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Witness Marshall

Questions by: Senator Ferguson

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Senator Ferguson: Prior to that, on the 24th, an alert had gone out as an amendment, this joint alert?

General Marshall: Yes, sir.

Senator Ferguson: So to discuss an amendment to that alert was a very important matter.

General Marshall: Very important.

Senator Ferguson: You don't know why that would be left out of the minutes?

General Marshall: I don't know, sir, unless the Secretary didn't get it in. He takes longhand notes himself of what is going on. Why it should be omitted, if it was, I do not know.

Senator Ferguson: An important matter like this, do you know how the minutes were ever approved later?

General Marshall: The minutes were approved at the next meeting of the Board, presumably. Whether or not these particular minutes were approved or not the record will show.

Senator Ferguson: Would you say that the minutes are complete? Was that your understanding as you were operating along?

General Marshall: If you are referring to this particular set of minutes, and in the light of General Gerow's statement, and assuming that he states what he was referring to was the preparation of an alert message, I would say that those particular minutes were not complete.

Witness Marshall

Questions by: Senator Ferguson

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Senator Ferguson: Was there anything done that was kept off the record of the minutes?

General Marshall: Not to my recollection, sir. I know of no reason why our minutes should have kept things off the record unless it was a definite reference to magic.

Senator Ferguson: If there was a reference to magic that may account for it not being in the minutes of the Joint Board?

General Marshall: That might account for it but I don't see why you couldn't refer to an alert message without necessarily commenting on magic.

Senator Ferguson: Do you know whether or not it could have been because magic was responsible for the alert that you were anticipating?

General Marshall: I don't know that.

Senator Ferguson: That that would be left out?

General Marshall: I don't know that.

Senator Ferguson: Reading on from the letter:

"He told me he had telephoned both Mr. Hull and the President this morning."

That is speaking about the Secretary of War?

General Marshall: Yes, sir.

Senator Ferguson: "Mr. Hull stated the conversations had been terminated with the barest possibility of resumption."

Witness Marshall

Questions by: Senator Ferguson

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General Marshall: Yes, sir.

Senator Ferguson: "The President wanted a warning message sent to the Philippines."

General Marshall: Yes, sir.

Senator Ferguson: "I told him I would consult Admiral Stark and prepare an appropriate cablegram."

Now, is it that sentence, about an appropriate cablegram, the message that went to MacArthur on the 27th?

General Marshall: I would assume it did. General Gerow is the best witness on that.

Senator Ferguson: That would be in effect an amendment or supplement to the one of the 24th, because this reads: "I gave him a copy of the joint Army and Navy message sent November 24."

General Marshall: Yes, sir, I am aware of that.

Senator Ferguson: You indicated before that it was always dangerous -- I don't think you used the word "dangerous" --

General Marshall: I think I did.

Senator Ferguson: Did you? To send a supplement or amendment to a message.

General Marshall: I think I also said it was better to send an entirely new message.

Senator Ferguson: Do you know why this amendment was made, the one of the 27th, to the message of the 24th?

Witness Marshall

Questions by: Senator Ferguson

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General Marshall: The only answer I could give was that the other was a Naval message to be communicated to the Army opposite. This message that General Gerow is referring to is a direct Army message, which in its directions to General Short particularly in Hawaii had some special reference to which the Navy was not directly concerned.

Senator Ferguson: Didn't they also alert Admiral Kimmel on the 27th?

General Marshall: By the action of General Short in apprising his Naval opposite of the contents of the alert.

Senator Ferguson: Is that the only reason why you know why there was a new alert sent on the 27th?

General Marshall: Is that the only reason?

Senator Ferguson: The only reason why, you felt it had been sent originally to the Navy, therefore this one on the 27th was going to the Army on the 27th?

General Marshall: No, sir. I think that the events following a meeting with the President dictated a detailed alert to the Army officials.

Senator Ferguson: Now, later in the morning, going on, the second paragraph, --

Mr. Mitchell: Senator, may I have the record show that you are referring to Exhibit 45, dated November 27, the memorandum to the Chief of Staff by General Gerow; so the

Witness Marshall

Questions by: Senator Ferguson

1  
2 record will show.

3 Senator Ferguson: Is that an exhibit?

4 Mr. Mitchell: Exhibit 45. You spoke about a letter.

5 Senator Ferguson: So from now on it will be referred to  
6 as Exhibit 45.

7 "Later on in the morning," -- that is on the 27th, and  
8 this is Gerow speaking, -- "I attended a conference with the  
9 Secretary of War, Secretary of Navy, and Admiral Stark. The  
10 various messages to the Army and Navy Commanders and to Mr.  
11 Sayre were discussed."

12 Now, I have the long letter as Exhibit 45. What is that?

13 Mr. Hannaford: It isn't an exhibit.

14 Mr. Mitchell: That is the Sayre message.

15 The Vice Chairman: If you will permit, Senator, that  
16 was read into the record and it wasn't made an exhibit.

17 Senator Ferguson: All right.

18 Now, speaking about the memorandum from the President  
19 to the High Commissioner, that is the message that they talk  
20 about there and Mr. Sayre was discussed?

21 General Marshall: Yes, sir.

22 Senator Ferguson: Now, when is the first, General, that  
23 you knew that the message, the memorandum from the President  
24 to the High Commissioner of the Philippines, was discussed?

25 General Marshall: So far as I can tell at the present

Witness Marshall

Questions by: Senator Ferguson

1  
2 time, Senator, I first learned of that on the morning of  
3 November 28th.

4 Senator Ferguson: When you saw General Gerow?

5 General Marshall: Well, I don't know whether that would  
6 be entirely correct, to say when I saw General Gerow. These  
7 documents, I think, were brought to my attention as soon as  
8 I arrived at the office and I undoubtedly talked to General  
9 Gerow then or later regarding them.

10 Senator Ferguson: Take the message, the one of Sayre's,  
11 and we will go over that for a moment. It says:

12 "A copy of dispatches will be delivered to you by  
13 Admiral Hart, which, with my approval, the C.S.O. and the S.O.S.  
14 addressed to the Senior Army and Navy Commanders in the  
15 Philippines."

16 What are they speaking about there, General? What  
17 dispatches would be delivered to the High Commissioner?

18 It says: "Copy of dispatches will be delivered to you  
19 by Admiral Hart, which, with my approval, the C.S.O. and S.O.S."  
20 that is the Chief of Staff, isn't it?

21 General Marshall: Yes, sir.

22 Senator Ferguson: "Addressed to the Senior Army and  
23 Navy Commanders in the Philippines."

24 General Marshall: I assume that is the alert, Army  
25 alert message to General MacArthur.

Shefner  
follows

2:15 PM

Witness Marshall

Questions by: Sen. Ferguson

1  
2       Senator Ferguson: Well, now, this is on the 26th. Is  
3 the President anticipating that a new alert message is going  
4 to be sent to General MacArthur?

5       General Marshall: When I answered that I thought this  
6 was the 27th. I see that it is the 26th.

7       Senator Ferguson: This is the 26th.

8       General Marshall: Yes, sir.

9       Senator Ferguson: Does this anticipate a new message  
10 to General MacArthur, because the exhibit 45 says up there,  
11 "The President wanted a warning message sent to the Philip-  
12 pines."

13       General Marshall: Well, reading this paragraph again  
14 that you have just read to me and looking at the message of  
15 November 24th, it is possible, though the date is two days  
16 earlier than the President's message, that he is referring to  
17 that particular message.

18       Senator Ferguson: But doesn't it indicate in the exhib-  
19 it 45 that the President did not know about the message of  
20 the 24th, because it says this: "The President wanted a  
21 warning message sent to the Philippines"?

22       General Marshall: General Gerow will have to explain  
23 that, or the Secretary of War, sir.

24       Senator Ferguson: What is your explanation of it? Do  
25 you know about it?

Witness Marshall

Questions by: Sen. Ferguson

1  
2 General Marshall: I don't know about it, no, sir.

3 Senator Ferguson: Then going on in that letter:

4 "In addition, you are advised that the Japanese  
5 are strongly reinforcing their garrison," and so forth.  
6 Now, getting down to the fifth paragraph from the end:

7 "I desire" -- that is the President -- "that after  
8 further informing yourself as to the situation and the  
9 general outline of naval and military plans through  
10 consultation with Admiral Hart and General MacArthur you  
11 shall in great confidence present my views to the Presi-  
12 dent of the Philippine Commonwealth and inform him that  
13 as always I am relying upon the full cooperation of his  
14 government and his people. Please impress upon him the  
15 desirability of avoiding a public pronouncement or action  
16 since that might make the situation more difficult."

17 Now, that indicated that the President personally was  
18 asking the High Commissioner to confer with Admiral Hart and  
19 General MacArthur, is that correct?

20 General Marshall: Yes, sir.

21 Senator Ferguson: And to get the picture from them and  
22 then to confer with the High Commissioner?

23 General Marshall: Then confer with --

24 Senator Ferguson: With the President?

25 General Marshall: With the President.



Witness Marshall

Questions by: Sen. Ferguson

1  
2 Senator Ferguson: Of the Philippines?

3 General Marshall: Of the Philippines.

4 Senator Ferguson: Well, then, when you came back on the  
5 28th you were familiar with that message?

6 General Marshall: Yes, sir.

7 Senator Ferguson: What was its significance to you?  
8 How did it stand in this picture?

9 General Marshall: About all I can say at the present  
10 time, Senator, is that it was part and parcel of the general  
11 action of the War and the Navy departments in regard to the  
12 situation in the Pacific.

13 Senator Ferguson: And it was carrying out what the  
14 President felt should go to the High Commissioner and to the  
15 President of the Philippines?

16 General Marshall: Yes, sir, in particular because the  
17 communications with the High Commissioner would be a matter on  
18 the Presidential level, and not on the War Department level.

19 Senator Ferguson: But he was to confer with the War  
20 Department and the Navy Department through Hart and Mac-  
21 Arthur?

22 General Marshall: He was to confer, as I understood it,  
23 with those two officials out there.

24 Senator Ferguson: So that took them into the picture  
25 as well as the State Department?

Witness Marshall

Questions by: Sen. Ferguson

1  
2           General Marshall: Yes, sir. You see the background of  
3 this, as I read it at the moment, is that General MacArthur  
4 was endeavoring to bring into the best possible state of or-  
5 ganization for mobilization and preparation for possible hos-  
6 tilities a Philippine army.

7           Senator Ferguson: Now, do you think that this would  
8 convey to Admiral Hart and General MacArthur that the matter  
9 was serious when the President was personally having the High  
10 Commissioner take this up with them?

11           General Marshall: I would say it did, sir.

12           Senator Ferguson: I didn't get you.

13           General Marshall: I would say it did.

14           Senator Ferguson: It did. Now, take the next sentence:

15                     "The Secretaries were informed" -- that means of  
16 War and the Navy -- "of the proposed memorandum you" --  
17 meaning the Chief of Staff -- "and Admiral Stark di-  
18 rected be prepared for the President."

19           Now, I refer you to exhibit 17 and ask whether or not  
20 that is the instrument that was referred to in that sen-  
21 tence?

22           General Marshall: Is this the sentence, "The Secre-  
23 taries were informed of the proposed memorandum"?

24           Senator Ferguson: Yes.

25           General Marshall: That, I think, is the instrument re-

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Witness Marshall

Questions by: Sen. Ferguson

1  
2 referred to.

3 Senator Ferguson: That is exhibit 17. Now, General,  
4 I will ask you this: Have you been over that recently or  
5 would you rather read it before I start to ask you questions  
6 about it?

7 General Marshall: No, I think you might start with your  
8 questions, sir.

9 Senator Ferguson: Well, it starts out:

10 "If the current negotiations end without agreement,  
11 Japan may attack: the Burma Road; Thailand; Malaya; the  
12 Netherlands East Indies; the Philippines; the Russian  
13 Maritime Provinces."

14 Hawaii is not mentioned. Do you know why?

15 General Marshall: Because we did not anticipate a gen-  
16 eral attack on Hawaii.

17 Senator Ferguson: Well, now, are we talking only about  
18 general attacks here?

19 General Marshall: We are talking about, as I used the  
20 expression this morning I think, general operations.

21 Senator Ferguson: Well, now, do I understand then that  
22 an attack such as was made on Pearl Harbor was not being  
23 considered as part of an attack if current negotiations  
24 were to end without agreement?

25 General Marshall: I think from my point of view, Sen-

Witness Marshall

Questions by: Sen. Ferguson

1  
2 ator, I can probably explain it best this way: We had made  
3 our major commitment of troops and materiel to Hawaii to make  
4 it as proof against attack as we possibly could. We thought  
5 we had prepared that garrison so that its defensive strength  
6 was such that there was little likelihood that the Japanese  
7 would undertake the hazardous operation of attacking it.

8 We thought at the same time that there was every indica-  
9 tion of a general campaign by the Japanese south through the  
10 China Sea, as I referred to it before, and which actually  
11 was the case. We thought that the Japanese would not go into  
12 Manchuria under the circumstances because it would be too  
13 hazardous for them under the conditions and so far as we were  
14 concerned would not be a direct threat against the United  
15 States or a serious threat against the British.

16 We felt that Hawaii, as I have just said, was organized,  
17 equipped and prepared for a reasonable defense against an  
18 attack. I am using the word "attack" there in the meaning of  
19 any overt act of destruction or enemy aggression. I am not  
20 meaning it in the terms of a general operation, which was the  
21 nature of the Japanese movements we anticipated and which  
22 actually did occur down through the China Sea.

23 Senator Ferguson: Well, now, do I understand that we  
24 must read this word "attack" here to have a qualified mean-  
25 ing, one of general operation and not the ordinary attack?

Witness Marshall

Questions by: Sen. Ferguson

1  
2 Is that what we must understand?

3 General Marshall: I would say yes, sir, because we  
4 anticipated the possibility of attack almost anywhere, in the  
5 Aleutians, on the West Coast, as I stated the other day, in  
6 Hawaii possibly, Guam, Wake, any of those islands, but that  
7 was not the Japanese campaign as we foresaw it. It did not  
8 mean, Senator, that if we kept on with our Hawaii we could  
9 remove that garrison from there because there was no danger  
10 there. The fact that it had a garrison, the fact that it had  
11 the equipment to use, would be the best guarantee against at-  
12 tack.

13 Senator Ferguson: Well, now, do I understand then that  
14 we may use the word "may" there as "probable", where as  
15 Hawaii, West Coast, and so forth, were in a possible category?

16 General Marshall: That would be it, sir.

17 Senator Ferguson: You say that would be the --

18 General Marshall: I think that is a reasonable inter-  
19 pretation.

20 Senator Ferguson: You say that would be a reasonable  
21 interpretation to do that, that the word "may" is "probable",  
22 whereas these were outside of the probable and in the pos-  
23 sible?

24 General Marshall: Yes, sir. I mean specifically that  
25 we did not mention Alaska and the Aleutians and yet we had a

Witness Marshall

Questions by: Sen. Ferguson

1 hazard there of air bases being established there for the  
2 threat of the northwest portion of the United States, but the  
3 fact that we did not find Japanese coming in there did not  
4 mean that there was not that possibility.

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6  
7 Senator Ferguson: Well, now, did you have any discussions  
8 with the President that would allow him to interpret this as  
9 we now have interpreted it, that that meant general, over-all  
10 attack?

11 General Marshall: I think that would be the impression  
12 that we had given the President.

13 Senator Ferguson: That is the impression you gave him,  
14 so that he would have this language and he would understand  
15 what you were talking about?

16 General Marshall: Yes, sir. As I recall at the time  
17 there was a general unanimity as to what the Japanese prin-  
18 cipal intentions were.

19 Senator Ferguson: Now, the next that I want to call your  
20 attention to is the first large paragraph there:

21 "Whether the offensive will be made against the  
22 Burma Road, Thailand or the Philippines cannot now be  
23 forecast."

24 Just what was the purpose of this memorandum and when did  
25 you have a meeting with the President and discuss it with him  
that you were following up by this memorandum?

Witness Marshall

Questions by: Sen. Ferguson

Well, first, I will strike out the question as double barreled.

When was the meeting with the President that you discussed this memorandum, that you were going to give the memorandum along this line and that he would understand the language above meant attack?

General Marshall: There was a meeting with the President at 12:15 P.M. on November 25th at which the Secretary of State, Secretary of War, Secretary of the Navy, General Marshall and Admiral Stark attended.

Senator Ferguson: November the 25th at noon?

General Marshall: 12:15 P.M.

Senator Ferguson: Do you know how long that meeting lasted?

General Marshall: No, I do not know, sir.

Senator Ferguson: Do you know why it was called?

General Marshall: I do not recall at the moment, sir.

Senator Ferguson: And this was one of the things that was an outgrowth, that you were to write him a memorandum on certain problems, and the problems are discussed in the memorandum?

General Marshall: Yes, sir. I am thinking while you were asking the question. I think it probably had to do --

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Witness Marshall

Questions by: Sen. Ferguson

I think it was undoubtedly brought about by the information that we had received in the preceding twenty-four hours through "Magic" and otherwise.

Senator Ferguson: Do you know what that information was?

General Marshall: I will have to get the records.

Senator Ferguson: What I am trying to get on the record, General Marshall, is the detail of that so that this record may be complete. There are many things mentioned in these instruments and unless we can interpret the instruments in the light of what was going on we are not going to have the complete history of what was known in Washington and that is the reason for this detailed examination.

Do you know what that information was that caused the meeting at the White House on the 25th?

General Marshall: I think I could probably obtain what it was if I could see Mr. Stimson's testimony.

Senator Ferguson: I am going to help you if I can.

General Marshall: Because he has a diary, which assists the memory four years back.

Senator Ferguson: I will take you to the testimony of Mr. Stimson on November the 25th, 1941 and see whether this will refresh your memory, and so that you may have a copy of it, General, as we go along, it is page 4050, 35; that is,



Witness Marshall

Questions by: Sen. Ferguson

"Secret 35, Tuesday, September the 25th, 1944." Turning to the diary of the 25th I will read the sentence before:

(Reading)

"On November 24, 1941 I had a talk with General Olmsted" -- this is the Secretary of War speaking, is it not?

General Marshall: Yes, sir.

Senator Ferguson: (Reading)

"--I had a talk with General Olmsted, whom I recently promoted to be the Chief Signal Officer."

Did the Secretary of War do the promoting?

General Marshall: He signed the letters of nomination to the President.

Senator Ferguson: I don't know what that had to do with the situation. Did it have anything to do with it?

General Marshall: I don't think it did, sir.

Senator Ferguson: Now?

"That was important on the subject that I will tell you later of."

Were you having trouble with the Signal Officer that you were going to get a new one?

General Marshall: General Maughborne's term was about to expire, I think it had expired, and we were bringing in General Olmsted as his successor.

1 Witness Marshall

Questions by: Sen. Ferguson

2 Senator Ferguson: There is no definite term, is there,  
3 General?

4 General Marshall: Four year details.

5 Senator Ferguson: Is that definite?

6 General Marshall: Definite, and the man returns to  
7 his grade of Colonel if he remains on the active list, from  
8 Major General.

9 Senator Ferguson: (Reading)

10 "-- in answer to a later question; the use of the  
11 air warning service, which, as you know, was a radar  
12 operation."

13 Now I will talk about November 25, 1941, and before I  
14 start I would like to ask what is the date, counsel, of the  
15 mimeographed copy of the Winane message, received here at  
16 10:40 on the morning of December 6, 1941? Someone told me  
17 it was November instead of December, so that we should maybe  
18 correct this testimony. Do you know what the mimeographed  
19 copy shows?

20 Mr. Gesell: I think there is a misprint on the mimeo-  
21 graphed copy but the exhibit in evidence is a photostat and  
22 shows December 7th.

23 Senator Ferguson: So that the record may be accurate, the  
24 Winant message in relation to the movement of ships is on  
25 the 6th of December, 1941 and not the 6th of November.

Witness Marshall

Questions by: Sen. Ferguson

Now, on November 25, 1941 he is talking, General, about what is in his diary and he says:

"This is a long one," and then from the diary:

"At 9:30 Knox and I met in Hull's office for our meeting of three. Hull showed us the proposal for a three months' truce which he was going to lay before the Japanese today or tomorrow."

I am not reading from the record. I will ask you a question. Was that the so-called *modus vivendi*?

General Marshall: I think it was, sir.

Senator Ferguson: So that I may get your knowledge on the record as to what Colonel Stimson is talking about, the Secretary of War. (Reading)

"It adequately safeguarded all our interests, I thought, as we read it, but I don't think that there is any chance of the Japanese accepting it because it was so drastic."

Now he is talking about the *modus vivendi*, is he not?

General Marshall: I think so, sir.

Senator Ferguson: (Reading)

"Then we had a long talk over the general situation there, which I remember.

"We were an hour and a half with Hull, and then I went back to the Department" -- he is reading from his

Witness Marshall

Questions by: Sen. Ferguson

1  
2 diary -- 'and I got hold of Marshall. Then at twelve  
3 o'clock I went to the White House where we were until  
4 nearly half past one.'"

5 Now, the "we" in that sentence includes you, does it  
6 not, General? Are you able to follow me?

7 General Marshall: Yes, I am following you. I can  
8 check that here.

9 Senator Ferguson: Yes. Will you check that and see  
10 whether or not the "we" there included you for that hour  
11 and a half, nearly half past one, almost an hour and a half?

12 General Marshall: It does include me.

13 Senator Ferguson: All right.

14 General Marshall: It includes the Secretary of the  
15 Navy, Admiral Stark and the Secretary of State.

16 Senator Ferguson: Now, an hour and a half. (Reading)

17 "That's an hour and a half.

18 "At the meeting were Hull, Knox, Marshall, Stark,  
19 and myself. There the President brought up the rela-  
20 tions with the Japanese. He brought up the event that  
21 we were likely to be attacked perhaps as soon as --  
22 perhaps next Monday."

23 Do you know what day of the week that was that you were  
24 at the White House, that the President had brought up the  
25 attack as being perhaps next Monday?

1 Witness Marshall

Questions by: Sen. Ferguson

2 General Marshall: I think Monday was the --

3 Senator Ferguson: It would be December 1, wouldn't  
4 it? The 7th was on a Sunday.

5 Senator Lucas: It was not the 7th.

6 Senator Ferguson: No, it was not. It would be November  
7 the 25th that the meeting was.

8 Senator Lucas wants to know whether it was the 7th of  
9 December. It couldn't be, could it, if it was next Monday  
10 and he was speaking on the 25th?

11 General Marshall: No, sir. If you will just wait a  
12 second we will get the date.

13 Senator Ferguson: All right.

14 General Marshall: This is one thing, I think, is a  
15 fact.

16 Mr. Gesell: I figure it to be Thursday.

17 Senator Ferguson: Well, we have got a calendar now.

18 General Marshall: I have a calendar here of the month  
19 of November. The meeting that the Secretary of War is talk-  
20 ing about was on November 25th.

21 Senator Ferguson: Yes.

22 General Marshall: November 25, 1941 was a Tuesday.

23 Senator Ferguson: Was on a Tuesday, yes.

24 General Marshall: Monday was November 24th.

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Witness Marshall

Questions by: Senator Ferguson

Senator Ferguson: Then it would be by the next Monday.

General Marshall: Yes, sir.

Senator Ferguson: "Perhaps next Monday," he said, "for the Japs are notorious" -- what date was Monday? The first?

General Marshall: November 30.

Mr. Gesell: The 30th is Sunday, isn't it? Monday is the first.

Senator Ferguson: Monday would be the first, would it not?

General Marshall: That is correct, December 1st.

Senator Ferguson: Reading on, "for the Japs are notorious for making an attack without warning. The question was what we should do."

This is the President talking, as I understand it. Is that correct?

General Marshall: I assume that "we" refers to the President's statement. That is not quite clear from this.

Senator Ferguson: Does that refresh your memory, General, as to what took place in that meeting of November 25 at the White House?

General Marshall: Yes, sir.

Senator Ferguson: And would you say that was accurate as to what took place?

General Marshall: I have no recollection to the contrary;

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WARD A. PAUL, WASHINGTON, D. C.

1 Witness Marshall

Questions by: Senator Ferguson

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2 I will put it that way, Senator.

3 Senator Ferguson: Reading on:

4 "When I got back to the Department, I found news from  
5 G-2 that a Japanese expedition had started."

6 This is all out of his diary. Do you know what that  
7 news was?

8 General Marshall: Out of his diary, I see here, "five  
9 divisions had come down from Shantung and Shansi to Shanghai,  
10 and there they had embarked on ships, 30, 40, or 50 ships,  
11 and had been sighted south of Formosa."

12 Senator Ferguson: Does counsel have that particular  
13 information of G-2?

14 Mr. Gesell: Yes. That is item 24 of Exhibit 33, I  
15 believe.

16 Senator Ferguson: General, would you look at that and  
17 identify it?

18 General Marshall: This is a memorandum for the Chief  
19 of Staff, dated November 25, 1941, and signed by Sherman  
20 Miles, Brigadier General, Acting Assistant Chief of Staff,  
21 G-2. Shall I read it?

22 The Chairman: That is a part of an exhibit.

23 Senator Ferguson: It is part of an exhibit. I just  
24 want to get it identified in relation to this testimony.

25 General Marshall: Yes, sir, I identify the document.

Witness Marshall

Questions by: Senator Ferguson

h3  
1  
2 Senator Ferguson: Would you say, General, that that  
3 was the information that they are speaking about here in  
4 G-2? See whether you can find anything there about the  
5 five divisions.

6 General Marshall: That is what I am looking for. I  
7 do not find a direct reference to five divisions.

8 Senator Ferguson: Could there be another message? Do  
9 you find any place there anything about Shantung or Shanghai  
10 or Shansi?

11 General Marshall: He does not use the expression "five  
12 divisions," he refers to the number of transports and their  
13 character of loading.

14 Senator Ferguson: Do you find anything in there about  
15 the 30, 40, or 50 ships in the G-2 message?

16 General Marshall: No, I do not.

17 Senator Ferguson: Then, could it be that there is  
18 another message that we do not have?

19 General Marshall: I do not know, sir. That may be.

20 Senator Ferguson: That could be a very important mes-  
21 sage, because it may indicate they are going to cross this  
22 line that we had talked about this morning?

23 General Marshall: Yes, sir.

24 Senator Ferguson: So it would be an important message,  
25 would it not, General?



Witness Marshall

Questions by: Senator Ferguson

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2 General Marshall: It would, sir.

3 Senator Ferguson: This one only shows in the back  
4 "Distribution: Secretary of War, War Plans Division GHQ."

5 General Marshall: Yes, sir, and of course the recipient,  
6 the Chief of Staff.

7 Senator Ferguson: Could the reason we did not get all  
8 these in this book be that it was an Admiralty message, from  
9 the British Admiralty to the Navy, going to G-2?

10 General Marshall: I do not know about that, sir. I  
11 think General Miles could testify undoubtedly in regard to  
12 it, and possible General Gerow.

13 Senator Ferguson: I will ask counsel to see whether they  
14 can locate another message that may be the one I am talking.

15 Mr. Mitchell: Those in Exhibit 33 are not messages at  
16 all. They are estimates.

17 Senator Ferguson: This does not appear to be an estimate.

18 Mr. Mitchell: What are you referring to.

19 Senator Ferguson: I am talking about this:

20 "When I got back to the Department, I found news from  
21 G-2 that a Japanese expedition had started."

22 This is the Secretary of War speaking.

23 "Five divisions had come down from Shantung, Shansi to  
24 Shanghai, and there they had embarked on ships, 30, 40, or  
25 50 ships, and had been sighted south of Formosa. I at

Witness Marshall

Questions by: Senator Ferguson

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once called up Hull and told him about it, and sent copies to him and to the President of the message."

Now he is speaking about a message and not an estimate. Would not you say that is correct, General?

General Marshall: Yes, sir.

Senator Ferguson: It would not be an estimate. He is speaking about a message.

General Marshall: There is a message of some sort somewhere.

Senator Ferguson: Yes. Now, he goes on, "of this message that I am speaking of from G-2 that is the end of the note on November 25."

Now, would you say, General, that that refreshes your memory, that you were at the White House with the President and the two Secretaries, and it was at that time that you were to prepare a memorandum, and that memorandum is Exhibit 17, which is dated November 27, 1941?

General Marshall: I would think that is the probability, sir, and I would think also as the result of that conference, we probably became involved in the discussion at the meeting of the Joint Board on November 26, on that morning, following this meeting with the President.

Senator Ferguson: Then we could go on on the 26th to see whether there was anything that happened there that

Witness Marshall

Questions by: Senator Ferguson

1  
2 would be put in this message?

3 General Marshall: Yes, sir.

4 Senator Ferguson: Now, we will talk about Secretary  
5 Stimson --

6 I ask counsel if he will try to locate that message  
7 there.

8 Mr. Murphy: Will the gentleman yield?

9 Senator Ferguson: Yes.

10 Mr. Murphy: The message of November 25 refers to Naval  
11 intelligence. It was based upon that. That is at the top  
12 of the sheet there.

13 Senator Ferguson: It says "From G-2." That is the only  
14 thing.

15 Mr. Murphy: It says, "The following are extracts from  
16 cables received in the office of Naval Intelligence together  
17 with G-2 comment thereon."

18 Senator Ferguson: Does that explain it to you, General?  
19 He is talking about an estimate, and you and I, as I under-  
20 stood you, are talking about a message.

21 General Marshall: The Secretary of War is referring to  
22 a message here, I think. We have been discussing what  
23 was the basis of the preparations of the estimate.

24 Senator Ferguson: Yes. Now let us go on to Secretary  
25 Stimson's diary of the 26th.

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Witness Marshall

Questions by: Senator Ferguson

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"The following day, November 26," -- quoting from his dairy, -- "Hull told me over the telephone this morning that he had about made up his mind not to make the proposition that Knox and I passed on the other day."

Now, he would be talking there about the modus vivendi that you were discussing on the 25th at the White House?

General Marshall: That would be my assumption, sir.

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Witness Marshall

Questions by: Senator Ferguson

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Senator Ferguson: Going further, "That means yesterday", the way the Colonel puts it, which would mean on the 25th, the day we talked about. Now quoting from the diary, "to the Japanese, but to kick the whole thing over and to tell them that he had no other proposition at all. A few minutes later I talked to the President over the telephone and I asked him whether he had received the paper which I had sent him over last night, about the Japanese having started a new expedition from Shanghai down toward Indochina."

Now that refers back to that G-2 message, does it not?

General Marshall: I think it does, sir.

Senator Ferguson: "He told me", that is the President speaking, "that he had not yet seen it. I told him that it was a fact that had come to me through G-2, and I at once got another copy of the paper which I had sent him last night and sent it over to him by special messenger. That was on the 26th."

Now that would indicate that on the 26th he had sent to the President this G-2 message, isn't that correct?

General Marshall: Yes, sir, the same one that he had sent the previous afternoon or evening.

Senator Ferguson: Now does that refresh your memory as to what took place on the morning of the 26th before you went to one of the Carolinas?

Witness Marshall

Questions by: Senator Ferguson

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General Marshall: It refreshes my memory to the extent that I connected up the meeting of the Joint Board on the morning of the 26th and the probable basis of the discussion that took place there which led, as I understand it and as I believe, to the drafting by General Gerow of the necessary alert messages.

Senator Ferguson: Now I show you the minutes again of the morning of the 26th and see whether or not -- you have a copy of it there, I believe.

General Marshall: No.

Senator Ferguson: Take this one.

(The document was handed to General Marshall.)

Senator Ferguson: See whether or not you find anything about that in the minutes of the meeting.

Do you want to identify that as an exhibit and give it an exhibit number, so we will know what we are talking about on the record?

Mr. Mitchell: Would you like to have it marked as an exhibit?

Senator Ferguson: Yes.

Mr. Mitchell: We will call it Exhibit 62, and it is the Minutes of the Joint Board Meeting of November 26th.

(The document referred to was marked Exhibit No. 62.)

Witness Marshall

Questions by: Senator Ferguson

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General Marshall: Minutes of the Meeting of November 26, 1941 of the Joint Board, Washington. There is no mention in the minutes of the meeting of November 26 of the Joint Board of the instructions to General Gerow for the preparation of a draft of an alert message.

Senator Ferguson: Can you account for that being left out, if it was taken up?

General Marshall: No, sir, I cannot.

Senator Ferguson: Now, General, is it a fair statement then that as early as the 25th, and on the 26th, from the G-2 message that was mentioned on page 4051 of the record and being mentioned in Secretary Stimson's diary, that there was a possibility of a movement that would take the Japs across the line that had been designated in your previous testimony?

General Marshall: Towards the Gulf of Siam?

Senator Ferguson: Yes.

General Marshall: Yes, sir, there was.

Senator Ferguson: This would be evidence that as early as this date there was a movement on that would cross those lines?

General Marshall: That might cross those lines.

Senator Ferguson: That might cross those lines.

Hook follows

1 Witness Marshall

Questions by: Senator Ferguson

2 Now, reading from the testimony of Colonel Stimson:

3 "November 27. As you know, this was a very important  
4 day."

5 Do you know why he described in his language as being  
6 a very important day?

7 General Marshall: I presume it was because of the dis-  
8 patch of the alert messages.

9 Senator Ferguson: Then quoting from his diary, "November  
10 27, 1941. News is coming in of a concentration and movement  
11 south by the Japanese of a large expeditionary force leaving  
12 south from Shanghai, evidently headed toward Indochina, with  
13 a possibility of going to the Philippines or to Burma, or  
14 the Burma Road, or the Dutch East Indies, but probably a  
15 concentration to move over into Thailand and to hold a  
16 position from which they can attack Singapore when the  
17 moment arrives."

18 Was that a fair estimate?

19 General Marshall: I think so.

20 Senator Ferguson: Of what was coming in?

21 General Marshall: I think so.

22 Senator Ferguson: Now, the next sentence:

23 "The first thing in the morning I called up Huli to  
24 find out what is the finale."

25 General Marshall: He corrects that later.



1 Witness Marshall

Questions by: Senator Ferguson

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2 Senator Ferguson: "--what is the finale, I put it  
3 here but I meant it was his final decision."

4 He explains what he meant by the "finale"; isn't that  
5 correct?

6 General Marshall: Yes, sir.

7 Senator Ferguson: You would take it from that that  
8 the Secretary of War had gotten from the Secretary of  
9 State his final decision?

10 General Marshall: Not quite that, sir.

11 Senator Ferguson: Well, what does it say?

12 General Marshall: You used the past tense. He says  
13 he called up to find out what it was. He may say later,  
14 I don't know, that he did find out.

15 Senator Ferguson: It says, "I put it here, but I meant  
16 it was his final decision," quoting from his diary, "what  
17 his final decision had been with the Japanese, whether he  
18 had handed them the new proposal which we passed on two or  
19 three days ago, or whether, as he suggested yesterday, he  
20 had broken the whole matter off."

21 Now the "two or three days ago" was the modus vivendi,  
22 wasn't it?

23 General Marshall: That was my recollection.

24 Senator Ferguson: Had you ever gone over with the  
25 Secretary of War, the Secretary of the Navy, the President,

1 Witness Marshall

Questions by: Senator Ferguson

2 or anybody else this modus vivendi?

3 General Marshall: My recollection in regard to that  
4 is it was first brought to the attention of the War De-  
5 partment, in General Gerow's presence, at a meeting in  
6 Mr. Hull's office where General Gerow and Admiral Stark  
7 were present, and were called upon to express an opinion.

8 As I recall, and this is purely hearsay -- they stated  
9 it appeared to be all right, but they wished time to think  
10 it over.

11 Then they each prepared a statement in which the  
12 general propositions of the modus vivendi were stated by  
13 them, not to involve any objectionable military conditions,  
14 except that General Gerow said -- I do not believe he wrote  
15 it -- that the reference in Admiral Stark's memorandum  
16 which would imply that we would do nothing to further  
17 build up the defenses of the Philippines was not an accept-  
18 able proposition, from the Army point of view.

19 Now my next recollection is -- and it is rather vague --  
20 that this same document was at least a partial basis of  
21 the discussion with the President at the meeting on November  
22 25.

23 Senator Ferguson: Now, do I understand then that you  
24 had approved this memorandum that General Gerow drew up in  
25 relation to the modus vivendi?

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1 Witness Marshall

Questions by: Senator Ferguson

2 General Marshall: I had not expressed a formal approval  
3 of it, but I concurred with him in what he wrote, with  
4 the condition that he expressed orally to Admiral Stark,  
5 that the Naval reply should not imply that we would be  
6 barred from the further development of the defenses in  
7 the Philippine Islands.

8 Senator Ferguson: In other words, if you had the right  
9 to further fortify or, let us say, implement the Army in  
10 the Philippines, the modus vivendi as drawn was perfectly  
11 all right to you?

12 General Marshall: That is correct, sir, it was per-  
13 fectly all right to me.

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Witness Marshall

Questions by: Senator Ferguson

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2 Senator Ferguson: Now quoting again from the diary,  
3 reading from the diary, "He told me now he had broken the  
4 whole matter off. As he put it, 'I wash my hands off and it  
5 is now in the hands of you and Knox, the Army and Navy.'"

6 That is the end of his quote from his diary.

7 I will ask you, General Marshall, when that information  
8 came to your knowledge the first time?

9 General Marshall: You mean by "that information" Mr.  
10 Hull's statement, "I wash my hands off and it is now in the  
11 hands of you and Knox, the Army and Navy"?

12 Senator Ferguson: Yes, sir.

13 General Marshall: I would assume that that information  
14 came to me for the first time on the morning of November 28,  
15 on my return to Washington.

16 Senator Ferguson: On the morning of November 28. Do  
17 you know who gave it to you?

18 General Marshall: No, sir.

19 Senator Ferguson: Did you talk to Secretary Stimson?

20 General Marshall: I assume that I did.

21 Senator Ferguson: And you assume then that you got it  
22 from him?

23 General Marshall: I assume he told me. He kept me  
24 pretty well informed of everything that was going on.

25 Senator Ferguson: Now, General, where did that place

Witness Marshall

Questions by: Senator Ferguson

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the Army, that information? What did it mean to you?

General Marshall: It meant to me, certainly now, and I presume then --

Senator Ferguson: I think it is only fair to try to consider it history, if you might consider it history, in the past rather than in the future now.

General Marshall: That is what I am trying to do, Mr. Senator.

Senator Ferguson: That is what I would like you to be able to do.

General Marshall: I assume it conveyed to me at that time the necessity for a general alert in the Pacific.

Senator Ferguson: That would, on the morning of the 28th, make you feel that a general alert in the Pacific was required?

General Marshall: Yes, sir. And on the morning of the 28th I was informed, by seeing the documents, that a general alert had been given.

Senator Ferguson: Now, General, did you leave town the evening of the 28th again?

General Marshall: I do not think I did, sir.

Senator Ferguson: Did you go twice to the maneuvers?

General Marshall: I will have to check that.

Senator Ferguson: Would you have that checked to see

Witness Marshall

Questions by: Senator Ferguson

1  
2 whether you left on the night of the 28th?

3 General Marshall: I will.

4 Senator Ferguson: Going to the next question, No. 30  
5 on page 4053, so that we will get the continuity:

6 "Mr. Secretary, I do not like to disturb you but I have  
7 become a little confused on dates about this telephone call.  
8 Was that on the 26th?

9 "Mr. Stimson: That was on the 27th.

10 "General Russell: 27th, the day after the 26th.

11 "Mr. Stimson: Was the day he told me he was in doubt  
12 whether he would go on with it?

13 "General Russell: Yes.

14 "Mr. Stimson: Or whether he would break it off, and  
15 on the morning of the 27th by telephone he told me that he  
16 had decided to break it off."

17 That makes the record very clear that the conversation  
18 between Secretary Stimson and the Secretary of State was on  
19 the morning of the 27th.

20 Would not you say that is clear now, from that?

21 General Marshall: Yes, sir.

22 Senator Ferguson: And is that your understanding?

23 General Marshall: Yes, sir.

24 Senator Ferguson: To refresh your memory, General, on  
25 whether or not you left town on the night, or the afternoon

Witness Marshall

Questions by: Senator Ferguson

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2 of the 28th, the same testimony, taken August 7, 1944, before  
3 the Pearl Harbor Board, question No. 50:

4 "General Russell: Do you recall giving instructions  
5 for the preparation of that message, or participate in its  
6 preparation?

7 "General Marshall: I was away on the 27th. I left here  
8 on the afternoon of the 26th. I went down to maneuvers in  
9 North Carolina and did not return until the night of the  
10 27th. Incidentally, I think I left immediately after that  
11 on the 28th and went back again, and I have a rather distinct  
12 recollection of comparing the effects of this statement."

13 Does that in any way refresh your memory?

14 General Marshall: No, sir. I will have to try to check  
15 up and find out. Incidentally, when I appeared in that hearing  
16 I only had about 45 minutes to prepare myself, so I did not  
17 have my data.

18 Senator Ferguson: Then taking question No. 33:

19 "Mr. Stimson: Or whether he would break it off; and  
20 on the morning of the 27th, by telephone, he told me that he  
21 decided to break it off."

22 Quoting from his diary:

23 "I then called up the President and talked with him about  
24 it. General Arnold came in--

25 "This is to my office.

Witness Marshall

Questions by: Senator Ferguson

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"--General Arnold came in to present the orders for the movement of two of our biggest planes out from San Francisco and across the Mandated Islands to Manila. There is a concentration going on by the Japanese in the Mandated Islands, and these planes can fly high over them and beyond the reach of their pursuit planes, and take photographs."

(7) Now I ask you to turn to page number 6 of Exhibit 32.

General Marshall: You wish me to read this?

Senator Ferguson: Yes, I want you to read that message into the record and then I will talk to you about it.

General Marshall: (Reading)

"November 26, 1941

"RCA 831 US GOVT

"WASHINGTON DC NOV 26 1941 1149P

"COMMANDING GENERAL

"HAWAIIAN DEPARTMENT FT SHAFTER TH

"FOUR SIX FIVE TWENTY SIXTH

"REFERENCE TWO B DASH TWENTY FOUR AIRPLANES FOR SPECIAL PHOTO MISSION STOP IT IS DESIRED THAT THE PILOTS BE INSTRUCTED TO PHOTOGRAPHIC TRUK ISLAND IN THE CAROLINE GROUP JALUIT IN THE MARSHALL GROUP STOP VISUAL RECONNAISSANCE SHOULD BE MADE SIMULTANEOUSLY STOP INFORMATION DESIRED AS TO THE NUMBER AND LOCATION OF NAVAL VESSELS INCLUDING SUBMARINES COMMA AIRFIELDS COMMA AIRCRAFT COMMA GUNS COMMA BARRACKS AND CAMPS STOP



Witness Marshall

Questions by: Senator Ferguson

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PILOTS SHOULD BE WARNED ISLANDS STRONGLY FORTIFIED AND MANNED  
STOP PHOTOGRAPHY AND RECONNAISSANCE MUST BE ACCOMPLISHED AT  
HIGH ALTITUDE AND THERE MUST BE NO CIRCLING OR REMAINING IN  
THE VICINITY STOP AVOID ORANGE AIRCRAFT BY UTILIZING MAXIMUM  
ALTITUDE AND SPEED STOP INSTRUCT CREWS IF ATTACKED BY PLANES  
TO USE ALL MEANS IN THEIR POWER FOR SELF PRESERVATION STOP  
THE TWO PILOTS AND COPILOTS SHOULD BE INSTRUCTED TO CONFER  
WITH ADMIRAL KIMMEL UPON ARRIVAL AT HONOLULU TO OBTAIN HIS  
ADVISE STOP IF DISTANCE FROM WAKE AND JALUIT TO MORESBY IS  
TOO GREAT COMMA SUGGEST ONE B DASH TWENTY FOUR PROCEED FROM  
WAKE TO JALUIT AND BACK TO WAKE COMMA THEN PHILIPPINES BY  
USUAL ROUTE PHOTOGRAPHING PONAPE WHILE ENROUTE MORESBY STOP  
ADVISE PILOTS BEST TIME OF DAY FOR PHOTOGRAPHIC TRUK AND  
JALUIT STOP UPON ARRIVAL IN PHILIPPINES TWO COPIES EACH  
OF ANY PHOTOGRAPHS TAKEN WILL BE SENT TO GENERAL MACARTHUR  
COMMA ADMIRAL HART COMMA ADMIRAL KIMMEL COMMA THE CHIEF OF  
NAVAL OPERATIONS COMMA AND THE WAR DEPARTMENT STOP INSURE  
THAT BOTH B DASH TWENTY FOUR AIRPLANES ARE FULLY EQUIPPED  
WITH GUN AMMUNITION UPON DEPARTURE FROM HONOLULU

"ADAMS"

Senator Ferguson: Now, General, is that the message  
they are talking about here in the diary?

General Marshall: I presume that is the message, sir.

Senator Ferguson: That was sent out on the 26th of

Witness Marshall

Questions by: Senator Ferguson

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November, 1941?

General Marshall: Yes, sir.

Senator Ferguson: When is the first that you knew such a message had been sent out?

General Marshall: I could not say as to that, sir. I was familiar with what they were going to do, and the directions were being given about it.

Senator Ferguson: In other words, you knew before you left on the 26th that such a mission was contemplated and going to be advised?

General Marshall: Yes, sir. I had authorized the procedure.

Senator Ferguson: You had authorized the procedure. Now was that discussed at the meeting of the 25th at the White House?

General Marshall: I do not recall, sir. It probably was mentioned.

Senator Ferguson: Probably mentioned. Well, it was a very important mission, was it not, General?

General Marshall: Yes, sir, it was important -- or, rather I would say it was a rather delicate mission, because that was taking us directly over the Japanese Islands and we had to consider whether or not they would grasp at that as a hostile threat.

Witness Marshall

Questions by: Senator Ferguson

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Senator Ferguson: All right. Now I want to ask you in relation to the use of the telephone as an overt act to Hawaii, compared to this action, as to how you would compare it.

General Marshall: I would say the use of a telephone depended on what was being said on the telephone.

Senator Ferguson: Well, to alert the Hawaiians.

General Marshall: That is a matter of judgment, Senator.

Senator Ferguson: I just want your explanation of it.

General Marshall: I will go into this first, the question of the air flight. General Arnold discussed that with the Secretary of War, because we regarded it as a very delicate proposition. We could not figure any other way how to obtain this information. We thought it was very important that we should know. We thought it possible that by flying at a high altitude we might get by with the thing without more than a Japanese objection to our coming into their mandated area. However, we had to accept the possibility that they would seize upon this as an overt act.

As to the telephone message, I feel if they knew exactly what we were doing, which they would have ascertained from the telephone message, that there were two factors involved: One was the explanation of why we took that action, which was the receipt of a magic message, the only way we could

Witness Marshall

Questions by: Senator Ferguson

1  
2 obtain that, and the other was the fact we were alerting  
3 the garrisons which they could construe as a hostile act.

4 Now there was brought to my attention in that connection  
5 an item of my testimony on page 3109, lines 8 and 9 -- no,  
6 I am wrong. I will strike that all out. It does not apply  
7 to this.

8 That is the best answer I can give you, Senator. I  
9 will say this, though, in conclusion, that my comments about  
10 the telephone, where I explained my own state of mind in  
11 general regarding the serious aspect of the telephone, should  
12 not be read in the light of assuming that that was definitely  
13 why I did not telephone, because just exactly why I did not  
14 telephone I do not undertake to explain right now, because  
15 I am too involved in back sights to try to determine definitely  
16 what was going on in my head at that particular moment.

17 There was the question of time involved. The only thing  
18 I can say, I am quite certain I am right, is had I telephoned  
19 I would have telephoned to the Philippines first.

20 Senator Ferguson: Now would alerting our own Army on  
21 the Philippines, from a military standpoint, be an overt act  
22 against any country?

23 General Marshall: I would not consider it as such.

24 Senator Ferguson: Would, from an Army viewpoint, the  
25 flying of these planes over this Japanese territory, the

Witness Marshall

Questions by: Senator Ferguson

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2 Mandated Islands, would that be an overt act? I am asking  
3 you first as to whether the question --

4 General Marshall: Yes, I understand you are asking me,  
5 Senator. It would certainly be assumed as an indiscreet act,  
6 because the flight of our planes over any foreign territory  
7 was always supposed to be by previous arrangement, and parti-  
8 cularly that would apply to military, to combat planes.  
9 Therefore, we were doing something quite definitely that the  
10 Japanese might seize upon as an overt act. They themselves  
11 had been doing it, but that is not the point.

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WARD & PAUL, WASHINGTON, D. C.

1 Witness Marshall

Questions by: Senator Ferguson

2 Senator Ferguson: General, the last few words of  
3 the message indicate that you felt it might considered an  
4 overt act, because we would need guns and ammunition to pro-  
5 tect ourselves.

6 General Marshall: That is correct, sir.

7 Senator Ferguson: Pardon?

8 General Marshall: That is correct.

9 Senator Ferguson: We were assuming that Japan would  
10 treat it as an overt act and that our military authorities  
11 felt we should arm our men in these planes, because it  
12 says "airplanes are fully equipped with guns and ammunition  
13 on departure from Honolulu."

14 General Marshall: Yes, sir.

15 Senator Ferguson: Who is Adams?

16 General Marshall: Adams is the Adjutant General of the  
17 Army.

18 Senator Ferguson: This was a matter of action?

19 General Marshall: A matter of action?

20 Senator Ferguson: Yes, it was a message for action,  
21 was it not?

22 General Marshall: Yes, sir, it is a direction to do  
23 something.

24 Senator Ferguson: Yes, direction, and Adams had that  
25 authority?

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WARD & PAUL, WASHINGTON, D. C.

1 Witness Marshall

Questions by: Senator Ferguson

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2 General Marshall: Yes, sir. However, I wish to  
3 intervene here a moment.

4 Senator Ferguson: Yes, I wish you would.

5 General Marshall: You used the expression that we are  
6 assuming that that was an overt act. We were taking the  
7 chance of that.

8 Senator Ferguson: Well, you guarded against it if they  
9 had been attacked.

10 General Marshall: We did not leave our crews in a  
11 helpless position. The question was whether they should  
12 chance it. We would never be able to find anything in regard  
13 to the Mandated Islands, and it had now become imperative, in  
14 our view, to learn something of what the state of affairs in  
15 the Mandated Islands was, particularly as it related to the  
16 Japanese fleet.

17 I was asked questions as to whether I was aware of the  
18 fact that we had lost track of where certain Japanese vessels  
19 were. On November 26, at the meeting of the Joint Board  
20 in Washington, there is this paragraph, in the minutes in  
21 relation to this matter --

22 Senator Ferguson: I wish you would read that.

23 General Marshall: "The Board next engaged in a discussion  
24 of the Pacific situation. The Navy had information that  
25 Japanese airplanes had been making reconnaissance and photo-

Witness Marshall

Questions by: Senator Ferguson

1  
2 graphic flights over the United States islands in the  
3 Western Pacific. It was felt that in view of recent  
4 developments indicating reinforcements and activity in the  
5 construction of defense installations in the Marshall and  
6 Caroline Islands, efforts should be made on the part of  
7 the United States to photograph the more important of these  
8 islands.

9 "General Arnold announced that two planes were already  
10 enroute from Dayton to the Philippines with photographic  
11 equipment and with instructions to photograph Truk, Jaluit  
12 and other important Japanese Islands as required. With  
13 reference to this mission, Admiral Turner announced that  
14 the Commander in Chief, Asiatic Fleet, Admiral Hart, had  
15 proposed that the United States, the British, and the Dutch  
16 undertake to photograph all of the islands in the Far East,  
17 and Western Pacific, but since the Army was engaged in the  
18 stated photographic mission, the Navy would like the planes  
19 to obtain certain specific information. General Arnold  
20 proposed that the Army would assist the Navy in obtaining  
21 desired data if the Navy would furnish to him, without delay,  
22 a memorandum of exactly what was desired, so that instructions  
23 could be given to the pilots engaged on the two photographic  
24 missions."

25 Senator Ferguson: Is that the end of the quote?



1 Witness Marshall

Questions by: Senator Ferguson

2 General Marshall: That is the end of the quote.

3 Senator Ferguson: That would indicate that prior  
4 to the 26th these ships were already on their way in this  
5 mission?

6 General Marshall: Those ships were equipped and on  
7 their way to the Philippines.

8 Senator Ferguson: Yes.

9 Mr. Murphy: Will the Senator yield?

10 Senator Ferguson: Yes.

11 Mr. Murphy: I was wondering if it is not a fact that  
12 the record shows the flight was never undertaken?

13 Senator Ferguson: I was going to ask the General that  
14 in the next question.

15 You say they were on the way to the Philippines?

16 General Marshall: They were on their way to the  
17 Philippines with photographic equipment.

18 Senator Ferguson: Now, was this message to alert them  
19 to carry on that mission, the one I read here?

20 General Marshall: This message was to instruct them  
21 to make this photographic mission enroute to the Philippines.

22 Senator Ferguson: Yes. They were to stop and confer  
23 with Admiral Kimmel?

24 General Marshall: Yes, sir.

25 Senator Ferguson: And then go on to Truk and make the

Witness Marshall Questions by: Senator Ferguson

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1  
2 various photographs?

3 General Marshall: On their way to the Philippines.

4 Senator Ferguson: Yes.

5 Now, do you know when it was decided actually to do  
6 this photographing? What day?

7 General Marshall: I do not know whether the records  
8 will show that. I do not remember it, and I do not know  
9 whether the records will show that. I know I discussed it  
10 with General Arnold, and also required it to be taken up  
11 with the Secretary of War, because of the dangers of involve-  
12 ments.

13 Senator Ferguson: And did you take it up with anybody  
14 else?

15 General Marshall: I think it came originally from the  
16 Navy to the Army in connection with these references here  
17 of Admiral Hart.

18 Senator Ferguson: You mentioned in your minutes some  
19 message of Admiral Hart.

20 General Marshall: Yes, sir.

21 Senator Ferguson: I have not had the opportunity to  
22 see those minutes before. I would ask counsel, do we have  
23 that message?

24 General Marshall: It states here:

25 "With reference to this mission, Admiral Turner announced

Witness Marshall

Questions by: Senator Ferguson

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that the Commander in Chief, Asiatic Fleet, Admiral Hart, had proposed that the United States, the British, and the Dutch undertake to photograph all of the islands in the Far East and Western Pacific, but since the Army was engaged in the stated photographic mission, the Navy would like the planes to obtain certain specific information. General Arnold proposed that the Army would assist the Navy in obtaining desired data if the Navy would furnish to him, without delay, a memorandum of exactly what was desired so that instructions could be given to the pilots engaged on the two photographic missions."

Senator Ferguson: General, do you know whether it was ever carried out?

General Marshall: I believe, sir, the planes never got away from Hawaii.

Senator Ferguson: You say they never got away from Hawaii. You mean that they could not get away?

General Marshall: I believe they became involved in the attack. However, that is a matter that somebody else can give better testimony on.

Senator Ferguson: Yes, I understand.

General, might I suggest here that you attempt to get the Hart proposal mentioned in the minutes?

Mr. Mitchell: Would you like to get the wire from Hart

1 Witness Marshall

Questions by: Senator Ferguson

2 if there is one?

3 Senator Ferguson: Yes.

4 Mr. Mitchell: Asking that this reconnaissance  
5 photographing be made?

6 Senator Ferguson: Yes.

7 Mr. Mitchell: I will try to get it.

8 Senator Lucas: Is Admiral Hart on the list as a witness?

9 Senator Hart?

10 Mr. Mitchell: I don't think he has been up to date.

11 Senator Ferguson: Now, going on, General, page 4054,  
12 and reading from the diary -- he says first:

13 "This is all the 27th."

14 Now, reading from the diary:

15 "Knox and Admiral Stark came over and conferred with me  
16 and General Gerow."

17 This is a throw-in:

18 He was the Chief of the War Plans Division at that  
19 time, corresponding to the present Chief of Operations.

20 Now, quoting from the diary:

21 "Marshall is down at the maneuvers today."

22 "That was the maneuvers in North Carolina."

23 "A draft memorandum" --

24 "These next three lines are not from my own memorandum,  
25 but from what appears from another paper:

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Witness Marshall

Questions by: Senator Ferguson

1  
2 "A draft memorandum from General Marshall and Admiral  
3 Stark to the President was examined, and the question of  
4 the need for further time was discussed."

5 Now, General, does that sentence refer to Exhibit 17?

6 General Marshall: I think it does, sir.

7 Senator Ferguson: That would indicate that before you  
8 left this instrument dated November 27, 1941, had been  
9 prepared?

10 General Marshall: It may have been, sir, but i don't  
11 think that is the necessary deduction because I had not  
12 yet signed it, apparently.

13 Senator Ferguson: Well, it had been drafted.

14 General Marshall: Whether or not we had discussed it  
15 and directed the drafting, or whether I had seen the draft  
16 and directed the changes i do not know.

17 Senator Ferguson: This would indicate on the morning  
18 of the 27th at this meeting, wherever the meeting was, that  
19 Secretary Stimson put in the diary that he had before him,  
20 "A draft memorandum from General Marshall and Admiral Stark  
21 to the President was examined, and the question of the need  
22 for further time was discussed,"-- indicating that that was  
23 the instrument that they were examining.

24 General Marshall: Yes.

25 Senator Ferguson: Going back to Exhibit 45 -- I am

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Witness Marshall

Questions by: Senator Ferguson

1  
2 sorry to keep switching --

3 General Marshall: I just lost the paper. I have it  
4 now.

5 Senator Ferguson: (Reading):

6 "The Secretaries were informed of the proposed memoran-  
7 dum you and Admiral Stark directed be prepared for the Presi-  
8 dent."

9 That is the same message, is it not?

10 General Marshall: Yes, sir.

11 Senator Ferguson: Now, the next:

12 "The Secretary of War wanted to be sure that the memoran-  
13 dum would not be construed as a recommendation to the Presi-  
14 dent that he request Japan to reopen the conversations."

15 What is meant by that sentence?

16 General Marshall: Well, I will have to merely read it  
17 here and then attempt to construe it, but I am not the best  
18 witness.

19 The Secretary of War and General Gerow, it seems to me,  
20 would be. If you want me to read the sentence and then make  
21 a guess of what I think they mean, I will do that.

22 Senator Ferguson: Was it ever discussed with you as  
23 to what was its meaning?

24 General Marshall: I do not recall discussing the memo-  
25 randum with the Secretary of War.

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Witness Marshall

Questions by: Senator Ferguson

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Senator Ferguson: Had you any conversation with anyone in relation to that "he request Japan to reopen the conversations"?

General Marshall: Not to my knowledge.

Senator Ferguson: Well, what is the explanation of that sentence in that memorandum, Exhibit 45?

Senator Lucas: Mr. Chairman, I am going to object to that question. The gentleman has said definitely that it would be his own interpretation, that he wasn't the best witness. Why have the General give an interpretation that might be in contradiction with the witnesses who know?

The Chairman: The Chair recalls that the General said that his answer would be only a guess, and that the Secretary of War and General Gerow would be the best witnesses.

Whether the General's guess would be in conflict with the testimony, the positive testimony of the Secretary of War and General Gerow, the Chair can't say. As between a guess on the part of the General and the positive testimony on the part of the Secretary of War and General Gerow, the Chair would assume that the guess would go out of the window if there was any conflict.

Senator Ferguson: What is your answer, General?

Senator Lucas: Mr. Chairman, I would like to know -- and I ask for information -- how long are we going to take with

Witness Marshall

Questions by: Senator Ferguson

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1  
2 guesses in the course of this proceeding with a witness  
3 who tells you directly that he can't answer the question  
4 and it would be only a guess and that he is not the best  
5 witness. How long are we to continue with this type of  
6 delay?

7 The Chairman: The Chair can't answer that question.  
8 Of course, in any legal proceeding, in a court, the Chair  
9 imagines that a court would instruct the jury to disregard a  
10 guess if there was positive testimony on the point, but  
11 this is not, strictly speaking, a court procedure, and the  
12 Chair can't answer the question propounded by the Senator  
13 from Illinois. But it would seem advisable, in order to  
14 get at the facts, that the committee devote as little time  
15 as possible to guesses, and as much time as possible to  
16 positive evidence on the part of those who can testify.

17 Senator Ferguson: Mr. Chairman, might I put upon the  
18 record my version on that matter, and reason for asking  
19 the question?

20 Here is a case where a memorandum was to be prepared  
21 by this witness, by General Marshall. It was to make sure  
22 that certain things would not get into that memorandum. A  
23 man who was superior in command, to a certain extent, the  
24 Secretary of War, was sending a message to the Chief of  
25 Staff that certain things would not go into the memorandum



1                    Witness Marshall                    Questions by: Senator Ferguson  
2                    to the President.

3                    Now, I want to question this witness as to what he  
4                    understood by that, because he had to have an understand-  
5                    ing, and it can't be a guess, as to what was meant by it,  
6                    so that it could not get into this official record that  
7                    was going to the President, and it was to be over his signa-  
8                    ture.

9                    The Chairman: The witness is the best judge as to  
10                    whether his answer to any question is a guess.

11                    General Marshall: I will attempt to answer the ques-  
12                    tion.

13                    The Chairman: The Chairman is certain General Marshall  
14                    will answer the question to the best of his ability.

15                    Senator Ferguson: I appreciate that.

16                    General Marshall: In the preparation of --

17                    Senator Ferguson: General, if your answer is going to  
18                    be a guess, I don't want it.

19                    General Marshall: I will go up to the point where I  
20                    introduced the guess, and let you decide whether you want  
21                    it or not.

22                    The preparation of the memorandum from Admiral Stark  
23                    and myself, as the senior members of the Joint Board, that  
24                    was not to be the opinion of the Secretary of War, or the  
25                    Secretary of the Navy; that was to be the opinion of the

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WARD &amp; PAUL, WASHINGTON, D. C.

Witness Marshall

Questions by: Senator Ferguson

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1  
2 Joint Board, presumably, as represented by its senior  
3 members for the Navy and the Army, Admiral Stark and  
4 General Marshall.

5 Of course, as a matter of fact, in my own mind, if I  
6 determined that the Secretary of War, with his vast experi-  
7 ence in diplomatic affairs of the world, as well as the War  
8 Department, with two terms as Secretary, felt that a certain  
9 phase of the thing was highly inadvisable, I would be very  
10 much influenced by that view on his part.

11 The Chairman: Very much what?

12 General Marshall: I would be very much influenced by  
13 that view on his part. Nevertheless, the memorandum had to  
14 be Admiral Stark's and mine, representing a Joint Board of  
15 which the Secretaries of War and Navy were not members.  
16 The reports were sent through the Secretary of War and the  
17 Secretary of the Navy to the President. They could ap-  
18 prove them, disapprove them, or comment on them.

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Witness Marshall

Questions by: Senator Ferguson

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2 Now, as to just what was meant by this statement of  
3 General Gerow's, as to the Secretary of War, I can only guess  
4 at what was in the mind of the Secretary of War.

5 Senator Ferguson: I will put another question.

6 Up to that point in your answer it is not a guess?

7 General Marshall: That is a fact.

8 Senator Ferguson: The next question is: What con-  
9 versation did you have with General Gerow about that sentence?

10 General Marshall: I don't recall that I had any conference  
11 with General Gerow regarding that sentence. He is giving me  
12 here, dated November 27, which undoubtedly -- it shows I noted  
13 it on the 28th, and probably the first business of the day,  
14 along with the alert messages -- the statement of what had  
15 happened in the discussion with the Secretary of War. He  
16 had reached an understanding with the Secretary of War without  
17 the exchange of the memorandum. I doubt if I even spoke to  
18 the Secretary of War regarding it and I doubt if I discussed  
19 it with General Gerow. The Secretary of War had apparently  
20 been assured that the memorandum, so far as it was written,  
21 didn't do violence to his own ideas, and I was prepared to  
22 sign it the way it stood.

23 Senator Ferguson: Now, do you know whether you had  
24 signed the instrument prior to that discussion with Gerow?

25 General Marshall: I do not know, sir. It is dated

Witness Marshall

Questions by: Senator Ferguson

1  
2 November 28 and I couldn't have signed it on the 27th because  
3 I was not here, unless they brought it to me late at night,  
4 and I am quite certain they did not do that.

5 Senator Ferguson: So probably at the time that you had  
6 the memorandum, Exhibit 45, you had before you Exhibit 17  
7 unsigned and you didn't sign it until after you had your  
8 conversation with Gerow about the instrument?

9 General Marshall: Presumably so. I may not have even  
10 had any conversation with Gerow if I had Exhibit 45 before  
11 me at the time.

12 Senator Ferguson: Did you ever have a conversation with  
13 Secretary Stimson about that particular point?

14 General Marshall: Not to my recollection. I had many  
15 conversations with the Secretary of War.

16 Senator Ferguson: No, I mean on that particular point,  
17 about reopening the conversations.

18 General Marshall: I have no recollection of a conversa-  
19 tion with the Secretary of War, Mr. Stimson, regarding that  
20 specific point. I do have a recollection of frequent dis-  
21 cussions with Mr. Stimson about the proceedings of the diplo-  
22 matic interchange with relation to how far they should go.

23 Senator Ferguson: The next sentence:

24 "It was agreed that the memorandum would be shown to  
25 both Secretaries before dispatch."

Witness Marshall

Questions by: Senator Ferguson

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General Marshall: Yes, sir.

Senator Ferguson: Now, was that so that it would make sure it covered that particular point and any other point?

General Marshall: I am a little confused about that particular statement, except that he may, Gerow may have assured the Secretary of War that that memorandum would go to him enroute to the President, because the proceedings of the Joint Board were, I thought, invariably sent through the Secretary of War and the Secretary of Navy to the President.

Senator Ferguson: Take the third paragraph:

"Both the message and the memorandum were shown to the Secretary of War."

What message are they talking about there?

General Marshall: I presume he is referring to the alert message.

Senator Ferguson: The alert message?

General Marshall: Yes.

Senator Ferguson: "\*\*\* and the memorandum were shown to the Secretary of War. He suggested some minor changes in the memorandum."

That would be Exhibit 17.

General Marshall: I presume so, yes, sir.

Senator Ferguson: "He suggested some minor changes in the memorandum. These were made (copy attached)."

Witness Marshall

Questions by: Senator Ferguson

1  
2           What were the changes in this memorandum made by the  
3 Secretary of War?

4           General Marshall: I do not know, sir. General Gerow  
5 will have to give you that.

6           Senator Ferguson: I will ask counsel, do we have the  
7 original so that we can find out here? It says "copy attached".  
8 Was any copy attached to Exhibit 45?

9           Mr. Mitchell: The memorandum that was attached is  
10 already in evidence.

11           Senator Ferguson: That is Exhibit 17?

12           Mr. Mitchell: As part of Exhibit 17. That doesn't  
13 show any alterations. It is a fair copy.

14           Senator Ferguson: Has there been any attempt to get  
15 the original to show what changes were made?

16           Mr. Mitchell: Not at all. I have never known any  
17 reason to ask for it.

18           Senator Ferguson: General, have you any idea what  
19 changes were made?

20           General Marshall: No, sir.

21           Senator Ferguson: And --

22           General Marshall: I presume if that shows in the record  
23 it will be shown on one of the draft copies in the record.

24           Senator Ferguson: As a rule are they kept?

25           General Marshall: Yes, sir.

Witness Marshall

Questions by: Senator Ferguson

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2 Senator Ferguson: Now, reading from the diary, that is,  
3 from the testimony on page 4054:

4 "That appears in the memorandum which is already in  
5 evidence, by General Gerow, to General Marshall, the memorandum  
6 of November 27.

7 "General Russell. The joint statement is in evidence,  
8 not where the Secretary suggested, but General Marshall put  
9 it in evidence. We are acquainted with the joint statement."

10 Now, going down to his diary:

11 "36. Mr. Stimson: Because it governed the -- it helped --  
12 explains the next sentence. Now I begin with my own record:"

13 Quoting from the diary:

14 "I said that I was glad to have time, but I did not  
15 want it at the cost of humility on the part of the United States  
16 or of reopening the thing, which would show a weakness on our  
17 part."

18 "And I go on:"

19 Quoting from his diary:

20 "But the main question at this meeting -- The meeting  
21 of Knox, Stark, Gerow and myself.

22 " -- was over the message that we shall send to MacArthur."

23 Now, at that time, were you talking about a message to  
24 anyone else but MacArthur?

25 General Marshall: At that time meaning this meeting

Witness Marshall

Questions by: Senator Ferguson

1  
2 that he is referring to?

3 Senator Ferguson: Yes.

4 General Marshall: I don't know, sir. I wasn't present.

5 Senator Ferguson: Well, you take it from the diary that  
6 that is the only one they were talking about. Next he explains  
7 the alert to the others. I will read it:

8 "We have already sent him a quasi-alert or the first  
9 signal for an alert;" --

10 What is a quasi-alert?

11 General Marshall: That is a legal term that you gentlemen  
12 will have to interpret.

13 Senator Ferguson: Well --

14 General Marshall: He says, "or the first signal for an  
15 alert."

16 Senator Ferguson: Yes, and now he says -- I am reading  
17 from his diary:

18 "We have already sent him a quasi-alert or the first  
19 signal for an alert; and now, on talking with the President  
20 this morning over the telephone, I suggested and he approved  
21 the idea that we should send the final alert, namely, that he"

22 Then he says:

23 "That was the recipient."

24 "---should be on the qui vive for any attack, and telling  
25 him how the situation was."



Witness Marshall

Questions by: Senator Ferguson

1  
2           What are they talking about there?

3           General Marshall: It would appear from reading his  
4 testimony he is talking at this moment about an alert to  
5 General MacArthur.

6           Senator Ferguson: You had already given him the 24th  
7 alert.

8           General Marshall: That is what he was generally referring  
9 to as a quasi-alert or the first signal for an alert.

10          Senator Ferguson: In your opinion, as Chief of Staff,  
11 was that an all-out alert?

12          General Marshall: Yes, sir.

13          Senator Ferguson: When did you first learn that Secretary  
14 Stimson had talked with the President as indicated in that  
15 paragraph from his diary?

16          General Marshall: I don't know, sir. I assume that  
17 I may have been told by the Secretary or by General Gerow  
18 on the morning of the 28th on my return to Washington. I  
19 don't believe General Gerow tells me that in this memorandum.  
20 It must be just a presumption on my part that the Secretary  
21 or General Gerow or both of them spoke of it to me. I don't  
22 know.

23          Senator Ferguson: Can you recall now ever getting that  
24 information?

25          General Marshall: I do not, sir.

Witness Marshall

Questions by: Senator Ferguson

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2           Senator Ferguson: That would be at least an amendment  
3 to the alert of the 24th, would it not?

4           General Marshall: Yes, sir.

5           Senator Ferguson: Reading on:

6           "Now, to understand what I was talking about, an earlier  
7 alert, I am not sure which one I meant, but we had sent a  
8 message which would meet with the description, on November  
9 24th, a joint Army and Navy message, but we had also sent  
10 warnings back as far as July 7, July 25, October 16, and  
11 October 20, which contained warnings to the members of the --  
12 commanders of the outposts as to the situation that was going  
13 on with Japan."

14           Do you recall those messages, those different alerts  
15 that he is talking about -- or were they alerts?

16           General Marshall: I don't think they were alerts. They  
17 were information bearing on the increasing and critical  
18 situation. Just what they were on the specific dates I am  
19 not prepared at the moment to testify.

20           Senator Ferguson: Then he goes back and says:

21           "Now I go back to my narrative:

22           " 'So Gerow and Stark and I went over the proposed  
23 message to him. ' "

24           General Marshall: He says:

25           " That is, I was talking about MacArthur especially, but

1 Witness Marshall

Questions by: Senator Ferguson

2 we were sending the messages to four people, not only MacArthur,  
3 but Hawaii, Panama, and Alaska."

4 Senator Ferguson: But that last part was not in the  
5 diary.

6 General Marshall: That is not in the diary.

7 Senator Ferguson: The diary only referred to the one  
8 to MacArthur; is that correct?

9 General Marshall: So far.

10 Senator Ferguson: Now, on the next page will you read  
11 what he says.

12 General Marshall: "So Gerow and Stark and I went over  
13 the proposed message to him from Marshall very carefully,  
14 finally got it into shape, and with the help of a telephone  
15 talk I had with Hull I got the exact statement from him of  
16 what the situation was."

17 Senator Ferguson: Talking about this message that  
18 would be signed from you to MacArthur?

19 General Marshall: Yes, sir.

20 Senator Ferguson: On the 27th?

21 General Marshall: That is my assumption.

22 Senator Ferguson: Being alert, and the one that had  
23 been discussed with the President, up on the top of page 4054;  
24 is that correct?

25 Page 4055: "on talking with the President this morning

Witness Marshall

Questions by: Senator Ferguson

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over the telephone, I suggested and he approved the idea that we should send the final alert, namely --"

General Marshall: I presume that is what it is.

Hook Follows

WARD & PAUL, WASHINGTON, D C

1 Witness Marshall

Questions by: Senator Ferguson

2 Senator Ferguson: All right.

3 Now, will you read on from the testimony prepared.

4 General Marshall: This is not the diary:

5 "That is the situation between him and the Japanese  
6 envoys.

7 "Now, let me have the message, that message which I have  
8 been referring to here.

9 "The thing I was anxious to do was to be sure that we  
10 represented with correctness and accuracy what the situation  
11 was between the two Governments, and this part I got from  
12 Hull, as I said, by telephone, to be sure I was right. You  
13 see that message opens with these sentences:

14 "Negotiations with Japan appear to be terminated to  
15 all practical purposes with only the barest possibilities  
16 that the Japanese Government might come back and offer to  
17 continue. Japanese future action unpredictable but hostile  
18 action possible at any moment."

19 Senator Ferguson: Now, just a moment there. The message  
20 to MacArthur opened with those particular sentences that you  
21 read, with the two messages alike. Take the one to MacArthur  
22 and the one to General Short. That language is used in  
23 both, is it not?

24 General Marshall: Yes, sir.

25 Senator Ferguson: That part of the message.

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Witness Marshall

Questions by: Senator Ferguson

General Marshall: Yes, sir.

Senator Ferguson: Now, will you read on?

General Marshall: (Reading):

"The thing I was anxious to do was to be sure that we represented with correctness and accuracy what the situation was between the two Governments" --

I read that.

Senator Ferguson: Yes.

General Marshall: (Reading):

"That was what I was interested in getting out at the time, because that had been a decision which I had heard from the President as I have just read, and I had gotten the exact details of the situation between the State Department and the envoys from Mr. Huli; and, as I pointed out here, the purpose in my mind, as I quote my talk with the President was to send a final alert, namely, that the man should be on the qui vive for any attack, and telling him how the situation was here.

"That was why I was in this matter. Marshall was away. I had had a decision from the President on that subject, and I regarded it as my business to do what I, of course, normally do: to see that the message, as sent was framed in accordance with the facts."

Senator Ferguson: Before you go further, General, does

Witness Marshall

Questions by: Senator Ferguson

h3

1  
2 that indicate to you that there had been a message drawn  
3 up that had different language in it?

4 General Marshall: I think that is the case, sir.

5 Senator Ferguson: Do you know what the language was  
6 in the original message?

7 General Marshall: I don't know that. General Gerow  
8 would have that, undoubtedly.

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Witness Marshall

Questions by: Sen. Ferguson

1  
2 Senator Ferguson: But that would indicate that the  
3 first paragraph, at least the first part, was changed to  
4 meet the Secretary of War's conversation with the Secretary  
5 of State.

6 General Marshall: My understanding was it was modified  
7 by the Secretary of War to be in accord with his conversa-  
8 tion with Mr. Hull.

9 Senator Ferguson: Now, when was that first called to  
10 your attention?

11 General Marshall: Unless it is called to my attention  
12 in this memorandum of General Gerow's to me dated November  
13 27th, which I read for the first time on the morning of the  
14 28th, I do not know that it was ever called to my attention.

15 Senator Ferguson: Now, General, with the message that  
16 was being drafted by the Secretary of War, the change being  
17 made, you know that he was going from the Secretary of State  
18 and his conversation with the President, as he says at  
19 the top, "That was why I was in here. While Marshall was  
20 away I had had a decision from the President on that sub-  
21 ject and I regarded it as my business to do what I, of  
22 course, normally do, to see that the message as sent was  
23 framed in accordance with the facts."

24 "That is the facts as considered by those two men and  
25 by myself."



Witness Marshall

Questions by: Sen. Ferguson

Now, what my question is is this: Who could change the language of such a message or who could supplement it?

General Marshall: The President, the Secretary of War and myself. The proposals could be made by the head of the War Plans Division. They might be commented upon and changes proposed by the Deputy Chief of Staff. They might in relation to the references to the enemy's status be commented on and different proposals made by G-2 of the Army but in principle I would say that the only people that could directly change the message would be the President, the Secretary of War or myself.

Senator Ferguson: And that would be true because of the language there, as I quote, from the President "that we should send the final alert, namely, that he" -- that was the recipient -- "should be on the qui vive for any attack and telling him how the situation was."

General Marshall: Yes, sir.

Senator Ferguson: The others could advise but the only three that could change were the ones that you have mentioned?

General Marshall: Yes, sir.

Senator Ferguson: Or supplement it.

General Marshall: Of course, you must understand that the original proposal would come in in written form, in the

1 Witness Marshall

Questions by: Sen. Ferguson

2 usual circumstances, from the War Plans Division where it  
3 might even be prepared by some Captain. However, the re-  
4 sponsibility for the message in going forward would be  
5 General Gerow's and then beyond them it would be mine and if  
6 I am not present the Secretary of War's.

7 Senator Ferguson: Now, read on, will you please, Gen-  
8 eral?

9 General Marshall: (Reading)

10 "I speak there in the words of the message to Mac-  
11 Arthur, but there were four messages sent out that are  
12 in evidence, and you will see the message to Hawaii  
13 carries the annotation on the back of it, which is very  
14 extraordinary, 'Shown to the Secretary of War,' and af-  
15 ter they had drafted it. And we were covering the situ-  
16 ation in the four great outposts of the Pacific."

17 Senator Ferguson: Now, that was not in the diary, that  
18 last part? It does not show.

19 General Marshall: That is a statement without regard,  
20 apparently, to the diary.

21 Senator Ferguson: Yes.

22 General Marshall: It goes on with a question:

23 "General Grunert: Has the Secretary finished re-  
24 garding that message?

25 "Mr. Stimson: No. I have regarding that message,

Witness Marshall

Questions by: Sen. Ferguson

1  
2 yes. I am just going over to the next, to the follow-  
3 ing day.

4 "General Grunert: I would like to ask whether you  
5 saw the rest of that message and whether you prepared  
6 the rest of the message or approved what was in that  
7 message.

8 "Mr. Stimson: Oh, yes; this message that I have  
9 just read a portion of to you, I went over very care-  
10 fully the whole message.

11 "General Grunert: Yes.

12 "Mr. Stimson: Because the part that I read you was  
13 merely the part which I have consulted Mr. Hull about.

14 "General Grunert: Yes.

15 "Mr. Stimson: Because the part that I read you was  
16 merely the part which I have consulted Mr. Hull about.

17 "General Grunert: We have that message in evidence.

18 "Mr. Stimson: Yes.

19 "General Grunert: And lots of testimony about it.

20 "Mr. Stimson: Yes.

21 "General Grunert: All I wanted to know was whether  
22 you were actually acquainted with the rest of the con-  
23 tents of that message.

24 "Mr. Stimson: I was.

25 "General Grunert: Yes.

Witness Marshall

Questions by: Sen. Ferguson

1  
2 "Mr. Stimson: And I saw it after it was finally drawn,  
3 as was shown by the memorandum there.

4 "General Russell: Mr. Secretary, before you go  
5 away from that message, which we have considered and  
6 are considering rather seriously: When General Gerow  
7 came to your office that morning did he have a rough  
8 draft of that message?

9 "Mr. Stimson: I can't remember that, sir.

10 "General Russell: In his testimony before the  
11 Roberts Commission he stated, relative to the first  
12 sentence of the message, that initially the first sen-  
13 tence was to the effect that negotiations had termin-  
14 ated; that, confirming your report now, you called the  
15 Secretary of State, who suggested this other language;  
16 to all intents and purposes it had been terminated,  
17 with only a slight possibility of their being resumed."  
18 This is General Russell's statement.

19 Senator Ferguson: Right there is where I want to ask  
20 you. Do you recall or do you know or do you have know-  
21 ledge that the original draft of the message to General  
22 Short and General MacArthur was, as the sentence indicates,  
23 "that initially the first sentence was to the effect that  
24 negotiations had terminated"?

25 General Marshall: I do not recall that I was aware

1 Witness Marshall

Questions by: Sen. Ferguson

2 of what the original proposal was other than what the form  
3 of the final message was. It may be that the record will  
4 show that I saw both drafts. I do not recall.

5 Senator Ferguson: Will you look at exhibit 37, page  
6 36? That is the message by the Navy to CINCAF, CINCPAC,  
7 where they use the language:

8 "This despatch is to be considered a war warning.  
9 Negotiations with Japan looking toward stabilization of  
10 conditions in the Pacific have ceased."

11 That is page 36, exhibit 37. Do you have that exhibit,  
12 General?

13 Mr. Mitchell: Page 36 it is, of exhibit 37.

14 General Marshall: It is page 36 ?

15 Senator Ferguson: Yes, page 36: "Have ceased." It  
16 is the third line down.

17 General Marshall: I must have some wrong paper here.  
18 Where is that?

19 Senator Ferguson: Page 36.

20 Mr. Gesell: The war warning message.

21 Senator Ferguson: The war warning message:

22 "This despatch is to be considered a war warning."  
23 Exhibit 37, page 36.

24 Mr. Gesell: Here it is.

25 General Marshall: What is the question, please, Sen-

Witness Marshall

Questions by: Sen. Ferguson

ator?

Senator Ferguson: I wanted to know whether or not the one from Navy on the same day as the one that went out from the Army did not use the language that the negotiations had ceased, just like it was stated in the testimony that you have just read here. I will read it again:

"In his testimony before the Roberts Commission he stated, relative to the first sentence of the message, that initially the first sentence was to the effect that negotiations had terminated."

Then it was changed to the language used by Secretary Stimson: "Negotiations with Japan appear to be terminated to all practical purposes, with only the barest possibility that the Japanese Government might come back and offer to continue. Japanese future action unpredictable," and so forth.

Now, take the Navy message that went out on the same day as an alert. There they say that they have ceased.

Would that explain that the two messages were to go out alike as far as the termination of the negotiations and that because of the conversation with Secretary Hull by Secretary Stimson there was a change in the one that went to the Army?

General Marshall: That would be my assumption of what

Witness Marshall

Questions by: Sen. Ferguson

1  
2 had happened, that the original messages had been prepared  
3 in conjunction with the Navy, General Gerow and Admiral  
4 Turner, and that certain phraseology had been used. The  
5 Army message, though, through the intervention of Mr. Stim-  
6 son had been changed following his conversation with Mr.  
7 Hull. The Navy message I am assuming probably had already  
8 been dispatched.

9 Mr. Murphy: Will the Senator yield?

10 Senator Ferguson: Yes.

11 Mr. Murphy: There is an explanation by General Gerow  
12 on exactly that at page 2690 of the record.

13 Senator Ferguson: All right. Do you want to cut it in  
14 now?

15 Mr. Murphy: No. It is already in on page 2690.

16 Senator Ferguson: All right.

17 Now, General, reading those two alerts can you comment  
18 on, - as a military man and as Chief of Staff, - which is  
19 the stronger of those two messages as an alert as far as  
20 the ceasing of the negotiations, those two sentences?

21 General Marshall: The Navy message reads:

22 "This despatch is to be considered a war warning.  
23 Negotiations with Japan looking toward stabilization of  
24 conditions in the Pacific have ceased and an aggressive  
25 move by Japan is expected within the next few days."

Witness Marshall

Questions by: Sen. Ferguson

Senator Ferguson: Now, up to that part, "negotiation".

Senator Lucas: I insist, Mr. Chairman, if you are going to construe a document or compare two documents that the witness ought to have a right to look at all parts of it. You cannot take one paragraph or one sentence of a document in construing it.

The Vice Chairman: That is correct. The General had just read the pertinent part of the Navy message and I assume he was in the act of reading the comparable part of the Army message. I think that is what Senator Ferguson was after, wasn't it?

Senator Ferguson: Yes. What I am trying to do is to get the two messages in the first sentence as they relate to termination of negotiations, and I have some other questions about the whole message.

General Marshall: The message sent by the Army on November 27th states:

"Negotiations with Japan appear to be terminated to all practical purposes with only the barest possibilities that the Japanese Government might come back and offer to continue."

Then it goes on to say: "Japanese future action unpredictable."

The naval message, of course, is in stronger terms in-



Witness Marshall

Questions by: Sen. Ferguson

1  
2 indicate of the termination of negotiations.

3 Senator Ferguson: Now, General, which is the stronger  
4 there, - the Navy?

5 General Marshall: I just attempted to state that, sir,  
6 that the naval message terms are the stronger, indicative of  
7 the termination of diplomatic relations -- negotiations  
8 rather than relations.

9 Senator Lucas: Why don't you let the witness answer?  
10 Why should you cut him off in the middle of an answer?

11 Senator Ferguson: Have you been cut off, General?

12 Senator Lucas: You just put words in his mouth that  
13 are before you, Senator, when he was trying to answer a sim-  
14 ple question.

15 Senator Ferguson: Do you want to make any explanation,  
16 General?

17 General Marshall: No, sir, I have nothing to say.

18 Senator Ferguson: Now, let us take the two messages,  
19 as has been suggested.

20 Senator Lucas: He is the Chief of Staff, he is a Gen-  
21 eral and he ought to have the utmost respect shown him.

22 General Marshall: I have them both here, sir.

23 Senator Ferguson: Take the next sentence:

24 "An aggressive move by Japan is expected within the  
25 next few days. The number and equipment of Japanese

Witness Marshall

Questions by: Sen. Ferguson

troops and the organization of naval task forces indicates an amphibious expedition against either the Philippines, Thai or Kra Peninsula or possibly Borneo."

Now, General, that is a sentence which indicates an expedition, a specific expedition against one of three places, is that not correct?

General Marshall: That is correct, sir.

Senator Ferguson: And the possibility of a fourth?

General Marshall: That is correct, sir.

Senator Ferguson: Now, let us take the one to the Army, let us take the language in the one to the Army.

General Marshall: "Japanese action."

Senator Ferguson: "Future action unpredictable."

General Marshall: "Japanese future action unpredictable."

Senator Ferguson: Will you read it?

General Marshall: (Continuing):

"--but hostile action possible at any moment. If hostilities cannot ~~comma~~ repeat cannot ~~comma~~ be avoided the United States desires that Japan commit the first overt act."

Senator Ferguson: Well, now, we will just read down to what is predicted before we get to the overt sentence. Now, in that one is there any specific expedition set forth?

General Marshall: There is not, sir.

Witness Marshall

Questions by: Sen. Ferguson

1  
2 Senator Ferguson: Now, which is the most specific mes-  
3 sage as far as that sentence is concerned?

4 General Marshall: The naval message.

5 Senator Ferguson: The Navy message because it outlines  
6 three specific movements and a possibility of a fourth, and  
7 the Army message is only unpredictable but hostile action  
8 possible at any moment.

9 General Marshall: Correct, sir.

10 Senator Ferguson: So you would say the Navy message was  
11 more specific there. Do you know why the two messages dif-  
12 fered in relation to that sentence?

13 General Marshall: I could not say, sir. I imagine it  
14 was the possible views of the individuals drafting them either  
15 as to where the Japanese were going to strike or as to the de-  
16 sirability of indicating a particular place as against the  
17 desirability of indicating a general alert for any place.

18 Senator Ferguson: So one is a specific alert, the one of  
19 the Navy, and the one of the Army is general.

20 General Marshall: No, they are both alerts in one mes-  
21 sage, including indications of where it is thought the Japan-  
22 ese action might be.

23 Senator Ferguson: All right.

24 General Marshall: The degree of alert is not the point.

25 Senator Ferguson: Take the next sentence in the Navy

Witness Marshall

Questions by Sen. Ferguson

message, will you read it, after the "Borneo"?

General Marshall: Yes. (Reading)

"Execute an appropriate defensive deployment preparatory to carrying out the tasks assigned in WPL46X Inform District and Army authorities."

Senator Ferguson: Well, now, shouldn't the "X" after the "46" be a period?

General Marshall: I think so.

Senator Ferguson: That is a period?

General Marshall: Yes.

Senator Ferguson: So that is a sentence. Now, that is a specific order, is it not?

General Marshall: Yes.

Senator Ferguson: (Reading)

"Execute an appropriate defensive deployment preparatory to carrying out the tasks assigned in WPL46."

All right. Now let us take the next sentence in the Army one. Would you read it?

General Marshall: Yes, sir. (Reading)

"If hostilities cannot, repeat cannot, be avoided the United States desires that Japan commit the first overt act. This policy should not, repeat not, be construed as restricting you to a course of action that might jeopardize your defense. Prior to hostile Japanese action

Witness Marshall

Questions by: Sen. Ferguson

1  
2 you are directed to undertake such reconnaissance and  
3 other measures as you deem necessary."

4 Senator Ferguson: Well, now, let us stop at that part.  
5 Is that as specific, is that as strong in the alert as the one  
6 in the Navy where he is to take and "execute an appropriate  
7 defensive deployment preparatory to carrying out the tasks  
8 assigned in WPL46"?

9 General Marshall: Possibly as strong except that it has  
10 a proviso regarding the overt act.

11 Senator Ferguson: It has a proviso in it. Let us take  
12 the next sentence:

13 "In form district and Army authorities. A similar  
14 warning is being sent by War Department. Spenavo Inform  
15 British. Continental districts Guam Samoa directed take  
16 appropriate measures against sabotage."

17 Now, the "report measures taken" is not in the Navy at  
18 all. They are ordered to do certain things, are they not,  
19 and you ask in the Army one over your signature that you are  
20 to be advised as to what measures were taken. The other one  
21 says: "Take appropriate measures against sabotage," is the  
22 last part."

23 Now, which is the stronger of those two, where you ask  
24 for "report measures taken" and the other one is a direct  
25 order?

Witness Marshall

Questions by: Sen. Ferguson

1  
2 General Marshall: I don't know that I would say either  
3 one was stronger than the other. It is a different approach  
4 to the same problem.

5 Senator Ferguson: Well, if you had close coordination  
6 between the Army and Navy with these two branches working  
7 where they had to work out in the field, would you have had  
8 the difference in these messages? They were sent on the  
9 same day.

10 General Marshall: I will have to reflect a little bit  
11 on that.

12 Senator Ferguson: I beg pardon?

13 General Marshall: I will have to reflect a little bit  
14 on that.

15 Senator Ferguson: All right.

16 General Marshall: I think that if the two agencies were  
17 side by side there is less probability of a conflict in mes-  
18 sages. We were in the same string of buildings at that time,  
19 the Munitions Buildings, so we were not very remote one from  
20 the other, but they were separate agencies, of course, with  
21 long traditions each of its own. I think if it had been a  
22 single group there, naturally, would have been a less possi-  
23 bility of the contradictory messages. I do not imply that  
24 these two messages are contradictory. That is my answer, sir.

25 Senator Ferguson: Well, General, that is your explana-

Witness Marshall

Questions by: Sen. Ferguson

tion as to how, or as to why the exhibits are not the same.

General Marshall: I did not state that as an explanation, sir. I was giving you a view as to the possibility of what might have been if there had been a different arrangement of the two sections, the operations section of the Navy and the War Plans Division, which is the operations section of the Army.

Senator Ferguson: Well, General, here is what I have in mind. They were to inform the Army, and the Army getting its own messages and informing the Navy. At the field the messages were to go one to the other.

General Marshall: Yes, sir.

Senator Ferguson: Was it not possible or probable that because of the difference in the language, one designating that it had ceased and the other one that it had terminated for all practical purposes with only the barest possibility, the one being for three specific expeditions and a possible fourth, the other being general in its nature, one calling for a report back, the other one directing that a specific plan be put into effect, that the men who received them in the field would be confused as to the meaning and that when the report came back as to what action was taken that it then became the duty of those in Washington to catch that there was confusion and to straighten it out as of the 28th?

Witness Marshall

Questions by: Sen. Ferguson

1  
2 General Marshall: That might be, Senator, but I don't  
3 see how it could create that much of a confusion.

4 The Chairman: Four o'clock having arrived the commit-  
5 tee --

6 Senator Lucas: Mr. Chairman, before we adjourn may I  
7 say just one word?

8 The Chairman: The Senator from Illinois.

9 Senator Lucas: There was an almanac -- not an almanac,  
10 but a calendar, a small calendar that was used and I was just  
11 wondering whether or not that should not be marked as an  
12 exhibit. I would like to have it because we will be refer-  
13 ring to that calendar probably forty or fifty times between  
14 now and the time this committee meeting is over. Who has  
15 that calendar?

16 The Chairman: The committee will be in order. We  
17 haven't recessed.

18 If anybody can identify that calendar and mark it as  
19 exhibit number anything.

20 Mr. Mitchell: The court will take judicial notice of  
21 it and you will have other copies.

22 The Chairman: Would it be possible to ascertain from  
23 what almanac that sheet of the calendar was taken?

24 Senator Lucas: I would like to know whether it is an  
25 original document, too.



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Witness Marshall

Questions by: Sen. Ferguson

1  
2           The Chairman: Maybe we can straighten that out by  
3 ten o'clock tomorrow and the committee will stand in recess  
4 until that time.

5           (Whereupon, at 4:03 P.M., December 10, 1945, an  
6 adjournment was taken until 10 o'clock A. M., Tuesday,  
7 December 11, 1945.)

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