found on the said fan. On the other hand, the following 12 characters on the fan were not written by Pu-Yi in his specimen handwriting:

庚 (Keng)	午 (Wu)	夏 (Hsia)	月 (Yueh)	初 (Ch'u)	伏 (Fu)
爲 (Wei)	志 (Chih)	道 (Tao)	師 (Szu)	傳 (Fu)	書 (Shu)

The two characters 濤 (Pu) 儀 (Yi) found in Pu-Yi's specimen handwriting on the third sheet of paper do not appear on the fan.

Upon comparing Pu-Yi's handwriting found in Papers 1, 2 and 3 (see photographic copy) with the handwriting found in Paper 4 which is the photographic reproduction of the questioned letter, I have found that the so-called Emperor Hsuan Tung's letter to General Minami dated the first day of the ninth moon of the year "Hsin-Wei" is definitely a forgery and is certainly not in Pu-Yi's handwriting. The reasons are as follows:

1. Spirit and Air in the Handwriting - Any one with an elementary knowledge of penmanship can readily tell that these two sets of writings are not from the same hand just by comparing the handwriting found in Paper 4 with the handwriting found in Papers 1, 2 and 3. Pu-Yi's handwriting as shown in Papers 1, 2 and 3, is plump and stiff in general appearance while the handwriting in Paper 4 is soft and thin. The one is clumsy while the other is nimble. The one is heavy and steady while the other is airy and flighty.

2. Style of the Handwriting - The style of handwriting used in the so-called Emperor Hsuan Tung's letter to General Minami dated the first day of the ninth moon in the year "Hsin-Wei" (1931) is commonly known as the "intermediate style" and the style used by Pu-Yi is his specimen handwriting in Papers 1, 2 and 3 is commonly known as the "square style". The fact that the one is in the "intermediate style" and the other is in the "square style" does not prevent an adequate comparison for the purpose of determining the genuineness of the questioned letter; however, for the purpose of further comparison we requested Pu-Yi while writing in our presence on the afternoon of 29 August 1946 to write also in the "intermediate style". Pu-Yi replied that he was unable to comply with our request as he could not write in the "intermediate style". But we kept on urging him and he finally complied with our request by trying to write in the "intermediate style" and the "running or cursive style". The result was that although the following Chinese characters

謀 (Mou) 廿 (Nien) 載 (Tsai) 久 (Chiu) 愈 (Yu) 趨 (T'su)
 紮 (Wen) 非 (Fei) 所 (So) 東 (Tung) 亞 (Ya) 之 (Chih)
 肇 (Kung) 國 (Ku) 勢 (Shih) 伏 (Fu) 終 (Chung) 無 (Wu)
 寧 (Ning) 曰 (Erh) 演 (Yen) 成 (Chen) 橫 (Hong) 夜 (Yeh) etc.

found in the 6th, 7th, 9th and 10th lines of Paper 1 are something between the "intermediate style" and "running or cursive style", they are so poor that it is evident that the handwriting as photographically reproduced in Paper 4 is by a different hand. In general, Pu-Yi, in his better days, must have put some effort in learning to write both small and large characters in the "square style" as shown in Paper 3. He is definitely weak in the "intermediate style" of penmanship.

3. Strokes in the Handwriting - The dots in Pu-Yi's handwriting forming a part of the following Chinese characters:

變 (Pien) 府 (Fu) 意 (Yi) 紐 (Wen) 實 (Shih)
 濟 (Chi) 寧 (Ning) 窮 (Ch'iuang) 辛 (Hsin) etc.

are generally shaped . . . But the dots appearing in the questioned letter are in the form of . . . The four Chinese characters 之 (Chih) 遠 (Yuan) 達 (Ta) 違 (Tu) written by Pu-Yi are entirely different from those found in the said questioned letter. The left component part 言 (Yen) of the character 謂 (Mou) in Pu-Yi's handwriting is also greatly different from the 言 (Yen) of 謂 (Jang) and 謂 (Mou) appearing in the said letter.

4. Character 壇 (Chang) - Pu-Yi wrote 壇 碩 (Chang Ai) which appear in the said letter as 碩 壇 (Chang Ai). The mistake in the left component part of this one Chinese character in the said questioned letter not only proves that the letter is a forgery but also betrays the fact that it was not written by a Chinese.

5. Note and Signature 鄭孝胥 (Cheng Hsiao-Shu) - In the lower left corner of the paper marked 4 bearing the photographic reproduction of the so-called Emperor Hsuan Tung's letter to General Minami dated the first day of the ninth moon in the year "Hsin-Wei" (1931) is found a note consisting of the following 14 Chinese characters:

今 (Chin) 上 (Shang) 御 (Yu) 筆 (Pi) 創 (Cheng)
 孝 (Hsiao) 胥 (Shu) 甲 (Chia) 成 (Erh) 月 (Yueh)
 二月 (Erh) 五 (Shih) 白 (Fih)

(Translator's Note: The meaning of the said note is as follows:- This is the present Emperor's Handwriting, Cheng Hsiao-Shu, the 20th day of the second moon in the year "Chia-Si", namely, 1934.)

In connection with Cheng Hsiao-Shu's note and signature, the absence of certain indispensable words absolutely required by convention and court usage; such as the character 臣 (Chen, meaning "Ministerial Servant") above Cheng Hsiao-Shu's name and the characters 敬題 (Chin Tih, meaning "respectfully noted by") attached to his name; reveals the forgery of the document.

For the foregoing reasons, I have come to the conclusion that the so-called Emperor Hsuan Tung's letter to General Minami dated the first day of the ninth moon in the year "Hsin-Wei" (1931) is NOT in Pu-Yi's handwriting.

IV. Corollary - Apart from the main result of the study stated above, the sub-findings are given as follows:

1. The so-called His Majesty Emperor Hsuan Tung's handwriting on the fan belonging to Johnston, his tutor (Page 5) is not in Pu-Yi's handwriting.

2. The handwriting in the so-called Emperor Hsuan Tung's letter to General Minami dated the first day of the ninth moon in the year "Hsin-Wei" (辛未, 1931) and the so-called His Majesty Emperor Hsuan Tung's handwriting on the fan belonging to Johnston, his tutor, are not written by the same person.

The handwriting on the fan as shown in Paper 5, being different from Pu-Yi's handwriting as shown in Papers 1, 2 and 3, is also different from the handwriting in the so-called Emperor Hsuan Tung's letter to General Minami dated the first day of the ninth moon in the year "Hsin-Wei" in all respects, such as spirit, style, strokes and so forth. Suffice it to say that even a person with but an elementary knowledge of penmanship can readily tell the difference between the handwriting on the fan and the handwriting in the questioned letter.

Report on Handwriting made by

Chang Feng-Chu (signed)

Formerly, Professor of Chinese Literature,
National Peking University
Formerly, Lecturer on Chinese Literature,
Institut des Hautes Etudes Chinoises
Universite de Paris
At present, Member of the Committee on
Educational Research, Ministry
of Education, Nanking
Concurrently, Cultural Expert of the Chinese
Mission in Japan, Tokyo

Tokyo, Japan

On the 10th day of December in the 35th year of the
Republic of China (1946)

此次東省寧夏民國政府開尊友

邦逢毒生靈遠山猛雄慰陸
南藉達子意廿載愈趙荼
實所料欲保東亞提携不足
以濟斯責疑是共勉之

所責則

PAPER 1

宋史卷一百一十五

博儀

辛未九月初一日

張學舉

然我朝持其載大愈甚愈系外
我所欲謀東亞之策固勢中西
決非東亞之策固勢非中國提携不足
解決前途之障礙要四仗於今寧日必

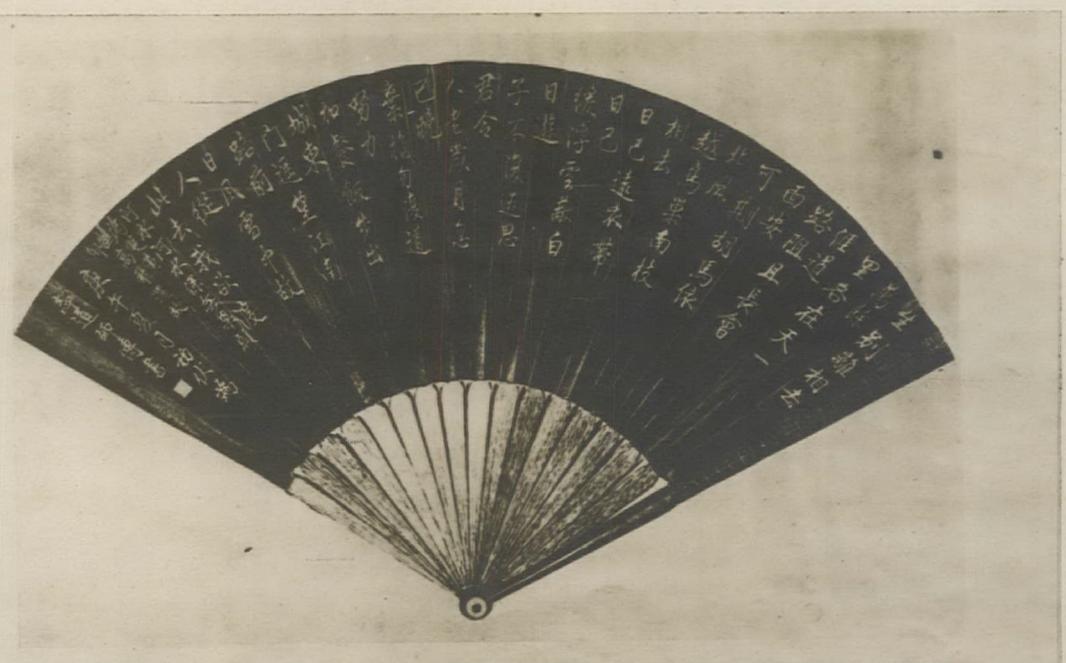
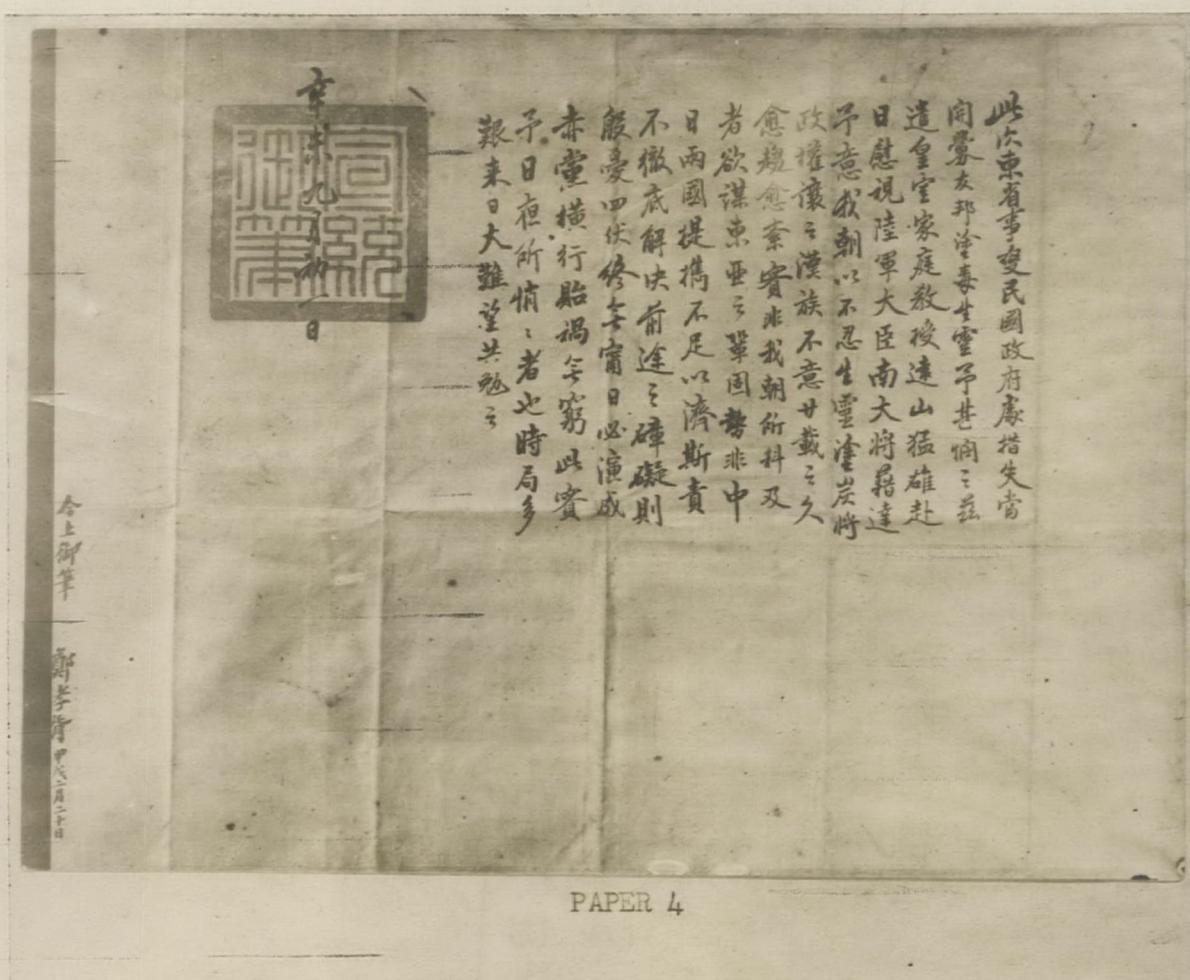
This is to certify that the
document was written
by Henry Kingley on the
and in the presence of me,
the 29th day of August, 1846.
Henry Kingley
Signed by witness
Signed by witness

清儀

天子山在海
東北山之南

水深無深頃而雙飛共鳴高飛還故鄉
出城東門遙望江南路前日風雪中故人從北去我從
越馬橫劍橫吉已下衣帶口已經半空懷古自是心
返忘與友人不家身忘已映素捐勿復道好名餐生

PAPER 3



FAN PRESENTED TO THE AUTHOR BY THE EMPEROR WITH AUTOGRAPH COPY OF A CHINESE POEM OF FAREWELL

Minutes of the Third Trial

212A

Defendants: OKAWA, Shumei
TOYAMA, Videzo
HOMMA, Kenichiro
YAMAMOTO, Sadayoshi
NAKAZAWA, Toru
YOSHIOKA, Nobutaka

With regard to the case of the defendant OKAWA, Shumei, in violation of the Explosives Control Act and for the offenses of murder and attempted murder; the case of the defendants TOYAMA, Videzo and HOMMA, Kenichiro in violation of the Explosives Control Act and for the offenses of murder and attempted murder and empty threat; and the cases of the defendants YAMAMOTO, Sadayoshi, NAKAZAWA, Toru and YOSHIOKA, Nobutaka for an offense of empty threat:

YOSHIDA, Tsunejiro, Chief Justice
INADA, Kaoru, Judge
YAMAGUCHI, Taniji, Judge
ISHIDA, Kazuto, Reserve Judge
SASHIDE, Rokuro, Court Clerk
OKADA, Naoye, Court Clerk

appeared and opened the trials in the Third Criminal Department of the Tokyo Court of Appeal on the 12th day of September in the 9th year of Showa Era (1934) in the presence of IIZAWA, Takashi, Prosecutor.

The defendants were not placed under bodily restraint in the court.

The below-mentioned counsels for the defense were present:

OHARA, Shinichi
ITO, Kiyoshi
HANAI, Tadashi
FAYASHI, Itsuro
TSUNODA, Tomoyoshi
FUKUDA, Terakane
KIYOSE, Ichiro
UTSUNOMIYA, Yoshihisa
IMAMURA, Rikisaburo
TERASAKI, Katsuji
ITO, Yosuke
KANAIKAWA, Kazuro
YAMADA, Panzo
AWATA, Hiroshi
OHTA, Kozo
OKUYAMA, Hachiro

(The Chief Justice announced that the trial will begin as a continuation of the last and questioned the defendant, CHIWA, Shunsei as follows:)

Q. Have you ever had a penal punishment?

A. No.

Q. What about your family relation?

A. I have only a mother and a wife. My mother is living in the country in YAMAGATA Prefecture with my younger brother.

Q. What is your educational background?

A. On July, 44th year of Meiji Era (1911) I graduated from the Tokyo Imperial University Literary Department, majoring in philosophy.

Q. Was it the 14th year of the Taishō Era (1925) that you got your degree of Doctor of Laws?

A. I believe it was in the 13th year of the Taisho Era (1924), but I'm not quite sure which is right.

Q. Tell me your personal history in general after your graduation from the university.

A. For 7 or 8 years after I graduated from university, I did not get steady work; but by earning enough money to study by translating or writing, I continued my studies. Then in the 8th year of the Taisho Era (1919) I became an employee of the South Manchuria Railway Company, and until the 6th of Showa Era (1931) I continued the work of the East Asia Research Institute (TOA KEIZAI CHOSA KYOKU). Then, in the same year, the above mentioned institute became independent of the South Manchurian Railway Company, and was turned into a foundation, I was appointed the first chairman of the Board of Directors, which post I continued to hold until I was arrested in this case on the 7th year of the Showa Era (1932).

Q. At that time you became a member of the South Manchuria Railway Company in the 8th year of the Showa Era (1919), were you the Chief of the Investigation Section of the East Asia Research Institute?

A. Yes, I was. But at that time that position was called the Chief of the editorial section.

Q. What is the purpose of the East Asia Research Institute?

A. Originally, this Research Institute was founded by GOTO, Shimpei, the first President of the South Manchuria Railway Company, with the idea of making a Research Institute in Japan as an organ of the South Manchuria Railway Company, after investigating the various research organs in Europe. Mr. GOTO's purpose at the time of foundation lay in studying the economic situation of Manchuria from the world's economic standpoint. When I became a member, it was investigating the world's general economic situation and the situations of Manchuria and China. After it was turned into a foundation, the sphere of investigation was limited in Manchuria and China, and we began to study the economic value of Manchuria and China not from the viewpoint of world economy, but from the standpoint of Japan.

Q. Who were the members of the staff after it was turned into a foundation?

A. I was the Chief of the Board of Directors, and the directors were: Count FUFUSHIWA, Michimasa; TSURUMI, Sakio; and NAGANO, Akira; and as representatives of the South Manchuria Railway Company were, OBUCHI, Miki, head of the Tokyo Branch; ITO, Takeo, head of the Investigation Section of the main office. These representatives of the South Manchurian Railway Company changed whenever the head of the Tokyo Branch and the Chief of the Investigation Section were changed. There are many other trustees.

Q. Who was the president?

A. The president was YAMAMOTO, Jotaro.

Q. Was the actual authority on the president or on the Chief Director? That is who actually supervised the work of the Research Institute?

A. It was carried on by me.

Q. How much salary did you get in the capacity of Chief Director?

A. I got a 500 yen salary plus 250 yen for housing allowance, making a total of 750 yen. On top of this, I got the equivalent of 6 months salary as bonus each year, so, after all, my annual income was less than 10,000 yen.

Q. When did you become a professor of the Colonization University?

A. I began in the 9th year of the Taishō Era (1920) and resigned in the 3rd year of the Showa Era (1928). It was said, however, that my name will remain on the staff, so, although I do not actually give lectures, I am still a member of the faculty.

Q. It is said that the accused has an ideology for the reformation of the national structure of Japan. Is that right?

A. Yes, that's true.

Q. What is the course of development of your idea.

(The defendant hesitates and does not answer)

Q. Then I will question you. I understand you formally had admiration for European culture. Is that right?

A. Yes. It was the education policy when we had been educated, and so I have such ideas. But by an accident, for three years from the 2nd year of the Taishō Era (1913) to the 4th year of the Taishō Era (1915), more than two full years, I had been absorbed in the study of Japanese history.

A rich man, a friend of my religious master, MATSUMURA, Chikuseki, wanted to do something significant at his celebration of his sixty-first birthday; so he consulted MATSUMURA. As an ideological unrest had been prevailing at that time and tended to agitate the peoples' ideas toward the Imperial family, MATSUMURA insisted that the rich man should write a chronicle of the successive Emperors as a memory of his sixty-first birthday, and distribute it widely to make our people definitely realize the fact that the character of our nation is such that the Imperial Family is always the center of the lives of the people. The rich man immediately agreed with him and left everything up to MATSUMURA. As a consequence, Mr. MATSUMURA persuaded me to write a chronicle of the successive Emperors, and he would look through it and publish it into a book. He told me that if I was willing to do it, he would pay me thirty yen per day, and as I was doing some cheap translation work for the Army General Staff at that time to earn my education, I accepted to undertake that job, thinking that writing a chronicle of the successive Emperors would not be of much difficulty. However, when I commenced writing on the original ceremony I discovered things would not go so smoothly.

Finally, I had to give up all other studies and concentrate only in this direction, or else my writing would not proceed at all. On the other hand, I began to take interest in the Japanese history, and after more than two years, I finished writing the chronicles of Emperor JINMU down to Emperor MEIJI. During this time, I began to realize of the Japanese spirit which had been hidden in my heart, and I had become conscious that I was a Japanese. I began to realize the grandeur of the spirit of Japan and began to grasp the significance of the national structure of Japan built upon this spirit. I came to have the idea that this nation should be made to prosper by this race.

- Q. It is said that you have studied in detail the present situation in India.
- A. Yes. As I had studied Indian Philosophy in the Philosophical course in the University, I decided to devote my life to the study of the Indian philosophy when I graduated. I was studying ancient ideas of India. As my interest towards India grew greater, I happened to get the feeling to study the present Indian situation merely for pleasure. Then, upon reading a book which I obtained from a second-hand book store, I found present India was entirely different from the very solemn ancient India which I had imagined. In short, I discovered that present India is suffering greatly under the control of Britain and people are living the pitiful life of a doomed people. And then with this as a start I began to study the history of the Europeans expansion in Asia, not only in Asia but the history of their territorial and economic expansion in the whole world. Then I began to study how the Europeans are maintaining their influence for such expansion, and this naturally turned into a research of the colonial policy and colonial history.
- Q. Did you become a member of the South Manchuria Railway Company because this research was recognized? And did you receive your Doctor of Laws degree through your research on the chartered colonial company?
- A. Yes.
- Q. Are you the author of the following books: "A History of Japanese Civilization" (NIHON BUNMISHI), "A Reader for Japanese History" (KOKUSHI DOKUHON), "An Introduction to Japanese History" (KOKUSHI GAIIRON), and "The Japanese Idea and the Japanese Spirit" (NIPPON SHISO OYOBI NIPPON SEISHIN), and it is understood that those books were due to your study of the Japanese Emperors' chronicle, is that right?

.. Yes, it is.

Q. What do you think of the influence of the European War upon Japan?

A. So far as ideology is concerned, democracy advocated by Wilson and Communism by Lenin had the greatest influence in Japan. In the economic world, of course, Capitalism has shown a rapid development; and as a consequence, the life of the people has suddenly come to show signs of defect. In looking at the course of development of capitalism in every country, we can find this defect among the lives of the peoples. In the present economic structure of Japan, the farmers are in the most unfavourable state. It is an economic phenomenon controlled more by nature than by human power, and in the present capitalistic economic activities, organized by human power, they are put in the most unfavourable state. Therefore, with the rapid development of this economic structure, the farming classes will, very soon, face difficulties. Its influence has been left unsolved till this day.

Q. At that time there was an organization called "ROSOKAI", were you present at its meetings?

A. Yes.

Q. What was the nature of this organization?

A. As its name, "ROSOKAI" means the gathering of the old and the youth. It was a gathering at which men from various fields with the opinion that Japan should not be left as it is, would get together and exchange opinions. Therefore, its members included soldiers, socialists, and representatives of laborors and farmers.

Q. Around the 8th year of Taisho Era (1919), was an organization called "YUSONSHA" established?

A. Yes.

Q. At that time, were you KITA, IKKI and MITSUKAWA, Kanetaro called the "Trinity of YUSONSHA"?

A. Yes.

Q. What was the nature of this organization?

A. The name "YUSONSHA" was taken from the poem, "Though all the lanes are ruined, pine trees and chrysanthemums are

still left", by TO-EN-KEI. Those were the days when countless organizations, large and small, were established, some being radical organizations with democratic or anarchical principles, while others were reformers organizations with socialistic or communistic principles. At that time, we believed reformation of Japan from a true Japanese standpoint to be a true reformation. Therefore, we considered ourselves the pine trees and chrysanthemums of Japan, and decided on the name "YUSONSHA". We spread the ideas of reformation from a Japanese standpoint.

Q. It is understood that you had published, "The Gist of the National Reformation Plan", by KITA, IKKI, and revealed the general outline for how to reform Japan, is that right?

A. Yes, it is right. However, I could not entirely approve of the "Gist of the National Reformation Plan" in general. There was no definite plan for the practical reformation of the state at that time, and it was necessary to have some opinion worth discussing about. Consequently I published that book so that our comrades could get together and do some studying. It does not mean that I had entirely approved of this book.

Q. But I understand that you resigned from the YUSONSHA because of difference of opinion with KITA IKKI, and that the YUSONSHA had dissolved simultaneously with your resignation, is that right?

A. Yes.

Q. It is understood that you were very worried about the Rice Riot of 1918, and the so-called The Serious Incident in the Imperial Palace (KYUCHU, JUDAI JIKEN), is that right?

A. Yes. This is a matter which everybody should worry about who looks clearly into the present situation in Japan and has any interest in the future of Japan.

What I was most surprised about the rice riot was that just when Japan had decided to begin a war with a foreign country and the Commander in Chief of the Siberian Expeditionary Forces was bidding farewell to the Emperor Meiji at the MOLOYAMA Mausoleum, some of the Japanese people had to rise in request of rice because they were hungry, and the military had to shoot at the hungry people. I believe anybody would be surprised at this.

At that time I was very much shocked and I thought that it was the first manifestation of the defects of Japan which had hitherto been hidden.

As to The Serious Incident in The Imperial Palace, I thought that, for the sake of maintaining the dignity of the Imperial Family, the already announced marriage should never have been changed merely by the opinion of Prince YAMAGATA. At that time, all the members of the "YUSONSHA" worked very actively.

Q. Did you deliver a lecture on the Japanese spirit at the Social Education Research Institute carried on by YOSHIO Harutushi, in about 1922?

A. Yes, I did. Not only on the Japanese spirit but also on Confucianism based chiefly on Oriental ideology.

Q. Was the above institute situated in one corner of the former main building in the Imperial Palace? A. Yes, it was.

It is said that students and young people from rural districts attend very earnestly the lectures held there. Is that true? A. They were not lectures exactly, but rather it was a kind of a school where we gave thorough education to about twenty people each year. MAKINO, Minister of the Imperial Household, SHIKIYA, Vice-Minister of the Imperial Household, Generals ARAKI, HATADA and MATSUBARA, and other young army officers used to go there to train them.

Q. Was General YOSHIO a very earnest supporter? A. Yes, he was.

Q. And was NISHIDA Chikara there too? A. Yes, he was.

This Social Education Research Institute changed its name to "DAIGAKUKYO" in about 1923, is that right? A. Yes.

Q. However, in 1925, it seems that you had organized the "KOCHI SHI", is that right? A. Yes.

Q. As to the "DAIGAKUKYO", it was ordered to move from the former main building and there was no building to go, so it was abolished in 1925, wasn't it? A. Yes, at that time the Ministry of Imperial Household decided to tear down the building away to build a library, and if we were to continue the DAIGAKUKYO the Ministry of the Imperial Household offered to lend us some land in AZABU. However, this was only the land without any building, and we had not money enough to build a building so we decided to abolish the DAIGAKUKYO.

Q. What were the principles of KOCHI SHI? A. I think there were seven principles. (1) To establish a revolutionized Japan. (2) To firmly establish a national ideal. (3) To realize liberty in spiritual life. (4) To realize equality in political life. (5) To realize fraternity in economic life. (6) To liberate the colored races. (7) Moral unification of the world.

Q. These appear to be principles chosen by you? A. Yes. To establish a revolutionized Japan means to renovate Japan into a country suitable for the realization of the real Japanese spirit.

Q. In regard to this, you have so stated during the preliminary hearing. Was it the same? A. (At this time, lines 5 on the front page of list 98 to line 9 of the back page of list 101 from records of the first interrogation held against OKUNI, Shumei at the preliminary trials, were read out loud).

A. Yes.

Q. What does the second principle that is to establish a national ideal mean? A. It is the same as that I stated during the preliminary hearing.

Q. On this point, you stated as this, do you mean this in general? (At this time the eighth line in the 102nd list to the first line in the 110th list were read). A. Yes.

Q. Now, what is the meaning of the following principles of KOCHISHA - (3) to realize liberty in spiritual life, (4) to realize equality in political life, and (5) to realize fraternity in economic life? A. I have, so to speak, a new conception of "mutual interdependence of the legislature", and that there are distinctly three aspects in our national life. The first is economic, the second is political and the third spiritual. The economic aspect deals with the life of correctly regulating the relations between material and people and fraternity must be realized in this aspect. The political life is one that clearly determines the relationship of personalities or of duties and rights of the people and since people are all equal, the ideal of politics, I believe, is the establishment of equal rights. Now, in regard to spiritual life, of course the ideal is liberty and this must be realized. Generally speaking, these three ideals - liberty, equality and fraternity - were advocated at the time of the French revolution, but they have not been realized as fully as desired in any national life. I believe there were many reasons for this, but to my way of thinking the fundamental reason is that these ideals are being sought for in different aspects of life. For example, equality should be sought for in political life, but socialists or communists are attempting to find it in the economic aspect. Although liberty, equality and fraternity have not yet been realized in spiritual life, it may be that liberty, equality and fraternity have not yet been realized in human life because certain types of liberals or democrats are seeking for them in political life and with different ideals. In order to realize these ideals I believe that it would be best to realize newly the concept of mutual interdependence of the legislature by dividing the state up into the aspects I have just mentioned and establishing the respective organs in the respective aspects. I have given you the ideals and the details are the same as stated in the preliminary hearing.

Q. Isn't there any mistake in your statement in the preliminary hearing? (At this time second line of 111 list to the third line of the back page 124th were read out loud). A. Yes, there is no mistake.

Q. I understand you had in KOCHISHA such companions as: Naometaro MITSUKAWA, Masatsu YOSHIDA, Yoshiaki KOBAYASHI, Jukeharu YAMADA, Takeyo NAKATANI, Chikara NISHIDA, Yoshisuke KAMIOUCHI, Ben KATO, Shigetsugu MITSUMORI, Naorie YAMASAKI, Yukinosuke SHIMIZU, Takeo ITO., is this right? A. Yes.

Q. And you published the monthly journal PIFI OF as your organ, didn't you? A. Yes.

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Q. There were about 3500 subscribers, is this true? A. Yes.

Q. Did you direct your appeal mostly to those who were deemed to become leaders? A. Yes.

Q. Didn't KOCHISHA split up in 1927? A. Yes.

Q. Was it because KITA-IKI distributed the so-called reprehensible literature in which he accused the Minister of the Imperial Household MAKINO and his ministry of corruption? A. Yes.

Q. Since then, you and KITA drifted further apart. Because the army was somewhat cautious of KITA, they were cautious of you, too, but when they found out that you had become estranged from KITA by that incident, and relation between you and the army became more intimate than ever and you were able to openly deliver lectures at the Army General Staff, etc. weren't you? A. Yes.

Q. Were these the men you became intimately acquainted with Lt. Gen. KOISO, Maj Gen OKAMURA, Maj Gen. ITAGAKI, Maj. Gen. DOMINERU, Maj. Gen. TADA, Col. KAMIYAMA, Col. S. SAKI and Col. S. IGUCHI? A. Yes.

Q. Now, what were your activities after becoming an employee of the South Manchurian Railway Co.? A. I was a very faithful employee. I encouraged the staff of the Investigation Bureau and also kept myself busy in the investigation of world economy and the Manchurian situation. The work assigned to me at that time was the investigation of licensed colonial corporations. This study became the essay for my degree of Doctor of Law.

Q. Did you acquire the belief that the age of Great Powers was gone and that the age of Super Great Powers had come while you were doing such research? A. Yes, if you study world history, you will reach such a conclusion. For a nation to keep going as an independent country in this present age, she should possess a territory that is at least self-sufficient. The present state of world affairs proves this clearly.

Q. In the case of Japan, what kind of territory should she incorporate? A. Korea and Manchuria are within the scope of possibility, but I believe Manchuria alone will not be sufficient.

Q. You seem to have made investigation trips to Manchuria and China frequently, didn't you? A. I went there two to three times a year for two to six months ever since I became an employee of the SMR CO. Hence, I have done considerable research.

Q. Did you acutely sense the anti-Japanese sentiment there? A. It is not the anti-Japanese sentiment which I acutely sensed, but what I regret very much was the cause leading to the rise of the anti-Japanese sentiment. To call it

anti-Japanese sounds narrow, but generally it means the diplomacy. anti-Japanism is one of the manifestations of diplomacy. Japan's diplomacy toward Manchuria and China wasn't too active. Japan's influence in Manchuria was at the highest peak when I joined the S.M.A. And while I was in Manchuria, Japan's influence began to wane yearly. It reached the bottom following Chang Tsuo-Liang's death in an explosion and after Chang Hsuen-Liang assumed the political power of Manchuria succeeding him. Though there may be various arguments in regard to this in short, Japan's national opinion has never united in its diplomacy toward foreign countries. That is, the greatest cause was the fact that Japan was divided in two in its diplomacy towards China and Manchuria. It was in the spring of 1929 during the later period when the T.M.A. cabinet assumed a positive policy and dealt with the Manchurian problem when, as a concrete manifestation of the T.M.A. cabinet's positive policy, the S.M.R. desiring to complete the construction of the Kirin-Huining railway, exerted its whole effort trying to secure the approval of Chen Hsueh-Liang. At that time, I was in J Kunden for several months starting from January and was negotiating with Chang Hsueh-Liang. One day, Chang Hsueh-Liang showed me a letter. That letter was from his younger brother Chang Hsueh-mei, who was in Tokyo at that time. It stated as follows:

"Recently a MINSEITO member of the house of Representatives came to see me and stated that the T.M.A. cabinet will fall soon. In such an event, the MINSEITO Cabinet will solve not only the railway problem, but all Manchurian problems to your advantage, so tell your brother to dilly-dally and prolong the negotiations in regard to the Kirin-huining railway until our cabinet is formed. Since another MINSEITO member of the house of Representatives came to tell me that, I am relaying this to you."

This, Chang Hsueh-Liang showed me with a grin. With their being given a prospective of the circumstances within, like this, it is inevitable that they assume a more positive attitude and turn anti-Japanese. I could not help feeling that the development of Japan's power was absolutely hopeless with Japan being divided into a MINSEITO state and a SEMIUMI state and half siding with the enemy.

Again in February of that year, Minister YOSHIZAWA was negotiating with Wang Sing-tei, at Shanghai in regard to the Tientsing Incident. On that occasion, I rushed from Manchuria to Shanghai. Minister YOSHIZAWA had gone to Tokyo in the spring of 1928 and had returned with a concrete plan for the solution of the incident after having held repeated discussions with Prime Minister TANAKA and the various cabinet members and having found something that was satisfactory. hence, he was negotiating with the Nanking government and I believe that they had reached an agreement and probably had temporarily signed it, but the text of the agreement was considered to be disgraceful on the part of the T.M.A. cabinet. The Diet was in session then, and using this as their point of argument, a group within the House of Peers criticized the failure of the T.M.A. Cabinet's China diplomacy and almost brought about a movement to overthrow the cabinet. Hence, a telegram came from Tokyo suddenly instructing the cancellation of the arrangement

made according to the concrete plan which was decided the previous spring when YOSHIZAWA had taken the trouble to go to Tokyo. There is nothing so stupid as this. This, in other words, is not a diplomacy towards China, but toward the House of Peers of Japan. If such a thing is continued, Japan's overseas development can never be accomplished. At least, not under the present circumstances wherein two political parties are scrambling for political power. It is therefore only natural for anti-Japanism to exist. I thought this cannot be left alone. This is what I meant when I stated I keenly felt anti-Japanism.

- Q. The newspaper, moreover, stated that the MINSEITO members of the House of Representatives clamored for the revelation of the real facts in regard to the death by explosion of Chang Tsuo-ling in The Diet. Is it true?
- A. Yes. I believe Mr. Seigo NAKANO made such interpolation before The Diet. This, too, was most reprehensible.
- Q. Was there any question raised as to whether Japan should deal with Chang Hsueh-liang or with Yong Yu-tin after Chang Tsuo-lin's death?
- A. Yes. There was. The commander of the Kwantung Army then was Lt. Gen. MURAOKA and the Chief of the Special Service Agency was Shinji HATA. Their opinion was that it would be better naturally to deal with Chang Hsueh-liang and action, in general, was taken according to this opinion. However, since Yong Yu-tin had been handling their business transaction, The OKURA-GUMI strongly advocated that, from a practical point of view, to place the Manchurian political power in the hands of Yong Yu-tin would be better because their commercial advantages with Yong. And this opinion was considerably strong within the army too. This was the first time that I discovered that the capitalists of Japan had a great influence upon the political and military diplomacy. For example, when Lt. Gen. MURAOKA was in Mukden after the death by explosion of Chang Tsuo-lin, he would meet with Chang Hsueh-Liang, but not with Yong Yu-tin. However, The OKURA-GUMI, wanting Lt. Gen. MURAOKA to meet Yong Yu-tin and desiring at least to make the relationship between Lt. Gen. MURAOKA and Yong Yu-tin closer, actively campaigned to draw the interest of the Army General Staff. As a result, a telegram suggesting rather than ordering Lt. Gen MURAOKA to confer with Yong Yu-tin was sent from the control headquarters. Lt Gen. MURAOKA is a very excellent army man who can be rated as being No. 1 or 2 among the army personnel. And with him in Mukden, how impudent it was for the person to send a wire suggesting whom he should meet. I thought it disgusting that OKURA-GUMI had begun to have such a great influence upon them.

Thus, there were two factions --one centering around Chang Hsueh-liang and the other around Yong Yu-tin, existing in Manchuria and Japan. Such being the state, the OKURA-GUMI secretly worked behind the scenes. Thereafter, negotiations with Manchuria were made with Yong Yu-tin.

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Q. Therefore, Chang Hsueh-liang reportedly killed Yong Yu-tin and his devoted assistant, Chang Yin-Kuei and completely wiped away the influence of Yong's faction in January 1929, is that right?

A. Yes.

Q. And you reportedly started a people's movement because you thought that the Manchurian and Mongolian problems cannot be left in the hands of the capitalists and politicians, but should be solved by a people's movement, is that right?

A. Yes.

Q. Did you give lectures about this?

A. Yes. On the opinion that a small country cannot be independent, I reasoned that I should let the people know that Japan, for the time being, should attempt economic development in Manchuria; that the nation cannot go on without having the foundation of her national life built on a united economic system of both Japan and Manchuria and that if this is done, the Manchurian problems, too, can be solved. There are fifty prefectures in Japan, and I decided to make a hasty trip and explain the Manchurian situation to the people by giving lectures and showing motion pictures at three or four places in a prefecture. I undertook this in the latter days of April in May, 1929, immediately upon returning from my Manchurian trip and continued it up to the outbreak of the Manchurian Incident.

Q. Were there any repercussions?

A. There was a very unexpected reaction. At first, I did not know how much the repercussion would be, and when I consulted with the army authorities about undertaking the project together, the army didn't agree, stating that it would be criticized as militarism and imperialism and lose its effect if the army would join. Hence, I undertook it alone and the reaction was indeed surprising. Leaving aside rare instances, it drew a full house everywhere.

Q. What do you mean by the construction of HULUTAO Harbor?

A. HULUTAO Harbor is an ice-free port situated to the west of Dairen at the tip of the Pohai Bay. As it was planned to reconstruct the harbor, the harbor reconstruction plan had already been made, and a Dutch company had contracted and was undertaking the project. Chang Hsueh-liang had thought of this and his proposal was to usurp

the prosperity of Dairen and at the same time to construct a trunk line to HULUTAO parallelling that of S. M. R. and accumulate the products of Manchuria at HULUTAO, thus making S. M. R. virtually valueless and killing the prosperity of Dairen.

Q. Was this the reason why the people gradually began to consider the Manchurian problems seriously and become disgusted with SHIDEHARA's diplomacy?

A. Yes, I believe so.

Q. It is claimed that as the voice of dissatisfaction grew louder among the people, the army took note of this trend and began to take positive action gradually. Is that right?

A. Yes. The army, being alert on taking advantage of opportunities, began taking positive actions as soon as this trend became great. And finally, they began to act together with us, and the Army General Staff and other departments, even began sending lecturers to us.

Q. It is said that the London Naval Disarmament Conference has made the young naval officers indignant. Is it so?

A. It is obvious, I believe, as to how indignant the young naval officers were by the mere fact that Lt. Cmdr. KUSAKARI committed suicide.

Q. June 30, 1930, Gen. /T. N. or Adm./ YASHIRO died. Did he tell you anything in regard to the country at that time?

A. He didn't say anything definitely, but he repeatedly stated that everything should be done for Japan.

Q. In that year, Premier HAMAGUCHI was shot with a pistol at Tokyo Station and the following year 1931, the Diet was convened under Acting Premier SHIDEHARA, and it was put in disorder as though a bees' nest had been disturbed because of a slip of the tongue by the acting premier. Was it so?

A. Yes.

Q. Did you found the JIMMU KAI?

A. Yes, I did, on the anniversary of the accession of the Emperor Jimmu on February 11, 1932.

Q. What are the principles of the JIMMUKAI?

A. The general principles of the JIMMUKAI were to realize a family system conforming to the national spirit, to eliminate the evils of party politics, which considers party's interest and policy as primary and national welfare as secondary, and to reform the capitalistic economic system, which considers self-interest as primary and national welfare as secondary. What we planned to do was to bring about the opportunity for a national reformation through a national movement.

Q. Was this movement effective?

A. It was in February, 1932, that the movement was started, and I was arrested in June of that year. If I had not been arrested, I believe it would have become a considerably powerful movement.

Q. Did you have supporters or sponsors?

A. I don't know.

Q. Do you know a person named Koichiro ISHIHARA?

A. Yes, I do. He was a supporter of the JIMMUKAI and he supplied us with most of the funds needed for the movement of the JIMMUKAI.

Q. You were connected with the so-called March Revolution or the Imperial Flag Revolution, weren't you?

A. There wasn't any incident called the March Revolution. Since it is not proper to use the word "revolution" for the March Incident, I would like to make this clear beforehand.

(The Chief Justice, after a conference, ordered the spectators to leave the court after having announced that the resolution and the reason for the suspension of open court thereafter was because of the fear of impending the public peace and order, but special permission was given to Seisaku HASEGAWA, Muneyo MURAI and A. KATA KURA to attend court.

The Chief Justice, then, questioned Shumei OKAWA as follows:

Q. Did you, in about 1931, know that there existed a strong antagonism against the political parties among the important personnel of the Army?

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- A. Yes, when Acting-Premier SHIDEHARA made a slip of the tongue before the Diet. The slip of the tongue was made in regard to the London Conference. A statement to the effect that it was disloyal for anyone to criticize it. Using this as their ground, the Seiyukai Party started a great commotion and prevented the progress of the session for three days. This made the army personnel, who had been indignant at the attitude of the Diet before this, all the more indignant.
- Q. The military group reportedly believe that Japan can never be saved if parliamentary politics in which two powerful parties confronting each other, is sloppily continued. That enmity of America toward Japan, in the long run, may bring about a Japanese-American war and that if a Japanese-American war is unavoidable, it should be held now. Is it so?
- A. Yes. If a Japanese-American war is unavoidable, this war probably will be a protracted one. Since Japan will be confronted with food and other economic difficulties, the Manchurian problem should be settled before this. Therefore, the national life, we thought, should be reconstructed on an economic foundation made up of Japan and Manchuria as a unit to enable Japan to withstand a protracted war.
- This Manchurian problem was the important motive for the March Incident. SHIDEHARA's diplomacy was very soft and he did not try to take any positive action against Manchuria. Since it had been firmly proven by the China policy of the TANAKA Cabinet that even if the Seiyukai Party should form a cabinet and advocate a positive policy, it would only be words, we thought that this would not do.
- Q. Then, the Capt. NAKAMURA Incident occurred and it was decided, by the high officers at the Chiefs-of-Staff conference held in May of that year, that an aggressive policy should be taken without any hesitation, wasn't it?
- A. It wasn't by high officers. Even in the Japanese army, high ranking officers do not readily express such opinion. It was decided by the young Chiefs-of-staff conference that since one can never tell what they'll do next upon judging from the attitude of Chang Hsueh-liang, they should be smashed firmly and without any hesitation in the event the Manchurian regime should insult Japan beyond the limit.
- Q. Were you present when such discussions were held?
- A. Yes, I was.

Q. Then, on September 18, the destruction of the Manchurian railway line at Lukow-chiao occurred and with this as the beginning, the Manchurian Incident began, didn't it?

A. Yes. We were able to take such prompt action because, as I have stated previously, our mind was made up.

Q. Next, what is the March Incident?

A. In short, it ended merely as a plan. The plan was for the masses to express their disapproval of the Diet then in session by means of a mass demonstration. To do this, as many people as possible would be mobilized. Since a clash with the police must naturally be expected on this occasion, those who start this demonstration should bear this in mind. And if during the clash with the people the citizens or people taking part should increase more and more, aggravating the commotion and throwing the metropolis into a turmoil, the army would step in and declare martial law, thus taking its first step toward national reformation.

Q. With whom did you make the plan?

A. The movement for it grew up as it was being discussed here and there.

Q. Then, was there a rumor at that time that Gen. UGAKI will succeed Gen. TANAKA as president of the Seiyukai Party?

A. Yes, there was.

Q. So did you see Gen. UGAKI to ascertain the fact upon being told by the Chief of Military Affairs Bureau KOISO?

A. Yes, I did. These circumstances lead to the March Incident. At that time, my intimate friends, Col. SHIGETO, head of the Second Chinese Affairs Section and Lt. Col. Kingoro HASHIMOTO of the Russian Affairs Section of the General Staff, told me that the upper class of the army was burning with indignation at the Diet and that such a Diet should be crushed. And they asked me to see Gen. UGAKI to find out what his opinion was. Then, I met Gen. UGAKI for the first time. In a similar vein as that expressed by me previously, Gen. UGAKI stated that Japan can never develop her fate and overseas development with such a Diet and expressed in very strong words his indignation at party politics. Then, when I returned and told Lt. Col. HASHIMOTO and others the gist of what I had heard from Gen. UGAKI, they decided to get the opinion of others. HASHIMOTO and

SHIGETO, then went to see Lt. Gen. MINOMIYA, who was then Deputy Chief of Staff, and Maj. Gen. TATEKAWA, who was then Chief of the Second Department, and asked their opinion. They too, were very indignant and inquired if there wasn't any means to bring about an opening for a reformation at this time.

- Q. Didn't Chief of Military Affairs Bureau KOISO have ~~any~~ connection with this?
- A. As it was being discussed more and more by everyone, Chief of Military Affairs Bureau KOISO gradually came to be involved, and others also joined later.
- Q. Was it the discussion to start a mass demonstration on March 20 and was this called the March Incident?
- A. Yes.
- Q. But it was cancelled because of the fear of being discovered, wasn't it?
- A. It wasn't because of the fear of being discovered. It was because of Gen. UGAGI's opinion that we shouldn't do such a thing.

It was planned to agitate a mass demonstration at first and to have the army take positive actions when martial law is declared. Gen. UGAKI's intention appeared to be that, too. When I met Gen. UGAKI, that was what I ascertained first, and I reported this to Col. SHIGETO and others.

That evening, Chief of Military Affairs Bureau KOISO, Deputy Chief of Staff NINOMIYA and Vice-Minister of War SUGIYAMA went to see Gen. UGAKI. Gen. UGAKI told them exactly what he had told me and these three had the idea the Gen. UGAKI possessed such a positive intention.

Then, Lt. Gen. KOISO, taking charge of everything, told me that since there would be the danger of being discovered if too many fussed about it, we should pretend to have suspended it on the surface and that I should represent the civilians and he will represent the army. However, although he went ahead with the plan, Lt. Gen. KOISO decided to suspend it later. Hence, it was decided to suspend it and that was the end of the March Incident.

I decided to carry on after that by myself, but since Marquis YOSHI-CHIKA TOKUGAWA dissuaded me from doing so, I abandoned the plan.

Q. Did you intend to dissolve the Diet or merely bring the members of the Diet to their senses by mass demonstration?

A. We didn't intend to destroy the Diet completely. Gen. UGAKI stated that he had an intention to dissolve the Diet and hold as many elections as necessary. We had no intention to disapprove parliamentarism itself.

Q. What do you mean by taking positive action of martial law is declared?

A. Our idea was to set up a new political power and form a Cabinet centering around the army.

Q. You mean to leave the Cabinet system as it is, but have an influential army man as the leader of the Cabinet and actually adopt a bold policy. But not in the form of a dictatorship, is that right?

A. Yes, my idea is so. At any rate, we didn't care what they did if it was a Diet that would obey.

Q. Now, what is the October Incident?

A. At the last trial, the Chief Justice told Mr. HOMMA that OKAWA claims that he is the only civilian that knows about it; but what I meant was the March Incident. The public appears to be making various

remarks in regard to the March Incident and as if UGAKI is an ambitious person. What I mean was that I was the only civilian who knew the actual facts.

The cause of the October Incident is related to the Manchuria Incident. As you know, the Manchurian Incident was started by the destruction of the SMR line at LUKOWOFU-LAO on September 18, 1931. The Cabinet at that time, as you know, was the SHIDEHARA Interim Cabinet and it had no definite policy. Not only was the policy of the Cabinet so, but the military leaders, too, had no definite ideas.

At that time, as a result of having taken two days and two nights to decide whether the action of Commander HONJO should be approved or not, it was found that if his action were to be disapproved, Commander HONJO would have to be court martialled. Therefore, they finally approved it, but they did not know their own mind in everything. Even in an urgent instance when speedy measures and methods should have been taken, the attitude of the government was very disgusting. If they should dilly-dally as they were doing, all would end in vain, although the lid for the solution of the Manchurian Incident had been thrown open. Even the purpose would not be achieved. Hence, the aim of the October Incident was, generally speaking, to crush them and set up anew a powerful political power capable of undertaking the solution of important problems because it was obvious that they, possessing such a weak stomach as to be unable to digest even the domestic problems, could do nothing if they were fed with such a big and raw thing as Manchuria, also. According to Mr. HOMMA, he had heard of it in about September, so I can't help wondering how it had leaked out. At any rate, it was like that and was planned by the young army officers. Many others joined them, and the general set up was that a couple of army men would draw up the entire plan and that those who endorsed this aim were not to consider the plan of others, but to carry out only the role assigned to them exactly as determined by the planners of the whole undertaking. This was necessary to prevent the secret from leaking out and was also most reasonable. In this type of thing, many should not be called in on the discussion, for the most logical thing is to do it with a consistent idea. Hence, I know the assignment given to me and about how many had been gathered to do approximately this much, but not the details.

The set up, generally speaking, was to have military men primarily and not to include civilians.

Q. Who drafted the ultimate plan?

A. I don't know exactly, but the person who gave me orders was Hingoro HASHIMOTO.

Q. Then you don't know who was at the top drafting the plan?

A. I have an idea.

Q. Are SHIGETO, HASHIMOTO, ITAGAKI and POIHARA involved?

A. Yes.

Q. Are you the only civilian?

A. Yes.

Q. After all, they are satisfied with how things are now, so what do they want to do?

A. Their plan, I suppose, is to set up a Cabinet centering around the army and with an army man at the head and establish a one party political system.

Q. Are they going to leave the Diet as it is now?

A. I think they planned to leave it so.

Q. What was your assignment?

A. My assignment was to lead a squad of eighty soldiers and visit the various influential newspapers in Tokyo and to order them to write items desired by us and see that they do it. Another was to make a flag with the inscription "The Imperial Flag Renovation Headquarters" (KINKI ISHIN HONBU) and float it from the roof of the Land Survey Department of the General Staff Headquarters. That is, the headquarters was to be set up in the Land Survey Department. But we weren't able to carry this out because the soldiers who had planned this secretly had been arrested.

Q. Were Gen. MASAKI and Gen. ARAKI involved in the March Incident or the October Incident?

A. No.

Q. Were you involved in the Blood Brotherhood Incident?

A. Absolutely not.

(At this juncture, the Chief Justice, after a conference, announced his decision to suspend the closed court order and ordered the court to be opened.

The Chief Justice, then questioned Shumei OKAWA as follows:

Q. Are you intimate with Lts. (J.G.) Kiyoshi KOGA and Yoshio NAKAMURA?

A. They are not exactly my intimate friends, but since they come to visit me, I have been meeting them. The first time I met them was when they came to see me in about March of 1932 asking me to tell them about Japanese history.

Q. Haven't you been meeting them from 1932?

A. I can't remember the exact date.

Q. According to NAKAMURA he visited you on Jan. 10 and 24 and Feb. 7 and 20 of 1932 and together with KOGA on March 27, the day in question. Hence, he claims to have visited you four times before you had a detailed talk with them. Did they visit you four or five times?

A. Probably.

Q. Did you tell NAKAMURA on Feb. 7 that you had so many pistols?

A. No, I didn't.

Q. According to NAKAMURA, when he visited you together with KOGA on Feb. 7 and asked you to supply the pistols because the naval compatriots had resolved to rise soon, you agreed to get them the pistols. Besides, KOGA testified that he told you at that time that the Navy had already obtained the bombs, but didn't have enough pistols. How about it?

A. I can't recall the date, but it is true that I received such a request.

Q. Didn't you meet KOGA on or about February 21 of that year?

A. I can't recall a thing that has happened so long ago.

Q. According to KOGA, your intention was to crush the political parties and the big plutocracy and establish a military government and you stated that judging from the October Incident, it was not necessary to do it by such illegal means as a coup d'etat, but plan to do it by legal means openly. How about it?

A. I don't know whether I said so or not. But since KIMMUKAI, generally speaking, was a society desiring to do it legally, it was my intention to do it in that manner.

Q. What do you mean by establishing a military government through legal means?

A. By military government, I meant a government run by military men primarily and able to be dictatorial actually with an influential military man at its head.

By legal movement, I meant agrarian movement. Concretely speaking, it is to cancel the debts of the farmers.

Q. Did KOGA call on you on March 27, 1932?

A. Yes.

Q. On that occasion, did NAKAMURA come afterwards and get together?

A. I can't recall it, but it may be exactly as they stated.

Q. On that occasion, did KOGA say to you that since the members of the Blood Brotherhood had all been arrested, those of the military service have decided to execute mass terrorism starting from about the middle of April to the middle of May?

A. It may have been some other time, but he stated something similar to that.

Q. Then, you said in that case you too will do the same, didn't you?

A. I can't recall it.

Q. Furthermore, did KOGA state that the bombs had been obtained at SHANGHAI, but since they didn't have enough pistols, he wanted you to get as many as possible - even five or ten would do?

A. In other words, he did state that it doesn't matter how many, but he wanted me to get him pistols. He also stated that he is going to do it with the farmers of IBARAKI Prefecture.

Q. Didn't he give you the names as to who the farmers of IBARAKI prefecture were?

A. He said very vaguely that he is going to do it together with the farmers of IBARAKI Prefecture. He also added that since few of his comrades were coming out, he will do it then. Hence, he needed the pistols and wanted me to get any number and that if he should die, he will not cause me any trouble.

Q. Then, did you ask him if he needed any military funds?

A. Yes.

Q. Then, as KOGA stated that he didn't need much, but about 200 to 300 yen for scouting purpose, you asked him whether it was all right, since you will furnish him with any amount possible within your power. Then, KOGA reportedly stated that he will not commit any blunder that will reveal the plan before its execution, but if it should be revealed, he wanted you to know that he will firmly state that you had no connection. Is that right?

A. Yes.

Q. Did you reply that you will give him the pistols on the following Sunday, that is April 3?

A. Yes.

Q. Then, did you know as to what KOGA was thinking of doing?

A. I thought that he was going to start an agrarian movement. I never even imagined that the farmers were students of AIKYOJUKU. I thought that he was going to mobilize the farmers of IBARAKI Prefecture to do something and needed the money for that purpose.

Q. Didn't you think that the farmers were going to destroy the transforming stations and throw the city of Tokyo into complete darkness?

A. No, I did not think so. I thought that the mobilized farmers were going to clash and fight with the police.

Q. What did you think they were going to use the bombs obtained from Shanghai for?

A. I thought they were going to be used in the fighting against the police.

Q. What did you think they were going to use the pistols for?

A. I thought that they were going to be used for the same purpose. According to attorney KIYOSÉ, the testimony made by the Naval officers seem to state that the plan was a pretty large-scaled one, but what I was told was that they were going to risk their lives for the sake of national reformation and accelerate the movement for national reformation by it.

Q. Concretely speaking, how did you think that KOGA was going to undertake the national reformation?

A. Since their immediate aim was to bring about the reflection of the political parties and the plutocracy, I thought that KOGA and his group were going to lead the great number of farmers coming to Tokyo from IBARAKI Prefecture with the agrarian question and start a movement of mass petitioning or in some other form and that this would develop just as I thought at the time of the March Incident.

Q. In the March Incident, wasn't it your ideal and aim not to touch the basic system of the state, but to utilize it skilfully and moreover to put an influential militarist in as head of the Cabinet and make the various administrations work according to his will?

A. Yes.

Q Did you imagine that KOGA, too, would do something like that?

A No, I did not. I thought that they would only serve to create such an opportunity.

Q Then, did you think that a few persons would be assassinated?

A I thought that they might kill some persons, but generally speaking, I thought that they were going to start an agrarian movement, as I have just explained.

Q Did you not realize that bombs and pistols could be used to kill and injure human beings?

A I did think that government authorities and policemen, who interfered with the movement might be killed or injured, but I never thought that a specific person such as the Premier or the Keeper of the Privy Seal would be killed or injured.

Q You stated at the original trial that you believed that a specific person would be assassinated. How about it?

A It is not true. It was our motto to start fairly and honorably from an agrarian movement.

Q When KOGA visited you on April 3, 1932, at your home in Tokyo, Shinagawa-ku, Kami-Osaki, 4-chome, #231, formerly Tokyō-Fu, Ebara Grun, Osaki Cho, Kami Osaki, #231, you gave him five pistols, about 125 rounds of bullets and 1500 yen at the above mentioned home of yours, didn't you?

A Yes.

Q How did you happen to have these pistols and bullets?

A I had them ever since I lived in Manchuria in 1930.

Q Didn't you obtain these in a hurry because you received a request from KOGA?

A It is not so. When I received the request from KOGA, I immediately said I will give them to him next week. At a time when the control over possession of pistol was very strict because of the Blood Brotherhood and other cases then, I couldn't have obtained them in a week if I didn't have them. I had them in my possession.

Q Then couldn't you have handed them over immediately?

A I told him sometime later because there were several persons in the room where the pistols were kept.

Q KOGA stated that he received 2000 yen from you at your home on the 29 of that month. How about it?

A I can't recall it.

Q On May 13 of that year, Isami KUROIWA seemed to have received money from you when he called with a letter from KOGA. How much did you give him?

A I gave him 2500 yen.

Q What did you think the money was to be used for?

A I thought that they needed money to mobilize the farmers.

Q Can't you recall the 2000 yen of April 29?

A I can't. I don't mean to deny it, but I can't recall it.

Q According to KOGA, this money was given to AIKYŌJUKU five times, totalling 1600 yen, the break down of which is as follows:

1. 300 yen to GOTO, Kunihiko at Kasumigawa Air Corps during the middle of April.
2. 200 yen to the same person at SANSUIKA KU at about the same time.
3. 500 yen to HASHI, Shōzō on April 30.
4. 400 yen to TACHIBANA, Kosaburō at SANSUI-KAKU during the early part of May.
5. 200 yen to GOTO, Kunihiko at SUIKOSHA on May 15.

Also, it is claimed that you gave 160 yen to OKUDA Hideo in four times, 550 to 660 yen to IKEMITSU Takeshi in several times, 1700 to 1800 to 2200 or 2300 to KURIWA, Isamu in several times and 500 yen to YAMAGIHI Hiroshi in two times. Do you recall it?

A No, I don't.

Q Were you ever requested to provide quarters?

A I can't recall the date, but I received such request from KOGA for several of his comrades, but I told him to take them to a hotel and did not provide any quarters.

Q The text of the February 15 Incident is like this, but did you learn of it upon hearing it later?

(At this juncture, a, b, and c of item #1 of the summary of the original judgment against TACHIBANA, Kozaburo and 19 others were read aloud.)

A I know about it.

Q weren't you aware that confusion or disturbance on such a scale would be caused?

A Generally speaking, it is quite different in nature, but I thought that they were going to mobilize the farmers.

Q What did you think the mobilized farmers would do?

A They would do various things such as rushing to the Premier's official residence, but, after all, I thought that they would lead the masses with the intention of causing a riot.

Q You thought that they would cause a so-called peasant revolt?

A I thought that many peasants would gather in Tokyo and start something like a peasant revolt.

Q Numerically speaking, how many did you think would assemble?

A I thought at least a thousand would assemble.

Q You did not have any connection whatsoever with TACHIBANA, Kozaburo of AIKYOJUNU?

A I did not even know his name.

Q Did you know HONMA and TOYAMA, your co-defendants?

A I knew them by name only, but I never associated with them intimately.

Q In what manner did you want to reform Japan?

A To me, the question of where to begin and in what manner, is a secondary question. In my opinion, it is absolutely impossible to reform a state by drafting a concrete plan and making it fit into that form. But I have a general goal as to what extent and scope the state of Japan should be reformed.

That goal, generally speaking, is that which we have been taught by the political experience of Europe during the period of 15 to 16 years after the European War. In regard to economy, it is needless to say, we should practice nationalistic economics or controlled economics as much as possible according to the circumstances of the state. In politics, we should temporarily do away with the two party system and put into practice the autocratic one party system for the necessary period of time. I am not advocating this according to a principle such as nationalistic socialistic or any other principle. The necessity of national life or group life will naturally make us assume such a form for the sake of self-preservation. After all, even by studying the political progress of the various countries following the European War, you will notice that the principles towards which they lean, for example that of Russia and of Germany, are drastically different, but actually what is being carried out is very much closer to each other. One has taken up nationalistic economy under the name of communism at a great rate of speed. She has gone from the left to the right to make the genuine communism of the period of the Russian Revolution appear entirely different from that of today. On the other hand, Germany and Italy are opposed to communism, but their economic system in reality has gradually swung closer to the left. I believe this is exactly the same as during the period after the French Revolution when the political form the various nations settled down to the democratic government system or politics centering around the parliament in spite of the fact that some had advocated Republicanism and others Monarchism. Therefore, I believe it is proper to consider that Japan will start from both ends and draw closer and settle down, generally speaking, to an economic system and political system that are to the right of Russia's and to the left of Germany's in the future. As long as Japan is to conduct her national life or group life on this earth, I believe the question in regard to the reform of Japan will settle down to this scope, but the question is how is she going to be brought to this point. At present, there are many who are opposed

to advancing the Japanese nation in such a manner, purely from personal interest. And various persons are thinking in various ways as to the best means to start from in order to steer through this and advance toward such a system. The March Revolution and the October Revolution, mentioned by the Chief Justice, are those. According to my belief, the most rational and possible means of achieving the purpose of a national reformation is to execute a fundamental policy through a national movement. As for that policy, national life will be saved from its present dilemma by raising it and through it the foundation of a new national life can be established. Besides, if a policy that possesses such a characteristic as would make even the reformation of the other aspects of the economic system naturally inevitable through its execution is executed, the outline for national reformation will be established. That is, the only possible means is to execute a very simple, clear and fundamental policy through the strength of the people. Even in establishing a military government, it is my opinion, as an actual problem, that it must be done in this manner. Now, as to what I believe such a policy to be, it is, simply speaking, agrarian moratorium. I thought that this was the best.

- Q A while ago, you stated that as an aspect of mutual interdependence of the legislature in a new sense fraternity should be made the basis in the economic field. Concretely speaking, what do you mean by it?
- A Generally speaking, open competition, based on egotism, is dominating our economic life. This is fundamentally contrary to the spirit of fraternity. Hence, I mean that the power of the state should be cast into the economic life of the people to wipe away such economic inequality as is existing today. That is, the wealth of the nation should be advanced as closely as possible to a system that would be of service to the people, in general.
- Q What is its relationship with capitalism?
- A Under capitalism such as that of today, things disadvantageous to the people are being done freely. For example, take my friend, ISHIHARA, Koichiro, of whom I spoke previously. This person was engaged in the transportation business in the southern area, but he obtained certain monopoly rights for coal in Borneo from the Netherlands Government. He brought it to Nagoya and sold it for 8 yen per ton. However, MITSUI is the largest marketer of coal in Japan, but the coal mined from MITSUI mines absolutely cannot be sold at 8 yen. It is an extremely high priced coal, the cost of which is believed to be that much even at the source. Since they would lose if the market is encroached upon with such coal, they persuaded Mr. ISHIHARA to sell his monopoly rights

to them, telling him that since coal-dealing was not his main occupation, they would be willing to take it over and make him profit on a commission basis by widening the scope greatly. Thus, they took away his monopoly rights. It is needless to state that the industries of Japan are being dealt a great blow in all aspects because of the high price of coal. If coal is cheaper, the industries of Japan would prosper all the more. Even in regard to Japan's steel manufacturing industries, the greater part of the steel being used at the steel manufacturing plants in YAHATA are the best and the cheapest iron ores in the world. In spite of this, it becomes very costly to make it into pig iron, and the reason why it cannot compete with the pig iron of India and America is because of the high price of coal. If coal's price becomes very cheap, the steel manufacturing industries of Japan could be operated very easily and probably would drive away all the machinery products from the markets of the Orient. This is but an example. They are usurping even the rights obtained by others in order to sell their coal at a high price instead of thinking about the people. This absolutely does not agree with the spirit of fraternity.

- Q When we say fraternity is meant for each individual according to the necessity, it may be mistaken for communism. What does it mean?
- A In communism, every one, generally speaking, is equal. At any rate, there is a necessity to change the economic system to one where the state will give the things necessary for the maintenance of life if the people work according to the necessity. Real fraternity means not merely to express sympathy, but to enable one to lead a real life.
- Q Do you think that the action taken by KOGI and others in the February 15 Incident to be right?
- A I believe it was inevitable.
- Q What do you think of your action of having furnished funds and pistols?
- A Generally speaking, the motive and the result should be considered in determining this. Since my motive was very good, I have no regrets. Considering it from its result, I don't think that it caused any bad effect although in the argument of Prosecutor KIUCHI it is claimed that it caused a bad effect, I believe it to be good for, after all, it will contribute to the progress of our country.

(Chief Judge announced that the trial will be continued by this standard, and ordered all the litigants to come on the next date. The court was closed.)

September 12, 1934.

The Third Criminal Department of the Tokyo Court of Appeal;

SASHIDE, Rokuro, Court clerk

OKADA, Naoki, Court Clerk

YOSHIDA, Tsunejiro Chief Justice.

C E R T I F I C A T EW.D.C. No. _____
I.P.S. No. 1908Statement of Source and Authenticity

I, Tadashi Uematsu, hereby certify that I am officially connected with the Japanese Government in the following capacity: Public Procurator of Tokyo Court of Appeals, and that as such official I had custody of the document hereto attached consisting of 1 Volume, dated 1934 to, 1936, and described as follows: Proceedings, Tokyo Court of Appeals. I further certify that the attached record and document is an official document of the Japanese Government, and that it is part of the official archives and files of the following named ministry or department (specifying also the file number or citation, if any, or any other official designation of the regular location of the document in the archives or files): Tokyo Court of Appeals,

Ministry of JusticeSigned at Tokyo on this
6th day of January, 1947/s/ T. Uematsu.

Signature of Official

Witness: /s/ T. Hori

Public Procurator of SEAL
Tokyo Court of Appeals
Official Capacity

Statement of Official Procurement

I, 2d, Lt. Eric W. Fleisher Q-935000, hereby certify that I am associated with the General Headquarters of the Supreme Commander for the Allied Powers, and that the above certification was obtained by me from the above signed official of the Japanese Government in the conduct of my official business.

Signed at Tokyo on this
6th day of Jan., 1947/s/ Eric W. Fleisher, 2d, Lt.
AUS, MI

NAME

Witness: /s/ Edw. P. Monaghan

Investigator, IPS
Official Capacity