

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al )  
vs )  
ARAKI, Sadao, et al )

A F F I D V I T

MORIYA, Kazuro

I, MORIYA, Kazuro, after having been duly sworn according to the Japanese formula, make the following statement of my own free will:

I am 55 years of age, and reside at No. 74, Mishigahara-machi, Kita Ward, Tokyo, Japan.

1. I graduated from the Faculty of Law, Tokyo Imperial University, in July, 1917, and entered the Foreign Office at the end of 1923. I remained in the service of that Ministry for seventeen years until I resigned as Minister accredited to Afghanistan in December, 1940. During the period from November, 1929, to 1932, I served about three years as First Secretary of Legation under Mr. Shigemitsu, who was at first Consul-General at Shanghai and concurrently Counsellor of Embassy, and later Minister accredited to China.

2. At the beginning of September, 1931, when I was First Secretary of Legation under Minister Shigemitsu, he made a proposal to Mr. T.V. Soong, the Finance Minister

of the Chinese Government, that the actual situation in Manchuria be investigated together, as Minister Shigemitsu was anxious about the situation then prevailing in that part of China, lest it should affect Sino-Japanese relations, and had at the same time a desire to open negotiations for revision of the Sino-Japanese Treaty of Commerce. Mr. Soong's consent having been obtained, Minister Shigemitsu planned to take a boat on September 8th, 1931, from Shanghai to Dairen, Manchuria, taking with him Mr. Hayashide, Secretary-Interpreter of Legation, and myself, who was then in charge of the question of treaty revision. We were making preparations for the trip in strict secrecy, having contact with Count Yasuya Uchida, President of the South Manchuria Railway, who was in Dairen and who it was planned was to take part in the conferences. Unfortunately, however, Minister Shigemitsu was suddenly taken ill with a cold, and had a high temperature due to tonsillitis and so could not travel. We were unable to start as scheduled, and were obliged to wait for the next boat, which would be available about ten days later. Information to this effect was given to Mr. T. V. Soong, who had planned to proceed by land to Mukden via Peking. As Mr. Shigemitsu's health soon improved, a new plan was made to depart on September 20th. Just at that time a telegram came, at noon on September 19th, reporting the occurrence of an incident at Liu-teao-kou. His planned

trip

trip to Manchuria was thus frustrated. All this information came to me as part of my official duties in the Legation.

3. In January, 1932, while I was in Shanghai, where the main office of our Legation was located, the first Shanghai incident broke out. Clashes between Japanese Marines and Chinese soldiers took place in the middle of that month, when I was Chargé d' Affaires ad interim in the absence of Minister Shigemitsu in Japan. It was on the 30th or 31st January that the Minister returned to his post by boat. I took a launch to meet him before he landed, and had an opportunity for communicating with him before he talked with any other person. He was ill-humored that day, and repeatedly told me his dissatisfaction at the outbreak of the clashes between the troops, while he expressed his firm determination to settle the situation by peaceful means.

4. Upon landing, Minister Shigemitsu began to make every effort to realize a truce as soon as possible. Even before formal conferences under the procedure proposed by the League of Nations started, he had many informal conferences with Sir Miles Lampson, the British Minister, and Mr. Nelson Trusler Johnson, the American Minister. At his request they got in touch with the Chinese General in the height of the hostilities and a temporary truce was

effected

effected in order to allow Chinese non-combatants to evacuate Chapei, in which hostilities centered, thus saving the civilian population from the full effect of the fighting. During its course he persuaded the officers in command of the Japanese forces to limit the fighting to Shanghai and the adjacent area, and not to advance further into China. It was just at the time when the Agreement for the Cessation of Hostilities around Shanghai was almost concluded that Minister Shigemitsu had the misfortune to be wounded seriously by a bomb explosion. The bomb was thrown on April 29th, during the celebration of the Emperor's Birthday in New Park, Shanghai. I was on the spot with several of my colleagues of the Legation, and transported the Minister to the hospital. In spite of his serious wounds, he could not forget the Agreement for the Cessation of Hostilities, and immediately dictated and ordered us to telegraph to Foreign Minister Yoshizawa his view of the matter which was that, owing to his wounds, he would be unable to attend to his daily business for some time to come, but that he strongly urged the conclusion of the Agreement should not be hindered or delayed because of the bomb incident which had injured him and others, since the conclusion of the truce agreement was from the viewpoint of national policy of the utmost importance

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5. I was present at the ceremonial signing of the Agreement for the Cessation of Hostilities in the British Consulate-General on May 5, 1932. In the course of the ceremonies the Agreement was taken to the bedsides of Mr. Shigemitsu, General Ueda and the Chinese delegate, Mr. Quo Tai-chi, all of whom were in different hospitals, General Ueda having been injured by the same bomb as Mr. Shigemitsu and the Chinese delegate in an assault by students. Mr. Shigemitsu's leg was amputated an hour or so after he signed.

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On this 11 day of Nov. 1947  
At Tokyo.

DEPONENT MORIYA, Kazuro (Seal)

I, MORIYA, Kazuro hereby certify that the above statement was sworn by the Deponent, who affixed his signature and seal thereto in the presence of this witness.

On the same date  
At Tokyo

Witness: (Signed) KANAYA, Shizuo (Seal)

OATH

In accordance with my conscience I swear to tell the whole truth withholding nothing and adding nothing.

MORIYA, Kazuro (Seal)