

Chen Ming-shu and others started an anti-Chiang movement in Canton or Fuchien, they supported it willingly. Under the actual circumstances, they are supporting Chiang, being fascinated with his hero-like speeches and activities, and deceived by the propaganda of anti-Japan and of national salvation. In order to win them over to our side, it is necessary that we should establish resolutely, at this time, an anti-Chiang Central Government; above all, we should carry out our propaganda, showing them our real activities by establishing a new government in Canton or Fuchien, their native places.

As they are not to be moved by a mere propaganda which is not followed practice, we should be satisfied with our getting a liaison with them for the present; and as for the actual development of the movement, we should leave it for the future. But the relation between the great majority of the National Party and myself being such that they are obliged to yield to my order, there are high hopes if we start our movements towards the Chinese merchants residing in America. As we are thinking of inviting about ten representatives from the South Seas and America when we hold the general meeting of the National Party's representatives before long, I will consider to devise a concrete expedient means on the occasion.

TAJIRI: Does the contribution made by the Chinese merchants residing abroad to the Chungking government amount to a considerable sum?

WANG: Only the propaganda being made on a large scale, actual amount is not so big.

MORI: I am sorry that I have disturbed you so long today, but I shall be very glad if you will let me know when you want my help.

WANG: Thank you very much.

Chief of the Bureau of East Asiatic Affairs (Signed)

Chief of the 1st Section of the Bureau (Signed)

Chief of the 2nd Section of the Bureau (Signed)

Record of an Interview

between

Wang and Commander-in-Chief OIKAWA

July 4, 1939

THE KAGESA ORGAN

Received from Col. USUI,

July 21.

Essential Points of an Interview between
Wang and Commander-in-Chief OIKAWA

From 10 a.m.)
) July 4, 1939
To 11:30 a.m.)

(Chief of the Staff KUSAKA, Lieutenant-General NOMURA, and Chief of the Liaison Department TSUDA sat in company with them.)

WANG: It is blessed that we could get a chance of an interview today. It is very regrettable that the relations between Japan and China aggravated and caused the present incident to break out. I myself keenly feel the responsibility for this, as I had occupied a high post in the National Government.

OIKAWA: Japan also should undertake half of the responsibility for the present situation of the relations between Japan and China. But we should blame none for the past, but make our best to save this situation. I believe you have understood the real intention of Japan, as you have been given chances to talk with the important persons of the Government circles by your trip to Japan this time. The people in general also are ready to go hand in hand with China to secure peace in East Asia and their recognition and thoughts are so fair and square as never before. Hitherto Japan and China respectively had been thinking only about their own interest; but after the present incident, Japanese people came to regard East Asia as a unity, and consequently the glitter of their eyes is quite

different from that in old days. I believe you will be able to recognize such circumstances if you stay in Japan for a while and inspect without restraint.

WANG: During my stay in Tokyo I only met the Government authorities, but having read the articles in the recent issues of magazines "the Kaizō," "the Chūō Koron," and "the Bungei Shunjū," I could guess the trend of Japanese public opinion, and I now know well the intention of the whole Japanese, official or unofficial. I was deeply impressed with his clear, frank talk when I met the Navy Minister.

OIKAWA: I am deeply moved by your decision to volunteer to undertake the great task of bringing peace and saving your country. I wish you will take what the Navy Minister told you is not only his own opinion, but that of the whole navy. Judging from home and foreign affairs, it may be said that now the time for the establishment of a New Central Government has come, and I largely count upon your future endeavour, and in this connection, we who are out here are of the opinion to give sufficient assistance in concert with the Central Government.

WANG: I thank you very much for your kindness. In the present state of things, Chiang Kai-shek is co-operating with Soviet Russia and is continuing anti-Japanese war with the help of Britain, but his collaboration with Soviet Russia has become closer and closer, and according to recent information, it is learned, the Soviet Unions have agreed to supply vast munitions to Chiang regime and for this

Chiang regime is said to have promised to supply mineral and agricultural products in south-west provinces to Soviet Russia. If the present situation continues, there is a fear that whole China will be infected with communistic ideas. This relation with Chiang and U.S.S.R. seem too strong to be cut off; but as for the attitude of Britain, France, and America, it is necessary to try to separate these countries from Chiang by taking some measures. It is no exaggeration to say that China has no navy. We cannot but to rely upon the Japanese Navy with regard to the marine affairs in the Far East. So we wish to secure peace in the Orient counting on the strength of the Japanese Navy.

OIKAWA: The Japanese Navy is mighty enough to control the whole American fleet triumphantly in the Pacific Ocean. Moreover, the Japanese Navy is prepared enough not to allow the navy of any country to touch even a finger to the Orient. You can march forward without any fear about this point. Of course we are not pleased to cause any trouble with any European countries and America.

NOMURA: According to our observation about recent English and American movement, first of all America seems to have no intention to come into collision with Japan; for example, though America had expressed her desire to make public her past protests en bloc, which had been filed with us by her when her interests suffered losses by Japanese bombing in the course of the present incident, she dismissed it in accordance with the request of the Japanese Government. Furthermore, since the outbreak of war reports pointing out the tyranny of the

Japanese army had been transmitted by the American churches scattered at all places in China to their home country and those excited American public opinion for a while, but recently examiners sent from the home country investigated all churches and it became clear that the reports of the churches had generally been done basing on the instigation of Englishmen or Russians, and they came to the conclusion that many reports of the churches had been false; accordingly there is a tendency that the attitude towards Japan is improving gradually.

Britain stands on different standpoints from America and has all sorts of interests in China, so it is unthinkable that Britain will put an end easily to her policy of aiding Chiang to work together with us. But we cannot believe that it will be impossible for Englishmen who are keen on interests to work together with us checking their intention some day. Thus it is thinkable that there will be some hope of her changing her policy too.

WANG: I thoroughly understood what you said. In order to overthrow the anti-Japanese Chanking regime, it is necessary to sever connections with Russia in the North, and dissuade Britain from aiding Chanking regime in the south. Accordingly the foreign policy toward Britain has a close connection with the establishment of New East Asia, and I think it important to deal with this well.

NOMURA: I want to add a word about your future political movement. What is now being done by the Japanese in the so-called battle area is not necessarily just, consequently it may check the development of your political movement. If you find such circumstances, please report

to the Japanese authorities without reserve to get rid of such evils. When we observe the attitude of the Restoration Government, we find that they are apt not to say what they want to and endure it with unpleasant feelings, which is not good for both Japan and China. I wish you will report all things without reserve if you find anything that you don't like about the conducts of the organs owned by Japan, and strive for the establishment of a bright new China hand in hand.

W.L.N.G.: Thank you very much.

Witness: KAGESA, Sadaki

I. Defense Application

1. Expected to testify -

- a. That the basic principle of Japanese Government's policy about settling the China Incident was realization of Good Neighbor Policy, with recognition of China's sovereignty, mutual help and equalization of rights.
- b. That Japan had no intention to carry on military, economic or political domination for any longer time than was necessary to accomplish realization of such policy.
- c. That no puppet governments were created in China.
- d. That many things seized during that period, including industrial plants, were returned.

2. Relevancy: It will dispute -

- a. Prosecution's claim and evidence adduced along that line.
- b. That Japan planned aggressive warfare against China.
- c. That Japan set up puppet governments to exploit China.

3. Background

- a. Was Major General in Japanese Army.
- b. Address: Daichi National Hospital,
Wakamatsu Cho, Ushigome-Ku,
Tokyo, Japan.

II. Summary of Prosecution's Evidence Relating to Witness

1. On pp. 3858-60 of the Record, Pros. witness GOETTE testified that in Jan. 1940, decided to combine all puppet govts then existing under Wang. KAGESA dominated the whole show during the conference at Tsingtao and also at Nanking. WANG himself merely said in vague terms.

29 Apr. 1940 Order of the China War Ministry
 Commend Light Incident
 Rising Sun

III. Other Available Facts

1. See Curriculum Vitae. Japanese- Foreign
Manchurian Ministry

2. Assistant Military Attache to China and Head of the Manchuria-Mongolia Section of the General Staff. Was promoted to Colonel and made Chief of the Military Operations Department in the War Ministry in 1939; promoted to Major General in June 1939; is largely responsible for the setting up of the Nanking puppet government. He specialized in China and economic problems. (SOURCE: OSS.)

3. Chief of the Military Affairs Section of the War Office. Has contributed a great deal to the formation of the China Affairs Board; is one of the best authorities in the Army on Modern China. (SOURCE: OSS.)

4. Commander of 38th Division, formerly adviser to the Puppet Government; is deemed a Key Japanese War Criminal. (SOURCE: United Nations War Crimes Commission, List No. 3, September, 1945.)

5. 16 March 1929: Member of China Division, General Staff
 9 June 1932 : Chief of China Division, General Staff
 1936 : Military Attache at Shanghai
 2 Aug. 1937 : Section Chief, Section of Information, General Staff
 1938 : Believed to be responsible for the flight and later betrayal of Wang Ching-wei, the chief of the puppet regime.
 1940 : In Shanghai and helped the formation of the puppet regime of Wang.
 (Information furnished by Chinese Division, IPS)

6. Decorations

<u>Date</u>	<u>Class of Decoration</u>	<u>Achievement</u>	<u>Recommending Ministry</u>
29 Apr. 1934	Minor Cordon of the Order of the Rising Sun	Manchurian War Incident	War Ministry
29 Apr. 1940	Military Order of the Golden Kite, 4th Class	China Incident	"

29 Apr, 1940	Order of the Compound Light Rising Sun	China Incident	War Ministry
9 May 1934	Manchukuo Order of Chingyun- Chang Decora- tion, 4th Grade	Japanese- Manchurian Amity	Foreign Ministry

IV. Suggested Subjects for Cross-Examination

1. Decorations (See III-6 ante).
2. Wang's government was no puppet?
(See I-1-c ante)
 - a. 1938, believed responsible for flight and later betrayal of Wang Chin-wei (See III-5 ante)
 - b. 1940, in Shanghai, and helped form Wang's Puppet Govt (See III-5 ante)
 - c. As commander, 38th Div., was adviser to Puppet Govt (See III-5 ante)
 - d. For digest of prosecution evidence on puppetry of Manchukuo, including Pu Yi's testimony, see Appendix 1
 - e. IPS Doc. No. 1519 which are Foreign Ministry Files of Wang Chin-Wei, now being processed, will implicate KAGESA in WANG's puppet government.
3. Industrial plants seized and returned? (See I-1-d ante)
 - a. Prosecution witness TUNG Shu-Ming testified extensively on industrial plants seized (See Appendix 2)

APPENDIX 1

WITNESS: YAMAGUCHI, Juji
KANAI, Shoji
MATSUKI, Kyo (or Tamotsu)

RELEVANCY: "The nature of the Kyowakai and the aims and activities of the new states"; "The nature of the Manchukuo administration"; and "Japanese policies towards Manchukuo and the nature of the administration of the new State".

EVIDENCES ALREADY INTRODUCED:

KASAGI, p. 2,791-2, 794

The Self-government Guiding Board was established as early as Sept. 1931. It was controlled by the Kwantung Army, financed by the Japanese. Itagaki directed the plan and Doihara supplied the "friendly" Chinese, although 90% of the staff were Japanese.

Exh. 57, p. 88-99

The Self-government Guiding Board fostered and developed "Independent Movements" of the various cities and provinces.

Exh. 187-1, Interrogatories of ARAKI, pp. 2,784-2, 786

An administration Committee was formed by Kwantung Army before Mar. 30th. "The various provincial governors submitted their plans to the Kwantung Army." "Various Japanese government officials were sent to help in the organization of the Manchurian government.." "Various problems were brought up by the Department concerned" (in the Japanese Government). "A request was transmitted from the Kwantung Army to myself asking that a government be set up to govern the state."

Exh. 222, p. 2,816-2, 823

The plan of the Japanese Government was to retain real military power as well as real power on foreign and home affairs, p. 2,822

"The appointment of too many Japanese prominent positions as officials or councillors from the beginning of the foundation of the new state may stimulate the claim that the new state is nothing but a protectorate of Japan. Theoretical explanations can deny this but at any rate, realistically, it may impress otherwise."

Exh. 22, p. 2,826-2, 827

The minutes of Cabinet Council on 11 Apr 1932 showed that the Japanese Government controlled the industries of Manchuria through highest advisers and leading officials in the Privy Council, the Central Bank and other organs of the new state.

Exh. 224, p. 2,827-2, 829

The Minutes of Cabinet Council of 3 May 1932 showed that

the Japanese Government controlled the management and construction of railway in Manchukuo through South Manchuria Railway Co.

Exh. 230, p. 2,903-2, 911

Letter from KOISO, then Chief of Staff of Kwantung Army, to the vice Minister of War dated 3 Nov 1932 which enclosed "An outline for Guiding Manchukuo". The policy, that the Manchukuo Government, nominally constitutional, was to be autocratic, with legislature membered by people selected by the Government itself.

Exh. 241, p. 2,976

Minutes of Privy Council 13 Sept 1931 disclosed that Japanese troops were to station in Manchuria for garrison.

Exh. 224, p. 2,933

Decision of Japanese Cabinet, 22 Dec 1933, which decided that Manchukuo should be a monarchy but not a restoration of the Tsing Dynasty.

Exh. 239, p. 2,963

Japanese Cabinet, 22 Oct 1937: The hasty industries in Manchuria were reorganized with the Japanese private company Nissen, holding half of the whole investment.

Exh. 240, p. 2, 967-2, 971

Chief of Staff, Kwantung Army to Vice Minister of War, 25 Oct 1935, planned to direct and control all public opinion in Manchukuo.

OKADA, p. 1,825 also p. 1,865

"...The Kwantung Army was the real government there... This Government was completely dominated and controlled by the Kwantung Army." By using the term puppet Government, the witness meant a government which would function under Japanese supervision.

TANAKA, p. 1,999

"Inasmuch as the political, economic, and financial affairs of the Manchukuo Government were operated in accordance with Japanese desire...through the control exercised by the General Affairs Board, which in turn was under the control of the Kwantung Army ... it can be concluded that the Kwantung Army exercised control over the government of Manchukuo."

MORISHIMA, p. 3,024

"This puppet government continued to be dominated and controlled by the Kwantung Army until 1945."

PU-YI

There was no real legislature and officials were not

appointed by Pu-Yi (p. 3,987-3,991). Practically, everything was in the hands of the vice Ministers who were Japanese (p. 3,992). The 4th Section of the Kwantung Army controlled everything. (p. 3,993) "All reports of the ministers were pre-drafted by the Japanese." (p. 3,999) HOSHINO, Director of the General Affairs Board, worked under the orders of the Kwantung Army. (p. 4,022) "... monopolies that were all in the hands of the Japanese." (p. 4,024) "The State of Manchukuo was not a sovereign state at all. It was under the complete control of Japan. The Manchukuo people, officials and myself, lost freedom completely." (p. 4,051)

The Chinese could not get cotton or cloth nor private sale of rice. (p. 4,029) Even the religion was changed into Shintoism of the Japanese. (p. 4,005-4,019)

Exh. 384 p. 4,732 the enlargement of Manchurian opium activities since 1937

Exh 387 p. 4,750 revenue of opium sales 90 mil. yen in budget of 1939

Exh. 423 p. 4,877 opium organization formed in 1934 as a result of Japanese advice, nothing could be realized without Japanese support.

Exh. 436-A Organic Law of Manchukuo p.5,014
Exh. 437 Organic Law of Manchukuo after 1934 p. 5,016
Exh. 438 Agreement re Manchurian Development Co. p. 5,014
Exh. 440 Protocol of 15 Sept 1932 between Manchukuo and Japan, p.5,034
Exh. 451 Ordinance establishing Manchurian Affairs Board, p. 5,112

APPENDIX 2

4424 DIRECT EXAMINATION OF TUNG SHU-MING
BY MR. CHIU

* After certain preliminary questions, the witness stated that after leaving school he joined the staff of the Pu-Tung Electric Supply Company at Shanghai in 1919, becoming its Director and Manager in 1933, which position he has held ever since.

4425 * The witness remained in Shanghai until March 1938, when he left for Free China to join the government service as Secretary General of the National Resources Commission. He returned from Chungking to Shanghai in September, 1939, and then left for Chungking again in December, 1940, returning to Shanghai in January, 1943, where he has been living ever since.

4426 * During the hostilities between Japan and China in August, 1937, the witness' company tried by all means to maintain the power supply. The generation was stopped on August 14, and arrangements had to be made with other power companies. The power supply to Pu-Tung was cut about November 10, 1937, after the withdrawal of Chinese troops. The company was occupied by the Japanese in November, 1937, and they resumed operations in March, 1938. In June, 1938, the Central China Water and Electricity Company took over the witness' company, under Japanese management. The Japanese valued the company's fixed assets at approximately 470,000 yen against the original value * of 1,800,000 Chinese dollars, and were invested in the Central China Company. The shares acquired were held by the Ministry of Industries of the puppet Reformed Government on the pretext of "owner's absence".

4428 The Central China Water and Electricity Company was an affiliate of the Central Pulmotion Company, which on its face was a Sino-Japanese concern, but it was actually operated and controlled by the Japanese, all policy being decided by them and all positions held by them. The plant was in good operating condition before the occupation. * There was no damage done to it during the hostilities in Shanghai. The witness took over the company after the surrender in September, 1945, and completed his taking over on September 30, when all Japanese staff members were dismissed.

4429 * When he took over, the power plant was in very poor condition. The company had installed a turbine alternator and two water tube boilers. All this was completely lost when they got the plant back. Attempts were made to locate the missing equipment by writing to the Ministry of Economics in October, 1945, requesting instructions to Japanese officials of the Central

4430 China Water and Electricity Company to report on the missing equipment. In November, 1945, he received a reply stating that the Vice-President of the Central China Water and Electricity Company * had replied that the equipment had been sold to the Central China Mining Company at a price of 120,000 yen, and this equipment had been moved and installed in a coal mine in Hupei Province.

4431 * Acting on this information, the witness sent some of the officials of the company to Hupel Province to investigate, and they reported that the missing equipment could not be found. On taking over, the distribution equipment was very badly damaged. The company had about five hundred kilometers of overhead line, of which fifty to sixty percent were lost. Part of the remaining lines had been replaced with smaller wires, and in some places even steel galvanized wires had been used. The company had two routes of submarine cable in the Wang-Pu River to connect up supply lines of all power companies in Shanghai. * When the company took over one cable was lost and three others were in very bad condition. Transformers, meters, and motors--about sixty percent were lost. Four buildings of the power plant at Changkiapong were found completely destroyed, * and two buildings badly damaged; and all premises in the new power plant at Wang-Chiatu were completely damaged and there was further heavy loss in office furniture and transportation equipment.

4434 * Besides his directorship in the company, he was concurrently Manager of the Chinese Electric Power Company in Nan-Ton, Shanghai, which was taken over by the Japanese * and taken back by him. This company operated the power supply and tramway service before the war. The tramway service was suspended August 14, and current on August 20, 1937. After August 20, electricity in this district was distributed through the French Power Company. In June, 1938, this company, under Japanese management, was taken over by the Central China Water and Electricity Company. The Japanese valued the assets at 1,700,000 yen, against the original value of about eight and a half million Chinese dollars. These were invested in the China Water and Electricity Company, and the shares were held by the * Ministry of Industries of the puppet government.

4436 When the witness took over, the boilers and turbo-alternators were completely missing. With respect to the tramway, the twenty-two kilometers of track rails and all poles were completely lost. These materials have been recovered only to the extent of twenty percent. None of the trains, trailers, converters and transformers have been recovered.

- 4437 * Some of the buildings were badly damaged, and some were left in a state of disrepair for years. The big tram shed was completely demolished. The witness also knew the general situation of other companies during the Japanese occupation through friends working in the various power companies, who told him about conditions.
- 4438 * He knows about the Chapei Water and Electricity Company and the Shanghai Power Company, which is American-owned, and the French Power Company. The Chapei Water and Electricity Company was taken over immediately by the Japanese, and although it had had a generating capacity of thirty-six thousand kilowatts, it was so badly damaged that no power can be generated now. This company also lost transmission and distribution equipment. The Shanghai Power Company was taken over after the outbreak of the Pacific War. Out of its 183,000 kilowatt generating capacity, it now has only 136,000 kilowatts. One-sixth of its transmission and distribution lines were lost.
- 4439 * The French Power Company was not taken over by the Japanese, but was operated under the influence of the Japanese, during the war. Its original generating capacity of 28,000 kilowatts has been reduced to 16,000.
- 4441 * During the period of occupation, electric supply to domestic consumers was again and again curtailed, until each family was only allowed to use seven kilowatt hours per month. Excessive consumption entailed a heavy fine, and supply would be cut off if the breach occurred two or three times. Supply of power to factories was likewise curtailed, until finally all but a few Chinese factories were not allowed to use electric power. The exceptions were those which were producing materials needed by the Japanese Army. Applications for supply were difficult of approval.
- 4442 * Shanghai has a very serious shortage of electric power. The existing total capacity is only 150,000 kilowatts, which is insufficient to meet the increasing demand. Strict restrictions have been imposed, and sometimes the supply must be cut off for certain hours a day. It will take two or three years to restore the generating capacity to the pre-war level.
- 4444 * The witness had made a personal examination of the properties to determine the extent of the damage of companies other than his own. He inspected the power plant, the transmission lines and other properties on many occasions.

4445 * The witness stated that they had never received a
4446 single penny from the Japanese in payment. The original
 value * at the time of taking over of the Pu-Tung Electric-
4447 ity Company was 1,800,000 Chinese dollars, and the value of
 the assets of the Chinese Electric Power Company * was
 8,500,000 Chinese dollars. Before the war, the ratio of
 Chinese dollars to Japanese yen was about one to seven, or
 about 95 cents to a yen. Exchange was made on about a twenty-
 five per cent level. In 1937 and 1938, Chinese currency had
 not been inflated, so the exchange rate remained nearly the
 same as before, but there was actually no foreign exchange be-
 cause of hostilities.

4448 * Although the Japanese had valued the assets of the
 companies, the companies never received a single cent from
 the Japanese.

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Lost my Stew 18 of 47

14 May 1947

MEMORANDUM FOR JUDGE CHE-CHUN HSIANG, ASSOCIATE PROSECUTOR, CHINESE DIVISION

Subject: Removal of Defense Witness KAGESA, Yoshiaki to China for Trial

This will confirm our telephone conversation of a few minutes ago when you informed me that the Chinese Mission will today (14 May 1947) write a letter to the Diplomatic Section explaining that they do not ask for the removal of this witness to China until his duties as a witness have been completed. I thank you very much for securing the cooperation of your Mission in this highly important matter and the willingness of the Chinese to cooperate is also greatly appreciated.

I attach for your information copy of my letter of yesterday to the Diplomatic Section, which was dictated in your presence.

It is quite possible that the Chinese Mission will consider that the duties of the subject as a witness have been completed as soon as the witness testifies. However, this is not necessarily true as either the Prosecution or the Defense may require his presence for a longer period of time. In addition, I think it highly inadvisable that the subject be removed immediately upon the completion of his testimony as such action would be subject to the implications we are trying to avoid. It is suggested, therefore, that approval of both the Prosecution and the Defense be obtained before efforts are renewed to effect the subject's removal. Your cooperation in bringing this to the attention of your Mission will be appreciated.

FRANK S. TAVENNER, JR.
Acting Chief of Counsel

cc: Mr. D. H. Sutton ✓

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Diplomatic Section

13 May 1947

13 May 1947

which would be grounds for any conjecture on the subject of interference with the Defense in the presentation of its case.

Diplomatic Section
SNQ, SCAP-FEU
Tokyo, Japan

Very truly yours,

Through: Office of the General Secretary,
International Military Tribunal for the Far East.

Attention: Mr. W. J. Sebald, Counselor of Mission

FRANK W. FARWELL, JR.
Acting Chief of Section

Gentlemen:

Subject : Removal of Defense Witness KASEGA, Yoshiaki to China for Trial.

The subject has been subpoenaed as a witness for the Defense, and is expected to testify within the course of the next few days; or in the event of his inability to appear in court his testimony is likely to be taken on commission.

It has just come to my attention that proceedings were instituted by the Chinese Government approximately one year ago for the removal of the subject to China for trial as a major war criminal in that jurisdiction. The state of health of the subject did not permit his immediate removal and numerous efforts by the Chinese Mission have been renewed from time to time to effect the subject's removal.

I am informed that a Chinese plane is scheduled to leave Tokyo for China within a few days, and that the Chinese Mission renewed its request on yesterday, 12 May, for delivery of the subject for removal to China. I have been unable thus far to locate the proper Chinese authorities for the purpose of discussing the importance of this matter with them, so I feel it necessary to lodge this formal request that action on the application of the Chinese Mission be withheld until the Tribunal has released the subject as a witness and until this Section and the Defense Section agree to the subject's removal from the jurisdiction of the Tribunal.

It is a coincidence that the effort to remove the subject has occurred so near the time the witness is being called to testify, and it is very important that no action be taken on the application

Page 2
Diplomatic Section

13 May 1947

which would be grounds for any conjecture on the subject of interference with the Defense in the presentation of its case.

It will be appreciated if this office be advised as to what disposition is made of this matter.

Very truly yours,

FRANK S. TAVENNER, JR.
Acting Chief of Counsel

cc: Sutton + Hsiang

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
AT TOKYO, JAPAN

THE UNITED STATES OF AMERICA, ET AL
CASE NO. 1
SECRETARIAT OF THIS TRIBUNAL

THE UNITED STATES OF AMERICA, ET AL
- vs -
ARAKI, Sadao; et al

COMMISSION TO TAKE THE DEPOSITION
OF KAGESA, Sadaaki

The defense having offered in evidence the affidavit of KAGESA, Sadaaki, together with a ~~warrant~~ certificate executed by Doctor MOTOHASHI, Hitoshi, a physician, certifying that the said KAGESA is suffering from illness and unable to attend this trial and give his testimony in person and, the prosecution objecting to the giving in evidence of the testimony of the said KAGESA without opportunity to cross examine him at the time, it also appearing that the said KAGESA is now at the First National Hospital, Tokyo, it is, therefore, duly considered by this Tribunal that the evidence of the said KAGESA should be taken by deposition before one of the members of this Tribunal as commissioner.

It is ordered that the deposition of the witness KAGESA, Sadaaki, be taken before the Honourable Mr. Justice Northrup, a member of this Tribunal, as commissioner so to do, at the First National Hospital, Tokyo, on the day of May, 1947, at the hour of 9 o'clock a.m. , and from day to day and hour to hour thereafter until completed, and the Honourable Mr. Justice is hereby designated and appointed as commissioner before whom said deposition shall be taken; that a sufficient number of court reporters of this Tribunal,

with the assistance of interpreters of this Tribunal, shall record the testimony given, and that said deposition when taken, transcribed and translated, shall be filed with the Secretariat of this Tribunal.

It is further ordered that the Secretariat of this Tribunal is ordered to make the necessary arrangements for the taking of this deposition at the First National Hospital, Tokyo.

Dated this day of May, 1947 at Tokyo, Japan.

PRESIDENT

Applicant in E.S.

5/9/47

Kagera

1. Peace negotiations - stems -

Dec 13 Fall of London

Dec 14 Provisional Govt in Tanganyika

See Fleming memo -

Require fruits of unity

but in early 46 document that

or personal to Kagera

Dunigan
48

Resume by: L. C. Dunigan
14 March 1947

KAGESA, Sadaaki

- 1929 Graduate of Military Academy
- 1936 Attached to General Staff Headquarters
- 1937 Lieutenant Colonel, 2d Field Artillery Regiment
- 1937 Attached to 4th Field Artillery Regiment as
Adjutant to Prince TAKEDA, Commander
Promoted to Colonel and transferred to Chief of
China Section of Army General Headquarters
- 1938 Chief of Military Affairs Section of Military Affairs
Bureau of the War Department
- 1940 Major General. Went to China with Ambassador ABE
because of his knowledge of Chinese affairs
- 1941 Military Advisor to Chinese Government under Japanese
occupation
- 1942 Appointed Lieutenant General
- 1943 Was given medal for meritorious service
- 1944 Ordered to Rabaul as Lieutenant General to take over
the command of the Japanese Army there.

According to the file, one SUGIHARA was interviewed on 26 March 1946 by J. M. McEwen. SUGIHARA stated that KAGESA was responsible for arranging the secret treaty with WANG CHING-WEI on 30 December 1939 and that KAGESA was sent to China for that express purpose.

One TAJAIRI, Akijoshi also told McEwen that KAGESA was the Japanese representative in negotiating with WANG CHING-WEI to set up the Nanking Government.

KAGESA is alleged to have specialized in economic problems affecting China. He contributed a great deal to the formation of the China Affairs Board and was alleged to be one of the best informed authorities in the army on modern China. This information comes from an article by SUGAWARA, Setsuo in Bengai Shunji.

KAGESA, Sadaaki - continued

While KAGESA was Chief Military Advisor to the Nanking Government, ITAGAKI was Minister of War.

There is no further information available in the office on KAGESA though plans had been made in May 1946 to interrogate him. He was in fact never questioned.

Kagesa

17 April 1947

MEMORANDUM

TO: Mr. D. N. Sutton
FROM: Lt. Kurt Steiner

Your attention is invited to the following documents:

1. IPS Document 610, being a confidential record of Manchurian affairs. Included (Item 32) is a report about the Manchurian Incident bearing the seal of NISHIO, Juzo or Toshizo, who will be a witness for the Defense and who has been assigned to Messrs. Ao, Edwards, Lopez, Nye and Robinson.
2. IPS Document 614, a confidential record of Mongolia affairs containing an "Outline for the Establishment of a Government in Mongolia," (Item 131) which was, among other persons, addressed to Major General KAGESA, Sadaaki or Teiho, who will be a witness for the Defense and has been assigned to Messrs. Dunnigan, Lopez, Edwards and Robinson.
3. IPS Document 620, a confidential record of Manchurian affairs containing a report of the counseling section of the Kwantung Army's Military Administration Bureau, (Item 102) stating that the announcement by the command of the Kwantung Army that the plans of this Army are of a defensive nature was designed only for the ears of other nations, especially the League of Nations, advising on administration of Manchukuo and suggesting that leaders of Manchukuo should gradually be retired. Major General TADA, Shun, was head of the section from which this report originated. (See analysis of IPS Document 612.) He is a witness for the Defense and has been assigned to Messrs. Lopez, Edwards and Robinson. The report was addressed to War Ministry. The Defendant ARAKI was War Minister at the time.

None of the above mentioned documents has been introduced in evidence.

I suggest that these documents be re-analyzed and examined without delay for use in cross-examination and possible use in rebuttal.

Copies to: Dr. Ao, Mr. Edwards, Mr. Lopez, Judge Nye, Capt. Robinson, Mr. Dunnigan

J.S. Document 1519

outlined in memo

from Judge Hsiang

19 March 1947

is very pertinent -

It is now in processing?

Check & put copy in
this file -

~~Original~~ See Hsiang Document file

4/17/47

Kagawa

Yamaguchi

Kawai

Watsuki

u Pyawabai

Prof admin + policies house

market

Why is this memo attached
to the higher Kagawa

When did it come from ^{Chinese?}
from Watsuki?

Perhaps with the

Yamaguchi memo?

~~This is completed~~

KAGESA, Teisho

KAGESA, Saadaki

NOT CONFIRMED IF
THE ABOVE ARE THE SAME
PERSON.

DATE 2 April 1947

PROGRESS REPORT OF: Kagesa, Sadaaki

<u>ITEM</u>	<u>Partially Completed</u>	<u>Fully Completed</u>
1. Information in the hands of the Investigation Division.	_____	<u>X</u>
2. Statement in application for subpoena as to subject of witness's testimony.	_____	<u>X</u>
3. Examination of case file, if any.	_____	<u>X</u>
4. Cross-reference file on case files in office of Investigation Division.	_____	<u>X</u>
5. Cross-reference card file by subject matter of evidentiary documents in Document Division.	_____	<u>X</u>
6. Reference in evidence to witness or to the subject matter of his testimony.	_____	<u>X</u>
7. Preparation of summary of testimony already given by witness.	_____	<u>X</u>
8. Memorandum prepared by Mr. Lopez, dated March 11, 1947, relating to decorations awarded to defendants and their witnesses.	_____	<u>X</u>
9. Statement of any other investigation conducted by you.	_____	_____

Lester C. Durnigan
(13)


DATE 2 April 1947

PROGRESS REPORT OF: KAGESA, Sadaaki (ITAGAKI)

<u>ITEM</u>	<u>Partially Completed</u>	<u>Fully Completed</u>
1. Information in the hands of the Investigation Division.	_____	<u> X </u>
2. Statement in application for subpoena as to subject of witness's testimony.	_____	<u> X </u>
3. Examination of case file, if any.	_____	<u> X </u>
4. Cross-reference file on case files in office of Investigation Division.	_____	<u> X </u>
5. Cross-reference card file by subject matter of evidentiary documents in Document Division.	_____	<u> X </u>
6. Reference in evidence to witness or to the subject matter of his testimony.	_____	<u> X </u>
7. Preparation of summary of testimony already given by witness.	_____	<u> X </u>
8. Memorandum prepared by Mr. Lopez, dated March 11, 1947, relating to decorations awarded to defendants and their witnesses.	_____	<u> X </u>
9. Statement of any other investigation conducted by you.	_____	_____

Pedro Lopez
Capt. James J. Robinson
William E. Edwards

By



Does appendix I

belong here

Def. Doc. No. 1387

Translated by
Defense Language Branch

Diagnosis for KAGESA Sadaaki.

(Age: 53)

offered R. 22,093
5-14-47 21961
no action by
Court

Re-offered 5/15/47
R 22,294

1. Name of disease Pulmonary tuberculosis
2. Progress after his entry into hospital

no action Court
went later Refut.

At the time of his entry into the hospital (May 29, the 21th year of Showa), his condition was as follows:

He was in an undernourished condition. His skin was colored yellow by atalixine!

Physical examination of the chest showed as follows: the sound of the heart, limpid; the size of the heart, normal; the respiration, generally sharp. He complained of an oppressive pain in the left side of the abdomen and neuralgia from the left shoulder to the left upper arm. The chief complaint was a cough.

His blood pressure was: 120 m.m. at the maximum; 70 m.m at the minimum (of mercuric column). X-ray photographs showed a shadow from the left upper pulmonary region to the middle pulmonary field, a long elliptical cavity around the second intercostal part; and another little cavity under the above. It showed also an image of scleratic infiltration at the middle pulmonary field. The tuberculosis germs contained in the phlegm showed positive reaction No. 3 according to GAFUKI's (phonetic) table. A haematic examination showed: white blood-corpucle count -- 12,200; red blood-corpucle count -- 4,000,000; haemoglobin -- 73% (ZARI (T. N. phonetic) reaction) The white blood-corpucles had no remarkable anomaly of classification. Descending speed of the red blood-cor-

Def. Doc. No. 1387

puscles, 45 m.m. per hour. No remarkable anomaly in his urine. Body weight -- 42 kilogrammes.

After the above examination, he was treated with non-surgical treatment. His irregular fever abated some 10 days after his entry into the hospital. After that he had coughing fits at night, and was treated with cough-cure.

From the middle of June, we tried three times artificial pneumothorax, but gave it up, as there occurred no successful constriction. After that he suffered excess of pulsation, and a continual temperature of more ^{than} 37° C. But there was no progress at the morbid cavities. From the beginning of December, his body weight increased a little and his nourishment improved, but the tuberculosis germs in his phlegm have always shown positive reaction. Recently, his temperature has been normal.

3. Present condition.

Nourishment -- middle class. No anemia on the skin. Physical examination of the chest shows: At the apex of the left lung --- the percussion sound is short and dull. At the apex of the right lung -- breathing sounds are sharp. X-rays examination shows no change from his entry into the hospital. The descending speed of the red-blood-corpuscles -- 74 m.m. per hour. The tuberculosis germs in his phlegm show positive reaction No. 10 according to Govsky's table. Body weight--46.5 kilogrammes. His chief complaint is headache.

As he is now in the above described condition, it is necessary for him to remain in bed quietly, for fear of an unexpected

Def. Doc. No. 1387

setback. Therefore we conclude that it is impossible for him to appear in court.

We hereby certify that the above statement is true.

On this 23th day of April, 1947.

At the First Tokyo National Hospital.

Hospital staff. Officer of the Welfare Ministry.

Doctor of Medicine MOTOHASHI Hitoshi.

Chief of the staff. Officer of the Welfare Ministry.

Doctor of Medicine OSUZU Hirobumi.

I hereby certify that the above signature and seal were affixed hereto by MOTOHASHI Hitoshi OSUZU Hirobumi in the presence of this Witness.

At the same place, on this same date,

Witness YAMADA Hanzo (seal)

Def. Doc. No. 1387

TRANSLATION CERTIFICATE

I, Charlie S. Terry of the Defense Language Branch, hereby certify that the foregoing translation described in the above certificate is, to the best of my knowledge and belief, a correct translation and is as near as possible to the meaning of the original document.

/S/ Charlie S. Terry

Tokyo, Japan

Date May 2, 1947

4

20021
KAGESA, Sadaaki

Request by ITAGAKI

Address: Daichi National Hospital, Wakamatsu Cho
Ushigome-Ku, Tokyo Japan.

Was Major Genl in Jap army; was Chief Military Advisor to
Nankin Govt at time Itagaki was Minister of War

Witness can give testimony concerning; that the basic principle
of the Japanese Govts policy respecting settling the China Incident
was a realization of the Good Neighbor Policy, with recognition
of China's sovergnaty, mutual help, and equalization of rights; that
there was no intention on the part of Japan to carry on military,
economical or political domination for anylonger time than was necessary
to accomplish realization of such policy; that no puppet govts were
created in China, that many things seized during that period, including
industrial plants, were returned.

The relevancy of this testimony lies in the fact that it will dispute
the prosecutions claim and evidence adduced along that line, that
Japan planned aggressive warfare agains China and set up puppet
governments in order to exploit the country.

REPORT BY: RICHARD LARSH
27 Dec 46

MEMORANDUM FOR THE FILE

SUBJECT: KAGESA, Sadaaki

Address: Daichi National Hospital, Wakamatsu-Cho
Ushigome-Ku, Tokyo, Japan

A Major General in the Japanese Army, he was the Chief
Military Advisor to the Nanking Government at the time ITAGAKI
was Minister of War.

KAGESA is subject of IPS Case File No. 350.

COPIES: 3 File 350
1 Mr. Prout

KAGESA, Sadaaki (or Sadaaki)

SUBJECT: KAGESA, Maj. Gen. Sadaaki

Assistant Military Attache to China and Head of the Manchuria-Mongolia Section of the General Staff. Was promoted to Colonel and made Chief of the Military Operations Department in the War Ministry in 1939; promoted to Major General in June 1939; is largely responsible for the setting up of the Nanking puppet government. He specialized in China and economic problems.

SOURCE: (OSS Card File)

Chief of the Military Affairs Section of the War Office. Has contributed a great deal to the formation of the China Affairs Board; is one of the best authorities in the Army on Modern China.

SOURCE: From an article by Setsuo SUGAWARA in Bungei Shunji, special issue No. 17. (OSS Card File).

KAGESA, Sadaaki

Lt. General Sadaaki KAGESA, Commander of 38th Division, formerly adviser to the Puppet Government, is deemed a Key Japanese War Criminal.

SOURCE: United Nations War Crimes Commission, List #3, Sept. 1945.

1st Demob.

KAGESA, Teisho (or Sadaaki)

Request by: TOJO, Hideki

Address: Dai-Ichi Hospital, Tokyo

Former Lt. General serving as liaison officer between the Japanese Army and the Wang Ching-Wei Government.

He will testify as to the matter of Wang government with special reference to specific measures taken thereby.

CURRICULUM VITAE

Name: KAGESA, Sadaaki

Date of Birth: 7 March 1893

Permanent Domicile: No. 1979, Yanaisu-cho, Numakuma-gun, Hiroshima Prefecture.

Present Domicile: No. 639, 5-chome, Kami-Osaki, Shinagawa-ku, Tokyo

25 Dec. 1914	Appointed 2nd Lieutenant; attached to the 4th Artillery Regiment.
29 July 1917	Appointed 1st lieutenant
6 Aug. 1923	Appointed captain
30 May 1925	Attached to the Ordinance Central Depot
24 Mar. 1928	Assigned to the Military Affairs Bureau, War Ministry, as member thereof.
16 Mar. 1929	Attached to the General Staff Office.
1 Aug. 1929	Appointed Major.
19 Mar. 1931	Assigned to the General Staff Office as member thereof.
9 Jan. 1932	Attached to the Headquarters of the Japanese Garrison stationed in China.
9 June 1932	Assigned to the General Staff Office as member thereof.
27 Feb. 1933	Attached to the General Staff Office.
1 Aug. 1933	Appointed lieutenant colonel.
1 Aug. 1935	Attached to the Army Technical Headquarters as member of the Military Affairs Bureau of the War Ministry.
1 Aug. 1936	Attached to the 2nd Field Artillery Regiment.
2 Aug. 1937	Appointed Colonel; assigned to the General Staff Office as Sectional Chief.
18 June 1938	Assigned to the Military Affairs Section of the Military Affairs Bureau as Chief thereof; nominated Attendant to the War Minister in the Imperial Headquarters.

1 Aug. 1939	Appointed Major-General.
6 Apr. 1940	Nominated member of the suite of the Japanese Ambassador Extraordinary and Plenipotentiary to China.
1 Dec. 1942	Appointed Lieutenant-General.
10 June 1943	Commissioned as Commander of the 38th Division.

Resume by: L. C. Dunigan
14 March 1947

KAGESA, Sadaaki

- 1929 Graduate of Military Academy
- 1936 Attached to General Staff Headquarters
- 1937 Lieutenant Colonel, 2d Field Artillery Regiment
- 1937 Attached to 4th Field Artillery Regiment as
Adjutant to Prince TAKEDA, Commander
Promoted to Colonel and transferred to Chief of
China Section of Army General Headquarters
- 1938 Chief of Military Affairs Section of Military Affairs
Bureau of the War Department
- 1940 Major General. Went to China with Ambassador ABE
because of his knowledge of Chinese affairs
- 1941 Military Advisor to Chinese Government under Japanese
occupation
- 1942 Appointed Lieutenant General
- 1943 Was given medal for meritorious service
- 1944 Ordered to Rabaul as Lieutenant General to take over
the command of the Japanese Army there.

According to the file, one SUGIHARA was interviewed on
26 March 1946 by J. M. McEwen. SUGIHARA stated that KAGESA
was responsible for arranging the secret treaty with WANG
CHING-WEI on 30 December 1939 and that KAGESA was sent to
China for that express purpose.

One TAJAIRI, Akijoshi also told McEwen that KAGESA was
the Japanese representative in negotiating with WANG CHING-WEI
to set up the Nanking Government.

KAGESA is alleged to have specialized in economic problems
affecting China. He contributed a great deal to the formation
of the China Affairs Board and was alleged to be one of the
best informed authorities in the army on modern China. This
information comes from an article by SUGAWARA, Setsuo in
Bengei Shunji.

KAGESA, Sadaaki - continued

While KAGESA was Chief Military Advisor to the Nanking Government, ITAGAKI was Minister of War.

There is no further information available in the office on KAGESA though plans had been made in May 1946 to interrogate him. He was in fact never questioned.