

File

INTERNATIONAL PROSECUTION SECTION

21 April 1947

MEMORANDUM

TO : Mr. David Sutton
FROM : Mr. Smith N. Crowe, Jr.
SUBJECT: Witnesses HAYASHIDE and MATSUKI

Find attached hereto further information on the above witnesses as forwarded to me by the Investigative Division.

2 Incls:
(as listed abv)

SMITH N. CROWE, JR.
Assistant Counsel

C O P Y

C O N F I D E N T I A L

GENERAL HEADQUARTERS
FAR EAST COMMAND
Military Intelligence Section, General Staff
Civil Intelligence Section

General Activities
APO 500
5 April 1947

SUMMARY OF INFORMATION:

SUBJECT: MATSUKI, Kyo (Tamotsu)

1922	Entered South Manchurian Railway Company
Oct 1931	Advisor (KOMON) to KWANTUNG Army on matters of international law. Chief of Administration Section of Kwantung Army Government Department (KANTOGUN TOCHIBU GYOSEI KACHO)
1932	Acting Chief of the Manchurian Government Legislative Bureau (MANSHOKOKU HOSEI KYOKU) Director of the Secretariat Division Director of the Legislation Division Chief of the Bureau of the Secretariat, Board of Councillors.
May 1940	Vice-Chief of General Affairs Bureau, Manchurian Department of State.

C O N F I D E N T I A L

C O P Y

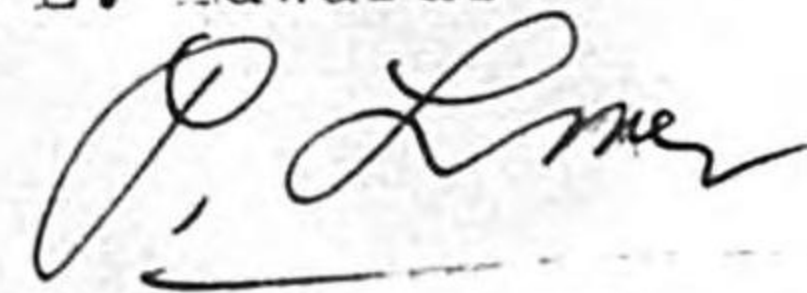
DATE 2 April 1947

PROGRESS REPORT OF: MATSUI, Iwane (MUTO)

<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.	_____	<u> He is accused </u>

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

By



MATSUI, Quane

Request by MUTO, Akira

- a. One of the accused in the present trial.**
- b. He can give relevant testimony similar to that of
SAITO and NAKAYAMA.**

9 June 1947

*File
Matsui*

MEMORANDUM FOR: Mr. Lopez; Capt Robinson USN Att: Cmdr. Cole;
Mr. Edwards; Mr. Sutton
FROM : EDWARD P. MONAGHAN, Chief,
Investigative Division, IPS
SUBJECT : Defense Witness

1. Please find attached hereto list of material available on the following witness and/or witnesses.

DEFENDANT - MUTO

The attached information has been taken from the compiled report prepared by MIS. The report was previously classified secret however this classification has been cancelled and at the present time does not carry any classification. It will be noted that much of this information has been furnished in curriculum vitae obtained from the Cabinet Secretariat's office.

WITNESS

MATSUI, Iwane

LIST OF MATERIAL AVAILABLE

Info from MID report

2. Please acknowledge receipt of this memorandum by initialling and returning attached carbon copy to this office, Room 300.

Incl
(Described above)

E P M
EDWARD P. MONAGHAN

NAME OF WITNESS: MATSUKI, Kyo

REQUESTED BY : MINAMI, Jiro

DATE : 3 April 1947

Completed as to Items 1 - 5, 7 - 8.

29 April 1947

MEMORANDUM FOR: Capt. Robinson USN Att: Cmr. Cole; Mr. Lopez;
Mr. Edwards; Mr. Crowe; Col. Woolworth;
Maj. General Vosiliev; Lt. Col. Mornare

FROM : EDWARD P. MONAGHAN, Acting Chief
Investigative Division, IPS

SUBJECT : Defense Witness

1. Please find attached hereto list of material available on the following witness and/or witnesses.

DEFENDANT

- ITAGAKI
OKAWA
MINAMI
UMEZU
HOSHINO

WITNESS

MATSUKI, Kyo (Tamotsu)

LIST OF MATERIAL AVAILABLE

Memo for the files

2. Please acknowledge receipt of this memorandum by initialling and returning attached carbon copy to this office, Room 300.

Incl
(Described above)

E P M
EDWARD P. MONAGHAN

378

Report by: Lt. J. A. Curtis

25 April 1947

Memorandum for the File:

Subject: MATSUKI, Kyo (Tamotsu)

A search of the files of government section reveals that MATSUKI, Kyo has not been purged and has not ever been screened.

No information on the above is contained in the files of IPS.

As Matsuki worked for the Manchurian government and was not in the Kwantung Army, a more detailed curriculum vitae is not available.

The above witness testified on 17 April 1947.

29 April 1947

MEMORANDUM FOR:

Capt. Robinson USN Att: Cmdr. Cole; Mr. Lopez;
Mr. Edwards; Mr. Crowe; Col. Woolworth;
FROM : ~~Mr. General Vasiliev, Lt. Col. Mornare~~
EDWARD P. MONAGHAN, Acting Chief
Investigative Division, IPS

SUBJECT : Defense Witness

1. Please find attached hereto list of material available on the following witness and/or witnesses.

DEFENDANT

- ITAGAKI
OKAWA
MINAMI
UMEZU
HOSHINO

WITNESS

LIST OF MATERIAL AVAILABLE

MATSUKI, Kyo (Tamotsi)

Additional Information

2. Please acknowledge receipt of this memorandum by initialling and returning attached carbon copy to this office, Room 300.

Incl
(Described above)

E P M
EDWARD P. MONAGHAN

MATSUKI KYO (TANOTSI)

Tokyo Imperial University, 1922

Adviser on International Law to the Kwantung Army.

Chief of Civil administration Section, Kwantung Army.

Acting Chief of Legal Administration Section, Manchukuo.

Chief of the Secretariat, Manchukuo.

Director of the Legislation Bureau, Manchukuo.

Chief Secretary, Privy Council.

Vice-Director of the General Affairs Bureau, Department
for State Affairs, Manchukuo. (May, 1940 to Nov. 1941)

Director of the Audit Bureau.

President, Tatung College.

Mr. Woolworth

Def. Doc. # 962

Translated by
Defense Language Branch

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al

Against

ARAKI, Sadao et al

Sworn Deposition

Exhibit 2439

Deponent : Matsuki Tamotsu

Having first duly sworn an oath as on attached sheet and in accordance with the procedure followed in my country I hereby depose as follows.

FAR EASTERN MILITARY TRIBUNAL
THE UNITED STATES OF AMERICA & OTHERS
versus
ARAKI SADAO & OTHERS

AFFIDAVIT

by

MATSUKI Tamotsu

of

1731 4-chome, Fukasawa-machi, Setagaya-ku, Tokyo.

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I, above named, having first duly sworn as set forth in the separate paper, in accordance with the form observed in Japan, do depose as follows:

I, MATSUKI Tamotsu, has a career as stated in the following:
March 9, 1893....Born in Tsuruoka City, Yamagata Prefecture, Japan
March, 1922.....Graduated from Law School, Tokyo Imperial University
May, 1922.....Employed by South Manchurian Railway Company.
June, 1932.....Councillor, Legislative Bureau, Manchoukuo
April, 1935.....Chief, Secretariat Section, General Affairs Board, Manchoukuo
June, 1937..... Chief Legislative Section, General Affairs Board, Manchoukuo
March, 1938..... Director, Secretariat Bureau, Manchoukuoan Privy Council
May, 1940.....Deputy Chief, General Affairs Board, Manchoukuo
June, 1943.....President, Manchoukuoan Audit Bureau
October, 1944....President, Tatung Academic Institute, Manchoukuo.

As the above record suggests I was chiefly concerned with legislative affairs in Manchoukuo, accordingly my statement will be made on the fundamental laws of the land and matters related thereto.

I - The Emperor system.

First I am going to explain about the Emperor system. On March 9th, 1932, Mr. Henry Pu-wei was inaugurated as the Chief Executive of Manchoukuo in the City of Changchun, thus becoming officially the supreme ruler of Manchoukuo. But those former subjects of the already defunct Ch'ing Dynasty who were close associates to him, including

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Cheng Hsiao-hsu (the first prime minister of Manchukuo), Luo Chen-yu (Privy Councillor and later president of the Control Yuan), Hu Ssu-yuan (Chief of Home Affairs Section of the Chief Executive's Office and later Privy Councillor), etc. wanted to realize an early enthronement of Mr. P'u-i, and were indeed aspirant for the restoration of the Ch'ing or Manchu Dynasty.

Opposed to these there was another group of men who were really influential in actual politics as represented by Chang Ching-hui (the first president of the Privy Council and later prime minister) and Tsang Shi-i (the first Chief of the Civil Administration Department and later the president of the Privy Council). These men had little sympathy with the early realization of the Emperor system, and showed a strong dislike of the restoration idea under the belief that any re-establishment of the Manchu dynasty would beget various evils. But as time went on, these influential politicians too became increasingly supporting the Emperor system apart from the restoration of the old dynasty. Furthermore they could not neglect the cold fact that such title as the Chief Executive would suggest something transitional and therefore would make the early consolidation of the national foundation impossible and political situation left unstable. This is the reason why the Emperor system was established relatively so early as on the first day of March 1934.

The restoration idea such as conceived by the former subjects of the Manchu dynasty, the close associates of Mr. P'u-i, was not given general support. Consequently in the law of the Imperial Succession

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it was provided that with Mr. P'u-i as the first Emperor the throne should be inherited only by his descendants, prohibiting the succession by his brothers and their lineage. On the other hand the old Chinese principle that any one, however mean by birth, can be a successor to throne only if he be most qualified was put aside, and the system of dynasty was introduced. Hence the provision "The throne of the Manchoukuoan Empire shall be succeeded to forever by the male descendants of the male lineage of Emperor K'ang Teh (The title of Mr. P'u-i as enthroned)".

2. The Status of the Emperor.

Next I will state about the status of the Emperor. As was prescribed in the Constitution, Manchoukuo was not an autocratic state, but the prime minister, assisting the Emperor, was made responsible for all of the state affairs. The prerogative power of the Emperor could not be wielded in his own arbitrary decision. Before any important matters of state were promulgated the Privy Council was to be consulted by the Emperor, who upon the advice of the privy council was to give final approval. And in the promulgation the counter-signatures by the prime minister and the other responsible ministers were also made necessary. To explain this procedure in practice, the prime minister was granted an interview to report to the Emperor in detail on matters discussed in the State Council meeting, as well as other state affairs, on the day after the weekly meeting of the State Council. When the matters to be discussed at the State Council meeting had special importance this was usually reported to the Emperor beforehand to ask his opinion.

As for the meeting of the Privy Council, the Emperor attended it in person whenever it discussed important matters such as civil laws, penal codes, annual budgets, civil service ordinances, armed service ordinances, etc. When the Privy Council dealt with merely ordinary affairs the Emperor's presence was not asked, but instead the President of the Council was received before the throne once a week to make a detailed report to the Emperor on the matters discussed among the councilors.

As appears from the above, state affairs were administered by the government in close contact with the Emperor. But the Emperor, not entirely free from the old tradition of the autocratic days of the Chinese dynasty, and also unaccustomed to the procedures of a modern constitutional monarchy, showed his strong desire to intervene in the administrative measures of the government. At times he went so far as to intrude upon governmental affairs without awaiting the advice of the responsible organs, thus causing great embarrassment to the government authorities, who experienced a great difficulty in settling the confusion result^{-ing} from such intrusion. For example, on 2 May 1936, at a banquet commemorating his first visit to Japan of just a year earlier, he surprised the government officials by a proposal to build a monument symbolizing his favorite motto "One Virtue and One Soul". One more example is to be mentioned in this connection. Each year as a rule, either late in January or early in February the provincial governors' conference was held at the conference chamber of the State Council Building in Ch'ang-ch'un, lasting several days. On the occasion of these governors' conferences held in 1942 and 1943, the prime minister was suddenly called to the palace in the midst of the conferences where he was sitting, and was given Imperial messages consisting of several items of his Majesty's instruction by the Emperor in person to be transmitted to the governors.

According to the Manchoukuoan Constitution, the appointment and removal of state officials, both civil and military, was apart of the Imperial prerogative, but it was the prime minister's responsibility to

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advise the Emperor in such matters. Therefore neither the throne nor the government could appoint or remove state officials without the consent of the other. Such procedure is only natural in a constitutional monarchy. In Manchoukuo, when the matter was concerned with important personnel, the prime minister asked the Emperor's opinion before a formal request was presented; therefore the Emperor was given an opportunity to express his opinion, if any, beforehand.

3. The Status of the Prime Minister

In Manchoukuo the prime minister was the only state minister who was responsible to the Emperor. He was, "under the Emperor, to deal with important affairs of state administration, directing and supervising the other ministers who head the various administrative departments." This powerful authority of the prime minister over the other ministers was necessitated in view of the peculiar condition of Manchoukuo, especially in its embryonic stage. But, however authoritatively stipulated in laws and statutes, the controlling power of the prime minister might become reduced to a mere scrap of paper if he could not hold the key points of the administrative system in his grip. Accordingly the authority to request the Emperor to appoint and remove state officials, the power to examine state budgets and legislation, etc., were placed directly in the hands of the prime minister. For the purpose of executing these powers and authorities there was established within the State Council the General Affairs Board, which was to be placed under the immediate control of the prime minister. In view of the reality that the prime minister, who was made responsible for all of the affairs of the state, could not devote himself solely to the detailed business of the General Affairs Board, a special official was appointed to head the Board, assisting the prime minister as well as superintending the board's business.

Though the chief of the General Affairs Board was appointed from among Japanese from the first, he was, in no sense, either an official of the Japanese Kwantung Army nor subject to the direction of the Army.

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Although the Kwantung Army did in fact make some demands either upon the prime minister or upon the chief of the General Affairs Board in connection with defense measures on the basis of the Manchoukuo-Japanese Defense Alliance, these were, after all, nothing but demands in true sense of the word, and never took the form of directives.

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4. The Powers of the Chiefs (Ministers) and Vice-Chiefs of the Various Executive Departments.

The duty of the chiefs (ministers) of the various executive departments was to "deal, under the direction and supervision of the prime minister, with the affairs which are placed under their respective charge," and that of vice-chiefs was to assist their respective chiefs.

The department chiefs were appointed from among the natives (Chinese). As for the deputy chiefs, only three departments, i. e., the War, Home, and Finance Offices, were furnished with the officials of this level at the beginning of the national foundation. And they, too, were appointed from among the natives in those days. Later, in view of an everincreasing complication of the administrative affairs, a Japanese for the first time was instituted as the vice-chief of the Foreign Office in June, 1932. Around 1936 and afterward, all the other departments became provided with deputy chiefs appointed from among Japanese.

Next I wish to clarify the relation between the department heads and their deputy chiefs through explaining some details in which administrative affairs were actually handled. The administrative duties pertaining to the various departments and their subdivisions were prescribed in the provisions of the government organizations and of the respective departmental organizational rules. All of the administrative plans were first drafted, as a rule, in offices of the division level, the assignment of each draft being determined by the above-mentioned organizational provisions. The drafted plan was then submitted

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step by step to the bureau director, the vice-chief, and the minister for their examination and approval. In the course of drafting and examining the plan, all related divisions, bureaux and departments were consulted in the form of conferences or otherwise. When agreed upon by all related offices, the plan was explained by his deputy chief to the minister of the department where the plan was originated. The department minister in his turn gave approval, if he had no objection; and in the case of a departmental ordinance the plan so approved was announced without further procedure at a higher level. In the case of a law or Imperial ordinance, the plan as approved by the department head chiefly responsible was forwarded to the Legislative Section of the General Affairs Board for its examination. If a budgetary question was involved, the accounts Section of the Board also had to be referred to. If no objection was raised by these sections, the chief of the General Affairs Board submitted the plan to the departmental vice-chiefs' conference to seek their opinion. When passed by this conference it was then presented for examination to the State Council meeting, to seek the opinions of the ministers; when consent was given by this Council meeting the plan was submitted to the Privy Council for deliberation. If it was favorably reported by the Privy Council the final approval of the Emperor was granted for its promulgation.

Such being the case it was impossible that any important affair of state was decided at the level of vice-chiefs, with the ministerial level being kept in the dark. It was necessary for the Japanese

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vice-chiefs, who were expert in administrative technique, to assist those native ministers such as : Chang Ching-hui, first president of the Privy Council and later Prime Minister; Tsang Shi-i, Home Minister; and Hsi Hsia, Finance Minister, who, though they had occupied ministerial position since the foundation of the state and were politically influential all over Manchuria, were in reality unaccustomed to modern administration. But even these dignitaries became gradually familiarized with modern governmental business so much that they were finally seen expressing their opinions with confidence and in positive manner.

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5. The Meetings of the State Council, of the Departmental Vice-Chiefs, and of the Privy Council.

The meeting of the State Council, as stipulated in the state Council Organization, was the meeting legally established for the contact of administrative business ; it had as members the heads of the administrative departments and of the General Affairs Board, with the prime minister as the presiding officer. The subjects to be discussed in this meeting were all enumerated in the provisions of the State Council Organization and included all important matters of state such as laws, Imperial Ordinances, budgets, treaties, appointments and removals of the KANNIN rank officials (Manchoukuoan equivalent of the Japanese CHOKUNIN officials), etc. Being a councillor of the Legislative Bureau at an early stage of the national foundation, I was occasionally called into this meeting to give explanations of the bills, laws, etc., and further opportunities were given me later to attend this meeting because I was appointed ex-officio secretary of the Council as the chief of the Secretariat Section of the General Affairs Board from 1935, and then as the General Affairs Board vice-chief from 1940 to 1943. So far as I know the debates and discussions at the meeting were very active and brisk. As against the businesslikeness of the discussions at the vice-chiefs' meeting, the nature of the discussions at this meeting was chiefly political.

And if a draft plan which had been passed in the vice-chiefs' meeting was voted down or revised in the State Council meeting, was notified to the next following meeting of the vice-chiefs.

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The vice-chiefs' meeting lacked legislative basis, and no mention of it was made in the provisions of the government organization. In the early days of the national foundation the more prominent officials of Japanese origin held informal conferences from time to time in order to insure liaison on governmental affairs with each other. For about half a year this practice continued without interruption until it became a well-established customary meeting. After that it was held regularly once every week to discuss such important problems as were to be submitted to the following State Council meeting. At first it had no regular or systematic membership, but by and by it became established that the chief of the General Affairs Board was to take the chair with the vice-chiefs of the General Affairs Board and of the various administrative departments, as well as the heads of the sections of the General Affairs Board, consisting the regular membership. Other officials were also called in whenever their explanations were required on questions on the conference agenda. Accordingly native officials as well as Japanese were there, and all attendants regardless of the difference of their races, were engaged in an active and eager debate.

The Privy Council meeting was held on the basis of the Constitution and the government organization in order to prepare for a report to the throne in compliance with his Majesty's consultation. Being an advisory organ, it had no power to propose revision of the government drafts laid before the Councillors for deliberation, but the debate became so earnest and serious that the government experienced con-

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siderable hardships in having its proposals safely passed through. In order to overcome obstacles which might otherwise have appeared in the plenary sessions of the Privy Council, preliminary examining conferences were held between the Councillors and the government for smoothing out difficult points. But in some cases, such as those of the Electric Power Enterprise Bill and others, there were some government plans which were ultimately pigeonholed owing to the denial of approval in the plenary session. Regarding such bills as were considered necessary of passage at any cost, the government asked the Emperor to withdraw them from consideration of the Privy Council, ^{for the moment} and these plans were revised by the government and submitted again to the Emperor for further deliberation in the Privy Council. This last-mentioned circumambulatory process was made necessary, because it would have been contradictory of the principle of "consultation" to allow the Privy Council to revise the government proposal.

6. The Nature of Officials Appointed
from among Japanese

Manchoukuo was a state which was founded on the principle of co-existence and cooperation of the five races, i.e., Chinese, Manchus, Mongolians, Koreans and Japanese. There the Japanese were no less a full-fledged national element than the native Manchus. Though no legislation on the matter of nationality had as yet been completed, the afore-mentioned principle was made clear in the Declaration of the National Foundation. Furthermore, in 1940 the Statute of the Citizenship was enacted to define the citizenship of the Manchoukuoan subject. According to this statute those who migrated into Manchoukuo, not as mere travellers but for the purpose of setting up residence, were to be registered as Manchoukuoan subjects regardless of whence they had come. And these five races were equally eligible for government office, subject only to a special examination stipulated in the Civil Service Ordinance. In reality, however, if the examination result had been made the sole standard for selection, the majority of the officials would have been chosen from among Japanese, thus upsetting the desired ratio between Japanese officials and those of the other races. Therefore both the maximum number and the posts to be permitted to the Japanese were limited, moreover a specially rigid screening was introduced for the Japanese candidates in the examination.

Many posts of the central government which were much concerned with planning were apportioned to Japanese officials, since few native officials had been sufficiently experienced or trained in such duties. Inversely the posts

in local governments were filled mostly by native officials. The native officials stationed at the central government appeared rather timid in the execution of their duties, for the following reasons; in the first place, they lacked knowledge and experience in modern administrative service, especially in the field of specialized technique; in the second place, the new officialdom composed of these young recruits was still in its infancy; and thirdly, their traditional nature, which had long accustomed them to the temperament of safety-first and shirking of responsibility, still held grip on them.

But as they acquired experience, the condition altered gradually; they became increasingly active and positive in fulfilling their duties. This was especially so in the case of young and intelligent officials, whose number was on the increase. Above all else, in the field of internal civil administration they showed a strong interest in drafting plans by themselves as well as in putting them into practice confidently. Hoping to realize a more eager participation by the native officials in the activity of the central offices, the government authorities strove to train young and well-qualified officials from among natives. For this purpose, the Chien Kuo Ta Hsiueh (National Foundation University), the Fa Cheng Ta Hsiueh (Law and Political University), etc., were established to educate native youths. And for re-educating young officials the Tatung Hsiueh Yuan (Tatung Academic Institute) was established.

As for the local government, the majority of the posts were occupied by native officials; posts for the Japanese were limited to the field of planning, or to those fields for which no suitable candidates could be obtained from among natives, e.g., fields for specialists. Particularly the positions in the administrative field which had direct contact with the populace were occupied

almost entirely by officials of native birth. At the same time, however, effort was made to educate specialists from among natives through establishing colleges for such sciences as agriculture, forestry, mining, engineering, medicine and veterinary medicine.

As a state racially complex, Manchoukuo demanded much effort to secure harmony among the officials of the various races. That attempt was not at first very successful, but by and by improvement became apparent, thanks to the enthusiasm of all concerned for the realization of an idealistic state as well as to the effort made by them to understand each other's languages and custom as early as possible. The establishment of educational institutions for the rearing of government officials was very contributory to this end. In these institutions students from all races sat, dined, and slept harmoniously in the same classrooms, dining rooms, and bedrooms. The seed sown in those days grew into a plant which bore fruits of friendship among young officials after they were graduated from these schools. Thus a close cooperation was established among these officials despite their racial differences. In the last thirteen years of my official career I had many superiors, equals, and subordinates whose race was different from mine; though I kept secret nothing from them and adopted no discriminating attitude toward them on the ground of racial prejudice, no difficulties or failure was ever caused by such open-mindedness on my part. Once I heard Economic Minister Juan Chen-tse speaking to the effect that all government officials of Manchoukuo should be called by the one unified term "Manchoukuoan", in stead of being called by such discriminating terms as "Manchus, Mongolians, Japanese", etc. This kind of sentiment became generally prevalent. During the one year of hardship

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immediately following the termination of hostilities, hearty mutual assistance was maintained intact throughout and among the old colleagues and friends, Japanese and native Chinese. When the Japanese were going to be repatriated from Manchuria the long-standing friendship between the Japanese and the natives was recalled gratefully to each other, mementoes were exchanged, and in short they parted regretfully and sympathetically but leaving no grievance. This was not peculiar to my case alone. The friendly relations built up between the natives and the Japanese who spent long years in Manchuria were all alike.

7. The Pay of the High Officials.

The salaries of the high officials were fixed by the Imperial Ordinance concerning Salary. As of around 1935 (the fifth year of Kang To), they were, for example, as follows:

Prime Minister.....¥1,800 monthly.

President of Privy Council.....¥1,500 monthly.

Privy Councillors, Ministers, & General Affairs Board Chief...¥1,300 monthly

It was also provided that native officials of TOKUNIN rank (Manchurian equivalent of Japanese SHIININ rank) were to be paid monthly ¥500 as a social intercourse allowance beside the above.

The vice-chiefs of the administrative departments were all ranked on the KANNIN level (Manchoukuoan equivalent of Japanese CHOKUNIN) regardless of their races, and the maximum salary for this rank was fixed at ¥800 per month. In addition to this sum they were paid monthly ¥200 at most as duty allowance. They were also given bonuses twice every year, the amount of each bonus being determined from time to time at such a sum as two months' salary, or one and a half months.

The TOKUNIN rank officials, whether natives or Japanese, were given year-end allowances by the Emperor instead of government bonuses. Of course the sum was greater^{than} the total of the two bonuses yearly given to KANNIN officials.

Moreover the high-ranking native officials received a special allowance ranging from ¥5,000 to ¥10,000 - twice annually, on the ground that they needed much money due to their traditional way of living both private and

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official. Nothing of the sort of this allowance was given to the Japanese.

In addition to all of the above, in 1935 (the 2nd year of Kang Te), each of the native high officials, then incumbent, was given National Foundation Meritorious Service Bonds in large sums ranging from ¥50,000 at the least to ¥400,000 yen at the most. The bonds bore 5% annual interest, and the overall sum of the bonds thus given totalled ¥8,500,000. No Japanese was the beneficiary of this grant.

8. The Legislative Yuan

The Legislative Yuan was the government organ to assist the Emperor in the enactment of laws and budgets under the provisions of the Constitution. Its organization was relegated by the Constitution to statute. The method of organization raised, therefore, quite a difficult problem from the first days of the national foundation. After Dr. Chao Hsin-po, a legal expert, was appointed Chief of the Yuan on 9 March, 1932, various discussions and consultations were had between him and the Legislative Bureau. Due to the delicate position of the Bureau, which in turn had to consult other various departments and bureaux, and had to move very cautiously, an early settlement could not be expected. The following were the chief problems which were discussed at the time by Dr. Chao and the Legislative Bureau:

- a. Manchoukuo was a state of racial complexity. Therefore all races had to be represented. But how were these representatives to be chosen?
- b. In Manchuria there had existed so-called legal bodies such as the Commercial Business Society and the Agricultural Society with tremendous influence among the populace.
- c. Geographical representation was of course necessary. But with the condition of peace and order as well as the standard of civilization among the populace what they were, would the election of the representatives through general ballot be possible?

In view of these difficult problems, the Imperial Ordinance concerning the Legislative Yuan Secretariat Section organization was promulgated in April or May 1932. This Ordinance provided that the Secretariat Section of the

Legislative Yuan was to study the prospective organization of the Yuan as well as to prepare for its inauguration. Meanwhile, around 1933, a new organ called the Constitution Research Committee was officially formed, and Dr. Chao was appointed its chairman. The then existing Constitution, hastily written in the busy days of the national foundation, was of only provisional nature, as stated in its preamble. Therefore the primary duty of this Committee was to draft a well-established constitution. But as its supplementary duty this Committee was also assigned the task of drafting a plan for the organization of the Legislative Yuan. Thereupon the Secretariat Section of the Legislative Yuan became to assume a position something like a secretariat office of this Committee.

While devoting himself under a special order of the Emperor to this important task, Dr. Chao suddenly resigned in the fall of 1934 without reaching the conclusion of his task. And the function of the Legislative Yuan was delegated to the Privy Council for the time being under the provision of the old Constitution as revised, dated 1 March 1934 (this revision was made in the Supplemental Rule of the Constitution).

Side-by-side with the above mentioned events and progress, the Concordia Society of Manchoukuo was inaugurated on 25 July 1932 to stimulate and promote the free expression of the people's will and to transmit and diffuse the government policies and intentions to the people. There was initiated in this Society some time in 1934 or 1935 the Combined Congress which took a position something like a general assembly of the representatives of the Society members. As time went on, this Congress was gradually improved and increasingl

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well-shaped. In conjunction with this the composition of the Concordia Society itself was greatly enlarged and strengthened after around 1936. Hereupon the Congress was subdivided into three classes, i.e., the Prefectural Combined Congress, Province Combined Congress, and the National Combined Congress, which were to correspond in their functions to the prefectural assembly, the province legislature, and the national diet respectively. These congresses were convened every year, and were making remarkable progress and improvement year by year. Contrasted to this, the work of the Legislative Yuan was left wholly behind and was still wandering around in the preparatory stage. Then arose a question regarding how to harmonize legally the Legislative Yuan and the Concordia Society. And this problem was studied and attacked in the Fundamental Laws Department of the Committee on the Reexamination of the Existing Laws and Ordinances. But before any conclusion was produced in this committee, the existence of Manchoukuo came to an end.

9. The National Slogan "One Virtue and
One Soul between Japan and Manchoukuo."

The national motto "One Virtue and One Soul between Japan and Manchoukuo" was originated with the Emperor himself. In what ecstasies the Emperor was during his first visit to Japan, which was made in April 1935 (the 2nd year of Kang To), is described in detail in a book entitled "Hu Tsung Fang Ji Kung Chi (Accompanying the Emperor on his Visit to Japan)" and written by HAYASHIDE, Kenjiro who was a member of his Majesty's retinue during the visit. In the midst of the travel the Emperor expressed his wish to issue an Imperial rescript, after his return to Manchuria, to share with the people his exultation in the visit and to have it treasured in their memory forever. In those days I was, as the chief of the Secretariat Section of the General Affairs Board, busily engaged in preparations for various festivities to be held, consequent upon his Majesty's return to Manchuria, under the direction of Prime Minister Cheng and General Affairs Board Vice-Chief SAKATANI (General Affairs Board Chief ENDO was away, accompanying the Emperor). The Imperial rescript was drafted in the State Council with the Imperial Household Office as its consultant. When Prime Minister Cheng submitted the draft to the Emperor for his approval on 29 April his Majesty, after reading it through, said that his meaning had not been fully expressed in it yet, and then dictated the following to the prime minister: ".....It shall rightfully be said that I am unified in soul with the Emperor of Japan. You, the people of this country, truly adhering to this intent of mine, shall live in one virtue and on one soul with

the people of Japan, shall consolidate the ever-lasting foundation of both nations, and shall exalt the true spirit of Oriental morality....."

Besides the above, his Majesty altered about one-third of the draft and directed the prime minister to not down the alterations. Still not content with this, on the next day, 30 April, he suddenly called to the Household Office high officials of the KANNIN rank and above, both civil and military, who were then in the capital, and standing on a platform delivered an address for about an hour. The gist of the address was concerned with his interpretation of Oriental morality as well as his observations on the Japanese-Manchoukuoan relation which would be secured, according to his opinion, with a tie forever indivisible based upon the principle of One Virtue and One Soul. Raising his voice particularly he concluded his speech in the following manner:

"If any Manchoukuoan should act against the interests of Japan, he shall never be a loyal subject of mine; vice versa, if any Japanese should embrace a design inimical to the good of this country, such a Japanese could never be called loyal to the Japanese Emperor."

Moreover, in the evening of 8 December 1941, when the Pacific War broke out, he called a Privy Council meeting in his presence in the Imperial Household building to give consideration to the Imperial Rescript concerning the momentous situation. In this meeting he exhorted his elder officials by saying "To interpret this war as a mere conflict fought by Japan against Great Britain and the United States would constitute an error. As a matter of fact this is a war to liberate all the Asiatic races from the bond of Europeans and Americans who have intruded into Asia for the several hundred years past. Manchoukuo will cooperate with Japan in this war with all her national resources and power."

10. The National Foundation Shrine.

As for the National Foundation Shrine, its history began something like this: at first in some quarters there arose an opinion that, being a state founded upon the cooperation of several races, Manchoukuo needed a kind of spiritual center, the altar of which every Manchoukuan, regardless of his race, would piously bow down. But the question of what god should be enshrined presented a very difficult problem, and for a time it came to a standstill. Later on, however, apart from this movement there came to the fore another idea that the post-mortem spirits of the patriots of all the five races should be deified and enshrined as National Guardian Gods. According to this idea, there would arise no objection to the worshipping of these gods from any of the races. The idea of this National Guardian Gods Shrine came to take a shape so concrete that the building of the shrine was started. But before it was complete the once suspended idea regained its strength, and it was agreed that the God of National Origin had to be given priority rather than the National Guardian Gods. Thus the old question of choosing the Origin God for whom the shrine was to be hallowed naturally presented itself again. After all sorts of discussions it was finally decided, based upon the initiative of the Emperor, the Sun Goddess was to be the Origin God of Manchoukuo, as in the case of Japan also, because of the principle of One Virtue and One Soul between Japan and Manchoukuo, and that to this God the National Foundation Shrine was to be dedicated. It was also decided that the shrine building at Nanling which was already under construction as above mentioned was to be the home of the post-mortem spirits of the heroes whose lives had been sacrificed to the cause of

DEF. DOC. #962

the national foundation, and that this shrine was to be directly subordinated to the Sun Goddess' shrine under the title of the 'National Foundation Heroes' Shrine."

But on the ground that no worship should be made compulsory to the people, the building of branch shrines of the National Foundation Shrine in provincial regions was not permitted. In reality, moreover, the National Foundation Shrine was built in the premise of the Imperial Palace where general public had no means of easy access. Neither was any legislative attempt ever made to establish a state religion, though the Shrine Office was instituted as a part of the government system owing to the necessity for appointing the shrine priests; nor any idea had ever occurred of revising the criminal code for punishing blasphemy toward the shrines.

In a very pious spirit the Emperor worshipped every month before the National Foundation Shrine. When MINAGAWA, Toyoji acting Governor of Fengtien Province, was granted an interview by the Emperor to report to his Majesty the situation in his province, he was asked a question by the Emperor "what is the basic doctrine of the education of your province?" Seeing the acting Governor hesitate to answer for a while, his Majesty asserted, as if to teach him, "It is Shinto."

Another example will suffice for my explanation on this point. As stated in Paragraph 2 above (on the status of the Emperor), on two or three occasions when provincial governors conferences were going on, the Emperor called the prime minister to the palace to give Imperial messages of several items of his teachings prepared by himself for the provincial heads. All these messages

DEF. DOC. #962

began with the sentence "The Provincial Governors shall direct and guide the people in accordance with the principle of Shinto".

On this 3rd day of April, 1947

At Tokyo

DEPONENT (signed) MATSUKI, Tamotsu (seal)

I, BANNO, Junkichi, 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) BANNO, Junkichi (seal)

OATH

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

(signed) MATSUKI, Tamotsu (seal)

Translation Certificate

I, Terue, OTSUKI, 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/ Terue, OTSUKI

Tokyo, Japan

Date 4 April, 1947

378

15 April 1947

MEMORANDUM FOR: Colonel Gilbert S. Woolworth.

FROM: Edward P. Monaghan, Acting Chief, Investigative
Division, IPS.

SUBJECT: Defense Witnesses.

1. Please find attached hereto list of material available
on the following witnesses subpoenaed by the Defense:

DEFENDANTS

ITAGAKI, Seishiro
OKAWA, Shumei
MINAMI, Jiro
UMEZU, Yoshijiro
HOSHINO, Naoki

WITNESS

MATSUKI, Kyo (Tamotsu)

LIST OF MATERIAL AVAILABLE

Additional Information

2. Please acknowledge receipt of this memorandum by initial-
ing and returning attached carbon copy to this office, Room 300.

EDWARD P. MONAGHAN,
Acting Chief, Investigative Division,
International Prosecution Section.

1 Incl.
(Described above)

C O N F I D E N T I A L

**GENERAL HEADQUARTERS
FAR EAST COMMAND
Military Intelligence Section, General Staff
Civil Intelligence Section**

**General Activities
APO 500
5 April 1947**

SUMMARY OF INFORMATION:

SUBJECT: MATSUKI, Kyo (Tamotsu)

1922	Entered South Manchurian Railway Company
Oct 1931	Advisor (KOMON) to KWANTUNG Army on matters of international law.
	Chief of Administration Section of Kwantung Army Government Department (KANTOGUN TOCHIBU GYOSEI KACHO)
1932	Acting Chief of the Manchurian Government Legislative Bureau (MANSHUKOKU HOSEI KYOKU)
	Director of the Secretariat Division Director of the Legislation Division Chief of the Bureau of the Secretariat, Board of Councillors.
May 1940	Vice-Chief of General Affairs Bureau, Manchurian Department of State.

C O N F I D E N T I A L.

REPORT BY: Lt. John A. Curtis
12 March 1947

MEMORANDUM FOR THE FILE

SUBJECT: MATSUKI, Kyo

No further information concerning the above is contained
in the files of IPS.

COPIES: 3 File
1 Mr. Newbill

378

JJC

Report By: Lt. J. Curtis

11 March 1947

MEMORANDUM FOR: Mr. Pedro Lopez, Associate Prosecutor, Philippines Div.
Capt. James J. Robinson, USNR
Mr. William E. Edwards
Mr. Smith N. Groves, Jr.
✓ Mr. Gilbert S. Woolworth
Major General A. N. Vasilyev, Associate Prosecutor
Secretariat of U.S.S.R.
Lt. Col. T. F. Mornane (Australia)

SUBJECT : Defense Witness

The following information is furnished concerning MATSUKI, Kyo (Tamotsu), a Japanese witness requested by Itagaki, Okawa, Umezu, Minami, Hoshino:

Japan-Manchurian Year Book, 1934, Page 959

"MATSUKI, Tamotsu--Councillor, Legislation Bureau, Manchukuo; b. Mar., 1898 in Yamaguchi-ken; s. of Kiyonao Matsuki, official. Career: grad., Law Coll., Tokyo Imp. Univ., 1922; entered South Manchuria Ry. Co., same year; apptd. Legal Adviser to Kwantung Army, 1931; Dir., Legislation Bureau, Manchoukuo, 1932; Present post since 1933. Address: Hagoromocho-Nichome, Hsinking, Manchoukuo."

DW

DOUGLAS L. WALDORF,
Chief, Investigation Division
IPS

MATSUKI, Kyo

Request by: ITAGAKI, OKAWA, MINAMI, UMEZU, HOSHINO

**Address: Yutagawa, Nishitagawa-gun, Yamagata-ken,
Japan.**

**Facts to be proved - He was the Vice-Chief of the General
Affairs office of Manchukuo, and as such he will be able to prove
the extent to which Jap assisted Manchukuo.**

**Relevancy - Japanese policies towards Manchukuo and the nature
of the administration of the new state.**

CONFIDENTIAL

GENERAL HEADQUARTERS
FAR EAST COMMAND
Military Intelligence Section, General Staff
Civil Intelligence Section

General Activities
APO 500
5 April 1947

SUMMARY OF INFORMATION:

SUBJECT: MATSUKI, Kyo (Tamotsu)

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Oct 1931	Advisor (KOMON) to KWANTUNG Army on matters of international law. Chief of Administration Section of KWANTUNG Army Government Department (KANTOGUN TOCHIBU GYOSEI KACHO)
1932	Acting Chief of the Manchurian Government Legislative Bureau (MANSHUKOKU HOSEI KYOKU) Director of the Secretariat Division Director of the Legislation Division Chief of the Bureau of the Secretariat, Board of Councillors.
May 1940	Vice-Chief of General Affairs Bureau, Manchurian Department of State

CONFIDENTIAL

Incl 5'

15 April 1947

MEMORANDUM FOR: Lt. Colonel T. F. Mornane,
Associate Prosecutor, Australian Division

FROM: Edward P. Monaghan, Acting Chief, Investigative
Division, IPS.

SUBJECT: Defense Witnesses.

1. Please find attached hereto list of material available on the following witnesses subpoenaed by the Defense:

DEFENDANTS

ITAGAKI, Seishiro
OKAWA, Shumei
MINAMI, Jiro
UMEZU, Yoshijiro
HOSHINO, Naoki

WITNESS

MATSUKI, Kyo (Tamotsu)

LIST OF MATERIAL AVAILABLE
Additional Information

2. Please acknowledge receipt of this memorandum by initialing and returning attached carbon copy to this office, Room 300.

EDWARD P. MONAGHAN,
Acting Chief, Investigative Division,
International Prosecution Section.

1 Incl.
(Described above)

MATSUKI, Kyo

Request by: ITAGAKI, OKAWA, MINAMI, UMEZU, HOSHINO

**Address: Yutagawa, Nishitagawa-gun, Yamagata-ken,
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**Facts to be proved - He was the Vice-Chief of the General
Affairs office of Manchukuo, and as such he will be able to prove
the extent to which Jap assisted Manchukuo.**

**Relevancy - Japanese policies toward Manchukuo and the nature
of the administration of the new state.**

Report By: Lt. J. Curtis

11 March 1947

MEMORANDUM FOR: Mr. Pedro Lopez, Associate Prosecutor, Philippines Div.
Capt. James J. Robinson, USNR
Mr. William E. Edwards
Mr. Smith N. Crowe, Jr.
Mr. Gilbert S. Woolworth
Major General A. N. Vasilyev, Associate Prosecutor
Secretariat of U.S.S.R.
Lt. Col. T. F. Mornane (Australia)

SUBJECT: Defense Witness

The following information is furnished concerning MATSUKI, Kyo (Tamotsu), a Japanese witness requested by Itagaki, Okawa, Umezumi, Minami, Hoshino:

Japan-Manchurian Year Book, 1934, Page 959

"MATSUKI, Tamotsu--Councillor, Legislation Bureau, Manchukuo; b. Mar., 1898 in Yamaguchi-ken; s. of Kiyonao Matsuki, official. Career: grad., Law Coll., Tokyo Imp. Univ., 1922; entered South Manchuria Ry. Co., same year; apptd. Legal Adviser to Kwantung Army, 1931; Dir., Legislation Bureau, Manchoukuo, 1932; Present post since 1933. Address: Hageromocho-Nichome, Hsinking, Manchoukuo."

DOUGLAS L. WALDORF,
Chief, Investigation Division
IPS

Distribution: Investigative Div.
 Counsel in charge of ITAGAKI
 OKAWA
 MINAMI
 UMEZU
 HOSHINO

WITNESS: MATSUKI, Kyo also known as MATSUKI, Tamotsu
 called by the above mentioned accused in common

PERSONAL DATA: SOURCE: MANCHUKUO YEARBOOK 1941, p. 934

1898	born in Yamagata Ken
1922	graduated from Law College, Tokyo Imperial University
1923	joined South Manchuria Railway Co.
1931	Legal Adviser to the Kwantung Army
1932	Director of Legislation Section Bureau, under the General Affairs Board, Manchukuo Government.
Later	(dates not separately specified)
	Chief Secretary of Privy Council, Manchukuo
1940	Vice-Director General of General Affairs Board
1942	

Lt. Jno. F. Curtis

18 Apr 47

In re: MATSUKI, Tamotsu
the above appeared as a ^{voluntary} witness for the
defense on 17 April 1947.

In October 1944 he was President, Tatung
Academic Institute, Manchoukuo.
He is further described in defense
document # 962.

Please secure a BV
and please advise in writing for the
file if he has or has not been
purged

Mumro

18 Apr 47

Lt. Jno. F. Curtis

In re: MATSUKI, Tamotsu

the above appeared as a ^{voluntary} witness for the defense on 17 April 1947.

In October 1944 he was President, Tatung Academic Institute, Manchoukuo.
He is further described in defense document # 962.

Please secure a BV
and please advise in writing for the file if he has or has not been purged

Munro

*Report by
H. John Curtis*

MATSUKI KYO (TAMOTOI)

- Tokyo Imperial University, 1922
- Adviser on International Law to the Kwantung Army.
- Chief of Civil administration Section, Kwantung Army.
- Acting Chief of Legal Administration Section, Manchukuo.
- Chief of the Secretariat, Manchukuo.
- Director of the Legislation Bureau, Manchukuo.
- Chief Secretary, Prevy Council.
- Vice-Director of the General Affairs Bureau, Department for State Affairs, Manchukuo. (May, 1940 to Nov. 1941)
- Director of the Audit Bureau.
- President, Tatung College.

~~No curriculum vitae is available
on the subject as he was not in Japan~~

~~All above is all information contained
in curriculum vitae at the subject
was not in Japan~~

sent out as additional
info.

375

15 April 1947

MEMORANDUM FOR: Mr. William E. Edwards.

FROM : Edward P. Monaghan, Acting Chief, Investigative
Division, IPS.

SUBJECT: Defense Witnesses.

1. Please find attached hereto list of material available
on the following witnesses subpoenaed by the Defense:

DEFENDANTS

ITAGAKI, Seishiro
OKAWA, Shumei
MINAMI, Jiro
UMEZU, Yoshijiro
HOSHINO, Naoki

WITNESS

MATSUKI, Kyo (Tamotsu)

LIST OF MATERIAL AVAILABLE

Additional Information

2. Please acknowledge receipt of this memorandum by initial-
ing and returning attached carbon copy to this office, Room 300.

EDWARD P. MONAGHAN,
Acting Chief, Investigative Division,
International Prosecution Section.

1 Incl.
(Described above)

C O N F I D E N T I A L

GENERAL HEADQUARTERS
FAR EAST COMMAND
Military Intelligence Section, General Staff
Civil Intelligence Section

General Activities
APO 500
5 April 1947

SUMMARY OF INFORMATION:

SUBJECT: MATSUKI, Kyo (Tamotsu)

1922 Entered South Manchurian Railway Company

Oct 1931 Advisor (KOMON) to KWANTUNG Army on matters of international law.

1932 Chief of Administration Section of Kwantung Army Government Department (KANTOGUN TOCHIBU GYOSEI KACHO)

Acting Chief of the Manchurian Government Legislative Bureau (MANSHUKOKU HOSEI KYOKU)

Director of the Secretariat Division
Director of the Legislation Division
Chief of the Bureau of the Secretariat, Board of Councillors.

May 1940 Vice-Chief of General Affairs Bureau, Manchurian Department of State.

C O N F I D E N T I A L.

29 April 1947

MEMORANDUM FOR: Capt. Robinson USN Att: Cmdr. Cole; Mr. Lopez;
Mr. Edwards; Mr. Crowe; Col. Woolworth;
Maj. General Vesiliev; Lt. Col. Mornare
FROM : EDWARD P. MONAGHAN, Acting Chief
Investigative Division, IPS
SUBJECT : Defense Witness

1. Please find attached hereto list of material available on the following witness and/or witnesses.

DEFENDANT - ITAGAKI
OKAWA
MINAMI
UMEZU
HOSHINO

WITNESS

LIST OF MATERIAL AVAILABLE

MATSUKI, Kyo (Tamotsu)

Memo for the files

2. Please acknowledge receipt of this memorandum by initialling and returning attached carbon copy to this office, Room 300.

E P M

EDWARD P. MONAGHAN

Incl
(Described above)

375

Report by: Lt. J. A. Curtis

25 April 1947

Memorandum for the File:

Subject: MATSUKI, Kyo (Tamotsu)

A search of the files of government section reveals that MATSUKI, Kyo has not been purged and has not ever been screened.

No information on the above is contained in the files of IPS.

As Matsuki worked for the Manchurian government and was not in the Kwantung Army, a more detailed curriculum vitae is not available.

The above witness testified on 17 April 1947.

Page

29105 * DIRECT EXAMINATION OF MATSUKI, Tamotsu
BY MR. WILLIAMS

The witness identified and verified Exhibit 3210 as his affidavit.

29106 * The affidavit stated that the witness had been Chief of the Secretariat, Chief of the Legislative and the Vice-Chief of the General Affairs Board under HOSHINO who was the Chief of that Board. The Chief of the General Affairs Board in Manchukuo was the one who rendered assistance to the Premier and who exercised general control over it. The Chief was not competent to decide State affairs and even after the decision of routine matters, reward and punishment of those below the clerical staff was made by the Premier himself.

29107 * At the end of 1936, Board Chief ODATE resigned and HOSHINO succeeded him. Reasons for this were that since five years had passed since Manchukuo was founded, it was deemed fit to appoint someone to the post from those who were in actual service in Manchukuo. Also, Manchukuo became in need of an able financier and economist who could render assistance to the Premier. In the light of these needs, HOSHINO was appointed on the recommendation of his predecessor and the Premier.

29108 * HOSHINO attended to his business in obedience to Premier Chao's direction and decision and HOSHINO never decided anything on behalf of the Premier. For important items HOSHINO called up his two assistants who were the witness and the Manchurian assistant chief. No important matters were decided without consultation with the latter.

29109 HOSHINO had due regard for the opinions of the Manchurians and was ever mindful of the promotion of those with superior ability. Important positions, such as private secretary to the Chief, Assistant Chief, etc., which had heretofore been occupied by Japanese, were replaced by Manchurians. * He held Manchurians in such regard that he was accused of overvaluing Manchurians' intentions. Before, there had been discrimination between Japanese and Manchurians with regard to the salaries for certain officials. This was because the cost

Page of living for Japanese was higher.

29110 In 1938 HOSHINO removed this discrimination. There never was a case in which the Kwantung Army dictated to the General Affairs Board, although the wishes of the Army were sometimes laid before the board. At such times, HOSHINO took necessary measures after consulting with government organizations and the Premier. * Even the wishes of the Kwantung Army were not followed if they were not considered appropriate. When the renovation of administration was effected in June 1937 and the Department of Public Peace was formed, the Kwantung Army proposed to have a man from the military ranks appointed as Vice-Minister of the new department. After consultation, HOSHINO recommended one of the civil officials disregarding the Army's desire and eventually he was appointed as Vice-Minister.

HOSHINO paid attention to stabilizing the national life and elevating the economic life of the Manchurians and he was always concerned about their afflictions and assumed a cautious attitude. Because of the European and Sino-Japanese Wars, commodities became scarce and economic control was made stricter.

29111 * HOSHINO negotiated with the Japanese government and others so that Manchukuo might sell food and other goods profitably so that she might purchase commodities that were important. There was a case where the government reduced the price of salt and distributed it to the people although other prices were going up. There was no cross-examination of the witness.

Def. Doc. No. 2526

Exh. No.

Translated by
Defense Language Branch

Hoshino

T INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
THE UNITED STATES OF AMERICA, et al

-vs-

ARAKI, Sadao, et al



Sworn Deposition. (Translation)

Deponent : MATSUKI, Tamotsu

Having first duly sworn an oath as on attached sheet and in accordance with the procedure followed in our country I hereby depose as follows.

I, MATSUKI, Tamotsu, live at No.1731 4 Chō-me, Fukasawa Chō, Setagaya Ward, Tokyo.

I occupied the following positions in Manchukuo :

1. June, 1932 : the Councillor of the Legislative Council.
1. April, 1935: the Chief of the Secretariat in the General Affairs Board.
1. June, 1937 : the Chief of the Legislature in the General Affairs Board.
1. March, 1938: the Chief of the Secretariat in the State Council.
1. May, 1940 : the Vice-chief of the General Affairs Board.
1. June, 1943 : the Chief of the Audit Bureau.
1. October, 1944: the President of the "Daidō-gakuin (T.N. a kind of school)." College.

Def. Doc. #2526

As shown in my public career described above, I, attended the business of the General Affairs Board as, alternately, the Chief of the Secretariat, the Chief of the Legislative and the Vice-chief of the General Affairs Board, directly under HOSHINO, Naoki, the Chief of the General Affairs Board.

(1) The Chief of the General Affairs Board in Manchukuo is the one who renders assistance to the premier ~~and~~ who exercises general control over the business of the General Affairs Board which comes ~~under~~ the premier's direct superintendence. He is, therefore, not competent to decide state affairs. Even the decision of routine matters of the General Affairs Board, with the exception of trifling ones entrusted in him only by the law such as the appointment and dismissal, reward and punishment of those below the clerical staff of the Board, was made by the premier himself and not at the discretion of the chief of the General Affairs Board.

(2) At the end of 1936 Chief of the General Affairs Board ODATE resigned his post and Mr. HOSHINO was appointed to the post as his successor. The reasons why he assumed that post were as follows:

Firstly, as about five years had passed since Manchukuo was founded, it was deemed suitable to appoint some one to the post of Chief of the General Affairs Board from those who were in actual service in Manchukuo rather than the usual out-of-date practice of selecting a person from Japanese officials from Japan.

Def. Doc. #2526

Secondly, Manchukuo had passed into the period of economic construction from that of "peace first" and became in need of an able financier and economist who should take the lead of the Board and render assistance to the premier. It was, therefore, in the light of the need mentioned above that Mr. HOSHINO who, of all the government officials in Manchukuo, had been connected with the state finance and economy, was newly appointed Chief of the General Affairs Board on the recommendation of his predecessor and the Premier.

(3) All the preceding chiefs of the General Affairs Board had duly observed the limits of their office, and Chief of the General Affairs Board HOSHINO especially attended to his business, in obedience to Premier Chao's direction and decision, rigidly within the limits^{of} his duty. It was a matter of course that, as far as I knew, he had never decided anything on behalf of the premier.

(4) Under Chief HOSHINO, two assistant chiefs, one Japanese and the other Manchurian, jointly took charge of the affairs. For important items of state affairs, however, Mr. HOSHINO used to call up two assistant chiefs, namely myself and Mr. KU Tzu-hsiang, the Manchurian Assistant Chief, and to deliberate on the matter for decision. There were no important matters that were decided without consultation with the Manchurian Assistant Chief.

(5) Chief HOSHINO had due regard for the opinions of Manchurians, especially those of youthful Manchurian officials, and he was ever mindful of the promotion of superior Manchurian officials. Accordingly,

Def. Doc. #2526

important posts at the General Affairs Board such as the Private Secretary of the Chief of the Board, the Assistant Chief of the Board, the Chief of the Bureau of Statistics, the Chief of the General Affairs Section of the Secretariat, etc. which had hitherto been occupied by the Japanese officials were replaced by the Manchurian officials in rapid succession. He held Manchurians in such regard that the accusation that the Chief HOSHINO over-valued the intentions of Manchurians was voiced in some Japanese quarters.

(6) With regard to the salaries for officials of the Sennin and Inin Ranks (similar to the Japanese Sonin and Hannin Ranks, respectively), there had hitherto been some discrimination between the Japanese and the Manchurians. This was due to an allowance, the sum equivalent to between 40 to 80% of salaries, which had been additionally paid to the Japanese officials. This was because of the high cost of living of Japanese compared with Manchurians, as there was a difference between them in their ways of living. In 1938, Chief HOSHINO removed this discrimination and gave equal treatment to both Japanese and Manchurians.

(7) As a matter of course, there never was a case in which the Kwantung Army dictated to the General Affairs Board, although the wishes of the Army were laid before the Board sometimes. On such occasions Chief HOSHINO took the necessary measures under the direction of the respective authorities after consulting with the government organs concerned as well as the Prime Minister. Even the wishes of the Kwantung Army laid before the Board, if they were considered not to

Def. Doc. #2526

be appropriate, were not followed. For instance, when the renovation of the administrative organization was effected in June, 1937, and the Department of Public Peace was formed amalgamating the Department of Military Affairs and the Bureau of Police Affairs in the Department of People's Welfare, a proposal was submitted by the Kwantung Army to have a man from the Military ranks appointed as Vice Minister of the new department. Against this, Chief HOSHINO first consulted us and recommended Mr. SUSUKIDA, Yoshitomo of the civil officials as the candidate, disregarding the desire of the Kwantung Army. Eventually he was appointed as the vice minister.

Notwithstanding the fact that Chief of General Affairs HOSHINO not only was all the time paying attention to the stabilization of the national life of the Manchurian people but also to elevating their economic life, he was always concerned about their afflictions and so assumed a cautious attitude, for commodities gradually became more scarce and consequently economic control stricter, by degrees, as a result of the European war and subsequent to the outbreak of the Sino-Japanese Incident, half a year after assuming his office.

Such being the case, he was usually making efforts to negotiate with the Japanese government and others, so that Manchukuo might sell the food, as well as other goods that were exported from her, as clearly as possible on the one hand, while on the other she might as profitably and abundantly as possible purchase the necessaries of life and other commodities that were imported into the country. Furthermore, there

Def. Doc. #2526

were instance such as in the case of salt, the most necessary food ingredient for the populace, where the government even reduced prices and distributed it to the people, although other prices were going up step by step.

On this 3rd of September, 1947

At Tokyo

Deponet : /S/ MATSUKI, Tamotsu (seal)

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

On the same date

At the same place

Witness : /S/ MIGITA, Masao (seal)

OATH

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

/S/ MATSUKI, Tamotsu (seal)

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DIRECT EXAMINATION OF MATSUKI, Tamotsu
by Mr. Blakeney

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The witness stated he lived in Tokyo and identified Exhibit 2439 as his affidavit and stated its contents were true and correct. The affidavit stated * that he was born in 1898 and graduated from Tokyo Imperial Law School in March 1922. In June 1932 he became Councillor to the Legislative Bureau in Manchukuo; in June 1937, Chief of the Legislative Section of the General Affairs Board; he held various other positions; in May 1940 he became Deputy Chief * of the General Affairs Board of Manchukuo. He was also President of the Manchoukuoan Audit Bureau. He was chiefly concerned with legislative affairs.

As prescribed in the Constitution Manchukuo was not an autocratic state, but the prime minister was made responsible for all state affairs. The Emperor's prerogative power could not be wielded arbitrarily. Before any important matter was promulgated the Privy Council had to be consulted and the Emperor had to give final approval. In promulgation counter-signatures by the prime and other ministers was necessary.

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In practice the prime minister reported to the Emperor in detail on State Council meetings on the day after the meeting. When the matter was of extreme importance it was usually reported to the Emperor beforehand to ask his opinion. The Emperor attended the Privy Council when it discussed important matters. As to ordinary matters; the Emperor did not attend, but the president of the Council reported to the throne once a week. Thus state affairs were administered in close contact with the Emperor.

However, the Emperor, not entirely free from old tradition and not accustomed to modern, constitutional, monarchical procedure, showed a strong desire to intervene in administrative measures. He sometimes went so far as to intrude upon affairs without awaiting the advice of responsible persons, causing great embarrassment to the authorities.

On May 2, 1936 at a banquet commemorating his first visit to Japan he proposed to build a monument symbolizing his favorite motto. Each year, in January or February, the provincial governors' conference was held in Ch'ang-ch'un for several days. In the conferences of 1942 and 1943 the prime minister was called to the Palace in the midst of the conference and given instructions by the Emperor in person to be transmitted to the governors.

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20,161 Under the constitution the appointment and removal of officials, civil and military, was part of the Imperial prerogative * but it was the prime minister's responsibility to advise the Emperor. Neither could therefore move without the advice and consent of the other. The prime minister asked the Emperor's opinion before a formal request was presented and the Emperor had an opportunity to express his views beforehand. The prime minister was the only state minister responsible to the Emperor. His duties were, under the Emperor, to deal with important affairs and direct and supervise the other ministers. This was necessary in view of Manchuria's peculiar condition.

20,162 This controlling power could be reduced to a mere scrap of paper * if the premier could not hold the key points of the administrative system in his grasp. Accordingly, the power to ask the Emperor to appoint and remove, and to examine state budgets and legislation, was placed directly in the premier's hands. To execute these powers a General Affairs Board was established in the State Council under the immediate control of the premier. Since the premier could not devote himself solely to detailed business of the Board, a special official was appointed to head the Board, assisting the premier, and superintending the business. Although the Chief of the General Affairs Board was always a Japanese, he was neither an official of the Kwantung Army nor subject to its direction.

20,163 Although that army made demands either on the premier or Chief of the Board for defense measures based on the joint defense alliance, they were only demands and never took the * form of directives.

The duties of the chiefs of the various executive departments was to deal under the prime minister with affairs placed in their charge and the vice chiefs were to assist their respective chiefs. The department chiefs were appointed from among Chinese. As for deputy chiefs, in the beginning only the war, home and finance offices had them, and in the early days they were appointed from among natives. Due to ever-increasing complications, for the first time a Japanese became vice chief of the Foreign Office in June 1932. From 1936 on all other departments had deputy Japanese chiefs.

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20,164

Administrative duties of the various departments and sub-divisions were laid down in the provisions of the government organizations and in the respective department rules. All of the plans were first drafted in division offices, the assignment being determined by organizational provisions. The draft of plan was submitted step by step to the bureau director, the vice chief, and the minister for examination and approval. All related divisions, bureaus, etc. were consulted by conference or otherwise. When agreed upon by all the plan was explained by the deputy chief to the minister of the department of origin, who in turn gave approval.

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If this was a departmental ordinance the plan so approved was announced without further procedure. In the case of a law or Imperial ordinance, the plan was approved and forwarded to the legislative section of the General Affairs Board. If a budget question, it was also sent to the accounts section. * If no objection was raised, the chief of the General Affairs Board submitted the plan to the department vice chiefs concerned for opinion. When passed it went to the State Council for the ministers' approval. When this consent was given, the plan was submitted to the Privy Council, and if favorably reported, final approval was given by the Emperor. It was therefore impossible that important state affairs be decided at the level of vice chiefs.

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It was necessary for the Japanese vice chief experts to assist the native ministers, who although they occupied high ministerial position and had great political influence, were unaccustomed to modern administration. These dignitaries became gradually familiar * with governmental business and they finally expressed their opinions with confidence and positively.

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The meeting of the state Council was legally established to conduct administrative business; it had as members the heads of all departments and of the General Affairs Board, under the presidency of the prime minister. The subjects for discussion were enumerated in its organization and included all important state matters. As a councillor of the legislative bureau, he was occasionally called to these meetings to give explanations and later he attended often since he was ex-officio secretary of the Council as the chief of the Secretariat section of the General Affairs Board, * and as General Affairs Board vice chief.

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Debates were active and brisk. As against the businesslikeness of the vice chiefs' meetings, the discussions were chiefly political. If a draft plan passed by the vice chiefs was voted down or revised, it was sent back to the next meeting of vice chiefs. The vice chiefs' meeting had no legislative basis. In the early days the more prominent Japanese officials held informal conferences to insure liaison with each other. This continued for six months, until it became customary. It was then held once every week to discuss important problems to be submitted to the following State Council meeting.

20,168 While at first it had no legal or systematic membership, it became established that the chief of the General Affairs Board was to be chairman * and there were to be present the vice chiefs of the General Affairs Board in the various departments and the heads of the Board sections. Other officials were also called in from time to time.

20,169 The Privy Council meeting was held on the basis of the Constitution in order to prepare a report to the throne. Being advisory it had no power of revision of government drafts, but the debate became so earnest that the government had considerable hardship in having its proposals passed. To overcome obstacles which might have appeared in the plenary sessions, preliminary examining conferences were held. In some cases government plans * were pigeonholed, owing to denial of approval in the plenary session. Bills considered necessary for passage at any cost the government asked the Emperor to withdraw, and they were thereafter revised and submitted again for further deliberation. This last proposal was necessary because it would be contradictory of the plan of consultation to allow the Privy Council to revise.

20,170 Manchukuo was appointed on the plan of co-operation of five races and the Japanese were no less a full-fledged native element than the native Manchus. This plan was made clear in the Declaration of the National Foundation. In 1940 the Statute of the Citizenship was enacted and it provided that those who migrated into Manchukuo to set up residence were to be registered as Manchukuoans regardless of their origin. All five races were equally eligible for government office, subject only to special examination. If the examination had been the sole standard of selection, the majority of officials

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- 20,171 would have been Japanese, upsetting the desired ratio. * Both the maximum number and the posts to be permitted to the Japanese were limited and very rigid screening was introduced for Japanese subjects. Many posts concerned with planning were given to the Japanese since few native officials had sufficient experience and training. Local government posts were filled mostly by natives. Native officials in the central government were timid in executing their duties because they lacked knowledge and experience in modern administrative service and they were still in their infancy, and they had a traditional nature which accustomed them to safety first and shirking of responsibility. This gradually altered as they became experienced.
- 20,172 They became increasingly active. In the field of internal civil administration they showed strong interest in drafting plans and putting them into practice. The government strove to train young and well qualified officials from the natives. For this purpose the National Foundation University and Law and Political University were established, and for re-educating young officials the Tatung Academic Institute was set up.
- 20,173 In local government posts for Japanese were limited to planning or to specialist fields for which no suitable native candidates could be found. Administrative positions * in direct contact with the people were almost entirely filled by natives. Efforts were made to educate specialists among the natives through colleges. Much effort was demanded to secure harmony among various racial officials. At first this was not very successful, but improvement became apparent. The establishment of educational institutions for government officials contributed to this. Close cooperation was established * among officials despite racial differences. After 13 years serving with all the other races he had built up many friendships.
- 20,174
- 20,175 Salaries of high officials were fixed by the Imperial Ordinance of 1938, the prime minister receiving ¥1800 a month, the president of the Privy Council ¥1500 a month, Privy Councillors, ministers, and General Affairs Board chief, ¥1300 monthly. Native officials of high rank were paid monthly ¥500 as social intercourse allowance. All vice chiefs were ranked on the Kannin level regardless of race and maximum salary fixed at ¥800 with ¥200 duty allowance. They also received semi-annual bonuses, the amount being determined * from time to time.
- 20,176

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Tokunin rank officials, Japanese or native, were given year-end allowances by the Emperor, and a much greater bonus than the two sums given to Kannin officials. High ranking native officials received special allowances semi-annually, ranging from ¥5000 to ¥10,000 for money needed, due to their traditional way of living. Nothing like this was given to the Japanese.

In 1935 each native high official was given National Foundation Meritorious Service Bonds in large sums from ¥50,000 to ¥400,000, bearing 5% interest. ¥8,500,000 of such bonds were given. No Japanese received this.

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The Legislative Yuan was the government organ to assist the Emperor in enacting laws and budgets. Its organization was left to statute and raised quite a difficult problem from the beginning. After Chao Hsin-po was appointed chief on March 9, 1932, he held various discussions with the Legislative Bureau. Due to the delicate position of the bureau, which had to consult others, an early settlement was not to be expected. There were various problems.

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First there was racial complexity, and the necessity of determining how representatives were to be chosen. In the second place, there were the so-called legal bodies such as the Commercial Business Society and Agricultural Society, with tremendous influence. * Also, geographical representation was necessary. But in view of the conditions as they existed there was a question whether election of representatives through general ballot was possible.

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In view of these problems the Imperial Ordinance on the Legislative Yuan Secretariat Section organization was promulgated in April or May 1932. It provided that the section was to study prospective organization and prepare for its inauguration. In 1933 the Constitution Research Committee was formed and Dr. Chao was appointed chairman. The constitution was then only provisional and the primary duty of the committee was to draft a well-established constitution. However, it was also assigned * the task of drafting a plan for the organization of the Legislative Yuan. The Secretariat Section of the Yuan assumed the position as secretary to the committee. Chao suddenly resigned in the fall of 1934 without finishing his task and the function of the Legislative Yuan was delegated to the Privy Council for the time being.

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20,180 On July 25, 1932 the Concordia Society was inaugurated to stimulate and promote free expression of the people's will and to transmit government policy and intention to the people. There was begun in the society in 1934 or 1935 a combined Congress which was something like a general assembly of the representatives of the members. This Congress was gradually improved * and the composition of the society was greatly enlarged and strengthened after 1936. The Congress was divided into three classes: the Prefectural Combined Congress, Province Combined Congress, and the National Combined Congress, corresponding to the prefectural assembly, the province legislature, and the national diet. They convened every year. The work of the Legislative Yuan was left wholly behind and was still in the preparatory stage. The question arose of how to harmonize legally the Yuan and the Concordia Society. This was being studied, but before any conclusion could be produced Manchukuo came to an end.

20,181 Exhibit 57, the Lytton Commission Report, stated *
20,182 that the policy of the Self-Government Guiding Board was continued by the Advisory Bureau. * Military officers were not allowed to interfere in administration. Regulations for qualifications were enacted and appointments made on the basis of ability. Taxation was to be reduced and placed on a legal basis, and reformed soundly with direct taxes being transferred to the districts and municipalities, while central government was to use indirect taxes. Documents supplied by Changchun authorities stated that a number of taxes had been abolished, while others were reduced. It was hoped that readjustment of government enterprises and resources would increase revenue and eventual reduction of the military would lessen expenditures.

20,183 For the time being, the financial position was unsuccessful, with guerilla warfare keeping expenses high and the government not receiving normal revenue. * Expenditure for the first year was estimated at \$85,000,000 against the revenue of \$65,000,000. The deficit of \$20,000,000 was to be covered from a loan from the new Central Bank.

The government declared its intention, as financial conditions improved, to spend as much as possible of its revenue on education, public welfare, and development. It would also welcome foreign financial assistance in

Page

development of the country and would adhere to the principles of equal opportunity and open door.

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The government had begun to open primary and secondary schools and intends to train a large number of indoctrinated teachers. A new curriculum is to be adopted and new textbooks, and anti-foreign education abolished. The new system will try to improve primary schools and stress vocational education, the training of primary teachers, and the teaching of sanitary living. Teaching of English and Japanese is to be compulsory * in middle schools and Japanese is to be voluntary in primary.

In the field of justice the administrative authorities are not to interfere. The status of judges is guaranteed by law, with adequate salaries. Qualifications are to be raised. Temporarily extra-territorial rights will be respected, but they intend to start negotiations for abolishment as soon as adequate reforms are effected. Police are to be properly selected, trained and paid and completely separated from the army.

Army reorganization is planned, but since it now consists of old Manchurian soldiery they feel they must be cautious.

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The Central Bank of Manchukuo was established June 14 and opened officially July 1, with its head office in Changchun, 170 * branches and sub-branches. It is a joint stock company with a 30-year charter and its first officers were Chinese and Japanese bankers and financiers. It can regulate the circulation of domestic currency and maintain its stability and control its services. Its capital is \$30,000,000 and it has permission to issue notes against a 30% specie reserve. The old provisional banks were amalgamated with the new one and their business turned over to it. Provisions were made for liquidating non-Manchurian branches of the old provincial banks.

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In addition to its salvage the Central Bank has a Japanese loan of ¥20,000,000 and a subscription of \$7,500,000 from the Manchukuo Government to establish itself. It plans to unify all currencies by redeeming them for new notes at officially prescribed rates * that are based on the silver dollar and are to be covered up to 30% by silver, gold, or foreign currency. Whether it is to be convertible on demand and limitless, in hard money, is not clear. The old notes will circulate for two years from the passage of the Conversion Act but will not be valid after that time.

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Translated by
Defense Language Branch

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al

against

ARAKI, Sadao et al

Sworn Deposition

Deponent : Matsuki Tamotsu

Having first duly sworn an oath as on attached sheet and in accordance with the procedure followed in my country I hereby depose as follows.

FAR EASTERN MILITARY TRIBUNAL
THE UNITED STATES OF AMERICA & OTHERS
versus
ARAKI SADA0 & OTHERS

AFFIDAVIT

by

MATSUKI Tamotsu

of

1731 4-chome, Fukasawa-machi, Setagaya-ku, Tokyo.

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I, above named, having first duly sworn as set forth in the separate paper, in accordance with the form observed in Japan, do depose as follows:

I, MATSUKI Tamotsu, has a career as stated in the following:

March 9, 1893....Born in Tsuruoka City, Yamagata Prefecture, Japan
March, 1922.....Graduated from Law School, Tokyo Imperial University
May, 1922.....Employed by South Manchurian Railway Company.
June, 1932.....Councillor, Legislative Bureau, Manchoukuo
April, 1935.....Chief, Secretariat Section, General Affairs
Board, Manchoukuo
June, 1937..... Chief Legislative Section, General Affairs
Board, Manchoukuo
March, 1938..... Director, Secretariat Bureau, Manchoukuoan
Privy Council
May, 1940.....Deputy Chief, General Affairs Board, Manchoukuo
June, 1943.....President, Manchoukuoan Audit Bureau
October, 1944....President, Tachung Academic Institute, Manchoukuo.

As the above record suggests I was chiefly concerned with legislative affairs in Manchoukuo, accordingly my statement will be made on the fundamental laws of the land and matters related thereto.

I - The Emperor System.

First I am going to explain about the Emperor system. On March 9th, 1932, Mr. Henry Pu-wei was inaugurated as the Chief Executive of Manchoukuo in the City of Changchun, thus becoming officially the supreme ruler of Manchoukuo. But those former subjects of the already defunct Ch'ing Dynasty who were close associates to him, including

Cheng Hsiao-hsu (the first prime minister of Manchukuo), Luo Chen-yu (Privy Councillor and later president of the Control Yuan), Hu Ssu-yuan (Chief of Home Affairs Section of the Chief Executive's Office and later Privy Councillor), etc. wanted to realize an early enthronement of Mr. P'u-i, and were indeed aspirant for the restoration of the Ch'ing or Manchu Dynasty.

Opposed to these there was another group of men who were really influential in actual politics as represented by Chang Ching-hui (the first president of the Privy Council and later prime minister) and Tsang Shi-i (the first Chief of the Civil Administration Department and later the president of the Privy Council). These men had little sympathy with the early realization of the Emperor system, and showed a strong dislike of the restoration idea under the belief that any re-establishment of the Manchu dynasty would beget various evils. But as time went on, these influential politicians too became increasingly supporting the Emperor system apart from the restoration of the old dynasty. Furthermore they could not neglect the cold fact that such title as the Chief Executive would suggest something transitional and therefore would make the early consolidation of the national foundation impossible and political situation left unstable. This is the reason why the Emperor system was established relatively so early as on the first day of March 1934.

The restoration idea such as conceived by the former subjects of the Manchu dynasty, the close associates of Mr. P'u-i, was not given general support. Consequently in the law of the Imperial Succession

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it was provided that with Mr. P'u-i as the first Emperor the throne should be inherited only by his descendants, prohibiting the succession by his brothers and their lineage. On the other hand the old Chinese principle that any one, however mean by birth, can be a successor to throne only if he be most qualified was put aside, and the system of dynasty was introduced. Hence the provision "The throne of the Manchoukuoan Empire shall be succeeded to forever by the male descendants of the male lineage of Emperor K'ang Teh (The title of Mr. P'u-i as enthroned)".

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2. The Status of the Emperor.

Next I will state about the status of the Emperor. As was prescribed in the Constitution, Manchoukuo was not an autocratic state, but the prime minister, assisting the Emperor, was made responsible for all of the state affairs. The prerogative power of the Emperor could not be wielded in his own arbitrary decision. Before any important matters of state were promulgated the Privy Council was to be consulted by the Emperor, who upon the advice of the privy council was to give final approval. And in the promulgation the counter-signatures by the prime minister and the other responsible ministers were also made necessary. To explain this procedure in practice, the prime minister was granted an interview to report to the Emperor in detail on matters discussed in the State Council meeting, as well as other state affairs, on the day after the weekly meeting of the State Council. When the matters to be discussed at the State Council meeting had special importance this was usually reported to the Emperor beforehand to ask his opinion.

As for the meeting of the Privy Council, the Emperor attended it in person whenever it discussed important matters such as civil laws, penal codes, annual budgets, civil service ordinances, armed service ordinances, etc. When the Privy Council dealt with merely ordinary affairs the Emperor's presence was not asked, but instead the President of the Council was received before the throne once a week to make a detailed report to the Emperor on the matters discussed among the councillors.

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As appears from the above, state affairs were administered by the government in close contact with the Emperor. But the Emperor, not entirely free from the old tradition of the autocratic days of the Chinese dynasty, and also unaccustomed to the procedures of a modern constitutional monarchy, showed his strong desire to intervene in the administrative measures of the government. At times he went so far as to intrude upon governmental affairs without awaiting the advice of the responsible organs, thus causing great embarrassment to the government authorities, who experienced a great difficulty in settling the confusion result^{-ing} from such intrusion. For example, on 2 May 1936, at a banquet commemorating his first visit to Japan of just a year earlier, he surprised the government officials by a proposal to build a monument symbolizing his favorite motto "One Virtue and One Soul". One more example is to be mentioned in this connection. Each year as a rule, either late in January or early in February the provincial governors' conference was held at the conference chamber of the State Council Building in Ch'ang-ch'un, lasting several days. On the occasion of these governors' conferences held in 1942 and 1943, the prime minister was suddenly called to the palace in the midst of the conferences where he was sitting, and was given Imperial messages consisting of several items of his Majesty's instruction by the Emperor in person to be transmitted to the governors.

According to the Manchoukuoan Constitution, the appointment and removal of state officials, both civil and military, was apart of the Imperial prerogative, but it was the prime minister's responsibility to

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advise the Emperor in such matters. Therefore neither the throne nor the government could appoint or remove state officials without the consent of the other. Such procedure is only natural in a constitutional monarchy. In Manchoukuo, when the matter was concerned with important personnel, the prime minister asked the Emperor's opinion before a formal request was presented; therefore the Emperor was given an opportunity to express his opinion, if any, beforehand.

3. The Status of the Prime Minister

In Manchoukuo the prime minister was the only state minister who was responsible to the Emperor. He was, "under the Emperor, to deal with important affairs of state administration, directing and supervising the other ministers who head the various administrative departments." This powerful authority of the prime minister over the other ministers was necessitated in view of the peculiar condition of Manchoukuo, especially in its embryonic stage. But, however authoritatively stipulated in laws and statutes, the controlling power of the prime minister might become reduced to a mere scrap of paper if he could not hold the key points of the administrative system in his grip. Accordingly the authority to request the Emperor to appoint and remove state officials, the power to examine state budgets and legislation, etc., were placed directly in the hands of the prime minister. For the purpose of executing these powers and authorities there was established within the State Council the General Affairs Board, which was to be placed under the immediate control of the prime minister. In view of the reality that the prime minister, who was made responsible for all of the affairs of the state, could not devote himself solely to the detailed business of the General Affairs Board, a special official was appointed to head the Board, assisting the prime minister as well as superintending the board's business.

Though the chief of the General Affairs Board was appointed from among Japanese from the first, he was, in no sense, either an official of the Japanese Kwantung Army nor subject to the direction of the Army.

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Although the Kwantung Army did in fact make some demands either upon the prime minister or upon the chief of the General Affairs Board in connection with defense measures on the basis of the Manchoukuo-Japanese Defense Alliance, these were, after all, nothing but demands in true sense of the word, and never took the form of directives.

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4. The Powers of the Chiefs (Ministers) and Vice-Chiefs of the Various Executive Departments.

The duty of the chiefs (ministers) of the various executive departments was to "deal, under the direction and supervision of the prime minister, with the affairs which are placed under their respective charge," and that of vice-chiefs was to assist their respective chiefs.

The department chiefs were appointed from among the natives (Chinese). As for the deputy chiefs, only three departments, i. e., the War, Home, and Finance Offices, were furnished with the officials of this level at the beginning of the national foundation. And they, too, were appointed from among the natives in those days. Later, in view of an everincreasing complication of the administrative affairs, a Japanese for the first time was instituted as the vice-chief of the Foreign Office in June, 1932. Around 1936 and afterward, all the other departments became provided with deputy chiefs appointed from among Japanese.

Next I wish to clarify the relation between the department heads and their deputy chiefs through explaining some details in which administrative affairs were actually handled. The administrative duties pertaining to the various departments and their subdivisions were prescribed in the provisions of the government organizations and of the respective departmental organizational rules. All of the administrative plans were first drafted, as a rule, in offices of the division level, the assignment of each draft being determined by the above-mentioned organizational provisions. The drafted plan was then submitted

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step by step to the bureau director, the vice-chief, and the minister for their examination and approval. In the course of drafting and examining the plan, all related divisions, bureaux and departments were consulted in the form of conferences or otherwise. When agreed upon by all related offices, the plan was explained by his deputy chief to the minister of the department where the plan was originated. The department minister in his turn gave approval, if he had no objection; and in the case of a departmental ordinance the plan so approved was announced without further procedure at a higher level. In the case of a law or Imperial ordinance, the plan as approved by the department head chiefly responsible was forwarded to the Legislative Section of the General Affairs Board for its examination. If a budgetary question was involved, the accounts Section of the Board also had to be referred to. If no objection was raised by these sections, the chief of the General Affairs Board submitted the plan to the departmental vice-chiefs' conference to seek their opinion. When passed by this conference it was then presented for examination to the State Council meeting, to seek the opinions of the ministers; when consent was given by this Council meeting the plan was submitted to the Privy Council for deliberation. If it was favorably reported by the Privy Council the final approval of the Emperor was granted for its promulgation.

Such being the case it was impossible that any important affair of state was decided at the level of vice-chiefs, with the ministerial level being kept in the dark. It was necessary for the Japanese

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vice-chiefs, who were expert in administrative technique, to assist those native ministers such as : Chang Ching-hui, first president of the Privy Council and later Prime Minister; Tsang Shi-i, Home Minister; and Hsi Hsia, Finance Minister, who, though they had occupied ministerial position since the foundation of the state and were politically influential all over Manchuria, were in reality unaccustomed to modern administration. But even these dignitaries became gradually familiarized with modern governmental business so much that they were finally seen expressing their opinions with confidence and in positive manner.

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5. The Meetings of the State Council, of the Departmental Vice-Chiefs, and of the Privy Council.

The meeting of the State Council, as stipulated in the state Council Organization, was the meeting legally established for the contact of administrative business ; it had as members the heads of the administrative departments and of the General Affairs Board, with the prime minister as the presiding officer. The subjects to be discussed in this meeting were all enumerated in the provisions of the State Council Organization and included all important matters of state such as laws, Imperial Ordinances, budgets, treaties, appointments and removals of the KANNIN rank officials (Manchoukuoan equivalent of the Japanese CHOKUNIN officials), etc. Being a councillor of the Legislative Bureau at an early stage of the national foundation, I was occasionally called into this meeting to give explanations of the bills, laws, etc., and further opportunities were given me later to attend this meeting because I was appointed ex-officio secretary of the Council as the chief of the Secretariat Section of the General Affairs Board from 1935, and then as the General Affairs Board vice-chief from 1940 to 1943. So far as I know the debates and discussions at the meeting were very active and brisk. As against the businesslikeness of the discussions at the vice-chiefs' meeting, the nature of the discussions at this meeting was chiefly political.

And if a draft plan which had been passed in the vice-chiefs' meeting was voted down or revised in the State Council meeting, was notified to the next following meeting of the vice-chiefs.

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The vice-chiefs' meeting lacked legislative basis, and no mention of it was made in the provisions of the government organization. In the early days of the national foundation the more prominent officials of Japanese origin held informal conferences from time to time in order to insure liaison on governmental affairs with each other. For about half a year this practice continued without interruption until it became a well-established customary meeting. After that it was held regularly once every week to discuss such important problems as were to be submitted to the following State Council meeting. At first it had no regular or systematic membership, but by and by it became established that the chief of the General Affairs Board was to take the chair with the vice-chiefs of the General Affairs Board and of the various administrative departments, as well as the heads of the sections of the General Affairs Board, consisting the regular membership. Other officials were also called in whenever their explanations were required on questions on the conference agenda. Accordingly native officials as well as Japanese were there, and all attendants regardless of the difference of their races, were engaged in an active and eager debate.

The Privy Council meeting was held on the basis of the Constitution and the government organization in order to prepare for a report to the throne in compliance with his Majesty's consultation. Being an advisory organ, it had no power to propose revision of the government drafts laid before the Councillors for deliberation, but the debate became so earnest and serious that the government experienced con-

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siderable hardships in having its proposals safely passed through. In order to overcome obstacles which might otherwise have appeared in the plenary sessions of the Privy Council, preliminary examining conferences were held between the Councillors and the government for smoothing out difficult points. But in some cases, such as those of the Electric Power Enterprise Bill and others, there were some government plans which were ultimately pigeonholed owing to the denial of approval in the plenary session. Regarding such bills as were considered necessary of passage at any cost, the government asked the Emperor to withdraw them from consideration of the Privy Council, ^{for the moment} and these plans were revised by the government and submitted again to the Emperor for further deliberation in the Privy Council. This last-mentioned circumambulatory process was made necessary, because it would have been contradictory of the principle of "consultation" to allow the Privy Council to revise the government proposal.

6. The Nature of Officials Appointed
from among Japanese

Manchoukuo was a state which was founded on the principle of co-existence and cooperation of the five races, i.e., Chinese, Manchus, Mongolians, Koreans and Japanese. There the Japanese were no less a full-fledged national element than the native Manchus. Though no legislation on the matter of nationality had as yet been completed, the afore-mentioned principle was made clear in the Declaration of the National Foundation. Furthermore, in 1940 the Statute of the Citizenship was enacted to define the citizenship of the Manchoukuoan subject. According to this statute those who migrated into Manchoukuo, not as mere travellers but for the purpose of setting up residence, were to be registered as Manchoukuoan subjects regardless of whence they had come. And these five races were equally eligible for government office, subject only to a special examination stipulated in the Civil Service Ordinance. In reality, however, if the examination result had been made the sole standard for selection, the majority of the officials would have been chosen from among Japanese, thus upsetting the desired ratio between Japanese officials and those of the other races. Therefore both the maximum number and the posts to be permitted to the Japanese were limited, moreover a specially rigid screening was introduced for the Japanese candidates in the examination.

Many posts of the central government which were much concerned with planning were apportioned to Japanese officials, since few native officials had been sufficiently experienced or trained in such duties. Inversely the posts

in local governments were filled mostly by native officials. The native officials stationed at the central government appeared rather timid in the execution of their duties, for the following reasons; in the first place, they lacked knowledge and experience in modern administrative service, especially in the field of specialized technique; in the second place, the new officialdom composed of these young recruits was still in its infancy; and thirdly, their traditional nature, which had long accustomed them to the temperament of safety-first and shirking of responsibility, still held grip on them.

But as they acquired experience, the condition altered gradually; they became increasingly active and positive in fulfilling their duties. This was especially so in the case of young and intelligent officials, whose number was on the increase. Above all else, in the field of internal civil administration they showed a strong interest in drafting plans by themselves as well as in putting them into practice confidently. Hoping to realize a more eager participation by the native officials in the activity of the central offices, the government authorities strove to train young and well-qualified officials from among natives. For this purpose, the Chien Kuo Ta Hsiueh (National Foundation University), the Fa Cheng Ta Hsiueh (Law and Political University), etc., were established to educate native youths. And for re-educating young officials the Tatung Hsiueh Yuan (Tatung Academic Institute) was established.

As for the local government, the majority of the posts were occupied by native officials; posts for the Japanese were limited to the field of planning or to those fields for which no suitable candidates could be obtained from among natives, e.g., fields for specialists. Particularly the positions in the administrative field which had direct contact with the populace were occupied

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almost entirely by officials of native birth. At the same time, however, effort was made to educate specialists from among natives through establishing colleges for such sciences as agriculture, forestry, mining, engineering, medicine and veterinary medicine.

As a state racially complex, Manchoukuo demanded much effort to secure harmony among the officials of the various races. That attempt was not at first very successful, but by and by improvement became apparent, thanks to the enthusiasm of all concerned for the realization of an idealistic state as well as to the effort made by them to understand each other's languages and custom as early as possible. The establishment of educational institutions for the rearing of government officials was very contributory to this end. In these institutions students from all races sat, dined, and slept harmoniously in the same classrooms, dining rooms, and bedrooms. The seed sown in those days grew into a plant which bore fruits of friendship among young officials after they were graduated from these schools. Thus a close cooperation was established among these officials despite their racial differences. In the thirteen years of my official career I had many superiors, equals, and subordinates whose race was different from mine; though I kept secret nothing from them and adopted no discriminating attitude toward them on the ground of racial prejudice, no difficulties or failure was ever caused by such open-mindedness on my part. Once I heard Economic Minister Juan Chen-tse speaking to the effect that all government officials of Manchoukuo should be called by the one unified term "Manchoukuoan", in stead of being called by such discriminating terms as "Manchus, Mongolians, Japanese", etc. This kind of sentiment became generally prevalent. During the one year of hardship

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immediately following the termination of hostilities, hearty mutual assistance was maintained intact throughout and among the old colleagues and friends, Japanese and native Chinese. When the Japanese were going to be repatriated from Manchuria the long standing friendship between the Japanese and the natives was recalled gratefully to each other, mementoes were exchanged, and in short they parted regretfully and sympathetically but leaving no grievance. This was not peculiar to my case alone. The friendly relations built up between the natives and the Japanese who spent long years in Manchuria were all alike.

7. The Pay of the High Officials.

The salaries of the high officials were fixed by the Imperial Ordinance concerning Salary. As of around 1936 (the fifth year of Kang To), they were, for example, as follows:

Prime Minister.....¥1,800 monthly.

President of Privy Council.....¥1,500 monthly.

Privy Councillors, Ministers, & General Affairs Board Chief...¥1,300 monthly.

It was also provided that native officials of TOKUNIN rank (Manchurian equivalent of Japanese SHINNIN rank) were to be paid monthly ¥500 as a social intercourse allowance beside the above.

The vice-chiefs of the administrative departments were all ranked on the KANNIN level (Manchoukuoan equivalent of Japanese CHOKUNIN) regardless of their races, and the maximum salary for this rank was fixed at ¥800 per month. In addition to this sum they were paid monthly ¥200 at most as duty allowance. They were also given bonuses twice every year, the amount of each bonus being determined from time to time at such a sum as two months' salary, or one and a half months.

The TOKUNIN rank officials, whether natives or Japanese, were given year-end allowances by the Emperor instead of government bonuses. Of course the sum was greater^{than} the total of the two bonuses yearly given to KANNIN officials.

Moreover the high-ranking native officials received a special allowance ranging from ¥5,000 to ¥10,000 - twice annually, on the ground that they needed much money due to their traditional way of living both private and

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official. Nothing of the sort of this allowance was given to the Japanese.

In addition to all of the above, in 1935 (the 2nd year of Kang Te), each of the native high officials, then incumbent, was given National Foundation Meritorious Service Bonds in large sums ranging from ¥50,000 at the least to ¥400,000 yen at the most. The bonds bore 5% annual interest, and the overall sum of the bonds thus given totalled ¥8,500,000. No Japanese was the beneficiary of this grant.

8. The Legislative Yuan

The Legislative Yuan was the government organ to assist the Emperor in the enactment of laws and budgets under the provisions of the Constitution. Its organization was relegated by the Constitution to statute. The method of organization raised, therefore, quite a difficult problem from the first days of the national foundation. After Dr. Chao Hsin-po, a legal expert, was appointed Chief of the Yuan on 9 March, 1932, various discussions and consultations were had between him and the Legislative Bureau. Due to the delicate position of the Bureau, which in turn had to consult other various departments and bureaux, and had to move very cautiously, an early settlement could not be expected. The following were the chief problems which were discussed at the time by Dr. Chao and the Legislative Bureau:

- a. Manchoukuo was a state of racial complexity. Therefore all races had to be represented. But how were these representatives to be chosen?
- b. In Manchuria there had existed so-called legal bodies such as the Commercial Business Society and the Agricultural Society with tremendous influence among the populace.
- c. Geographical representation was of course necessary. But with the condition of peace and order as well as the standard of civilization among the populace what they were, would the election of the representatives through the universal suffrage, or the general ballot be possible?

In view of these difficult problems, the Imperial Ordinance concerning the Legislative Yuan Secretariat Section organization was promulgated in April or May 1932. This Ordinance provided that the Secretariat Section of the

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Legislative Yuan was to study the prospective organization of the Yuan as well as to prepare for its inauguration. Meanwhile, around 1933, a new organ called the Constitution Research Committee was officially formed, and Dr. Chao was appointed its chairman. The then existing Constitution, hastily written in the busy days of the national foundation, was of only provisional nature, as stated in its preamble. Therefore the primary duty of this Committee was to draft a well-established constitution. But as its supplementary duty this Committee was also assigned the task of drafting a plan for the organization of the Legislative Yuan. Thereupon the Secretariat Section of the Legislative Yuan became to assume a position something like a secretariat office of this Committee.

While devoting himself under a special order of the Emperor to this important task, Dr. Chao suddenly resigned in the fall of 1934 without reaching the conclusion of his task. And the function of the Legislative Yuan was delegated to the Privy Council for the time being under the provision of the old Constitution as revised, dated 1 March 1934 (this revision was made in the Supplemental Rule of the Constitution).

Side-by-side with the above mentioned events and progress, the Concordia Society of Manchoukuo was inaugurated on 25 July 1932 to stimulate and promote the free expression of the people's will and to transmit and diffuse the government policies and intentions to the people. There was initiated in this Society some time in 1934 or 1935 the Combined Congress which took a position something like a general assembly of the representatives of the Society members. As time went on, this Congress was gradually improved and increasing.

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well-shaped. In conjunction with this the composition of the Concordia Society itself was greatly enlarged and strengthened after around 1936. Hereupon the Congress was subdivided into three classes, i.e., the Prefectural Combined Congress, Province Combined Congress, and the National Combined Congress, which were to correspond in their functions to the prefectural assembly, the province legislature, and the national diet respectively. These congresses were convened every year, and were making remarkable progress and improvement year by year. Contrasted to this, the work of the Legislative Yuan was left wholly behind and was still wandering around in the preparatory stage. Then arose a question regarding how to harmonize legally the Legislative Yuan and the Concordia Society. And this problem was studied and attacked in the Fundamental Laws Department of the Committee on the Reexamination of the Existing Laws and Ordinances. But before any conclusion was produced in this committee, the existence of Manchoukuo came to an end.

9. The National Slogan "One Virtue and
One Soul between Japan and Manchoukuo."

The national motto "One Virtue and One Soul between Japan and Manchoukuo" was originated with the Emperor himself. In what ecstasies the Emperor was during his first visit to Japan, which was made in April 1935 (the 2nd year of Kang Te), is described in detail in a book entitled "Hu Tsung Fang Ji Kung Chi (Accompanying the Emperor on his Visit to Japan)" and written by HAYASHIDE, Kenjiro who was a member of his Majesty's retinue during the visit. In the midst of the travel the Emperor expressed his wish to issue an Imperial rescript, after his return to Manchuria, to share with the people his exultation in the visit and to have it treasured in their memory forever. In those days I was, as the chief of the Secretariat Section of the General Affairs Board, busily engaged in preparations for various festivities to be held, consequent upon his Majesty's return to Manchuria, under the direction of Prime Minister Cheng and General Affairs Board Vice-Chief SAKATANI (General Affairs Board Chief ENDO was away, accompanying the Emperor). The Imperial rescript was drafted in the State Council with the Imperial Household Office as its consultant. When Prime Minister Cheng submitted the draft to the Emperor for his approval on 29 April his Majesty, after reading it through, said that his meaning had not been fully expressed in it yet, and then dictated the following to the prime minister: ".....It shall rightly be said that I am unified in soul with the Emperor of Japan. You, the people of this country, truly adhering to this intent of mine, shall live in one virtue and on one soul with

the people of Japan, shall consolidate the ever-lasting foundation of both nations, and shall exalt the true spirit of Oriental morality....."

Besides the above, his Majesty altered about one-third of the draft and directed the prime minister to not down the alterations. Still not content with this, on the next day, 30 April, he suddenly called to the Household Office high officials of the KANNIN rank and above, both civil and military, who were then in the capital, and standing on a platform delivered an address for about an hour. The gist of the address was concerned with his interpretation of Oriental morality as well as his observations on the Japanese-Manchoukuoan relation which would be secured, according to his opinion, with a tie forever indivisible based upon the principle of One Virtue and One Soul. Raising his voice particularly he concluded his speech in the following manner:

"If any Manchoukuoan should act against the interests of Japan, he shall never be a loyal subject of mine; vice versa, if any Japanese should embrace a design inimical to the good of this country, such a Japanese could never be called loyal to the Japanese Emperor."

Moreover, in the evening of 8 December 1941, when the Pacific War broke out, he called a Privy Council meeting in his presence in the Imperial Household building to give consideration to the Imperial Rescript concerning the momentous situation. In this meeting he exhorted his elder officials by saying "To interpret this war as a mere conflict fought by Japan against Great Britain and the United States would constitute an error. As a matter of fact this is a war to liberate all the Asiatic races from the bond of Europeans and Americans who have intruded into Asia for the several hundred years past. Manchoukuo will cooperate with Japan in this war with all her national resources and power."

10. The National Foundation Shrine.

As for the National Foundation Shrine, its history began something like this: at first in some quarters there arose an opinion that, being a state founded upon the cooperation of several races, Manchoukuo needed a kind of spiritual center, the altar of which every Manchoukuan, regardless of his race, would piously bow down. But the question of what god should be enshrined presented a very difficult problem, and for a time it came to a standstill. Later on, however, apart from this movement there came to the fore another idea that the post-mortem spirits of the patriots of all the five races should be deified and enshrined as National Guardian Gods. According to this idea, there would arise no objection to the worshipping of these gods from any of the races. The idea of this National Guardian Gods Shrine came to take a shape so concrete that the building of the shrine was started. But before it was complete the once suspended idea regained its strength and it was agreed that the God of National Origin had to be given priority rather than the National Guardian Gods. Thus the old question of choosing the Origin God for whom the shrine was to be hallowed naturally presented itself again. After all sorts of discussions it was finally decided, based upon the initiative of the Emperor, the Sun Goddess was to be the Origin God of Manchoukuo, as in the case of Japan also, because of the principle of One Virtue and One Soul between Japan and Manchoukuo, and that to this God the National Foundation Shrine was to be dedicated. It was also decided that the shrine building at Nanling which was already under construction as above mentioned was to be the home of the post-mortem spirits of the heroes whose lives had been sacrificed to the cause of

the national foundation, and that this shrine was to be directly subordinated to the Sun Goddess' shrine under the title of the 'National Foundation Heroes' Shrine."

But on the ground that no worship should be made compulsory to the people, the building of branch shrines of the National Foundation Shrine in provincial regions was not permitted. In reality, moreover, the National Foundation Shrine was built in the premise of the Imperial Palace where general public had no means of easy access. Neither was any legislative attempt ever made to establish a state religion, though the Shrine Office was instituted as a part of the government system owing to the necessity for appointing the shrine priests; nor any idea had ever occurred of revising the criminal code for punishing blasphemy toward the shrines.

In a very pious spirit the Emperor worshipped every month before the National Foundation Shrine. When MINAGAWA, Toyoji acting Governor of Fengtien Province, was granted an interview by the Emperor to report to his Majesty the situation in his province, he was asked a question by the Emperor "what is the basic doctrine of the education of your province?" Seeing the acting Governor hesitate to answer for a while, his Majesty asserted, as if to teach him, "It is Shinto."

Another example will suffice for my explanation on this point. As stated in Paragraph 2 above (on the status of the Emperor), on two or three occasions when provincial governors conferences were going on, the Emperor called the prime minister to the palace to give Imperial messages of several items of his teachings prepared by himself for the provincial heads. All these messages